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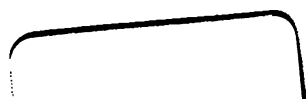
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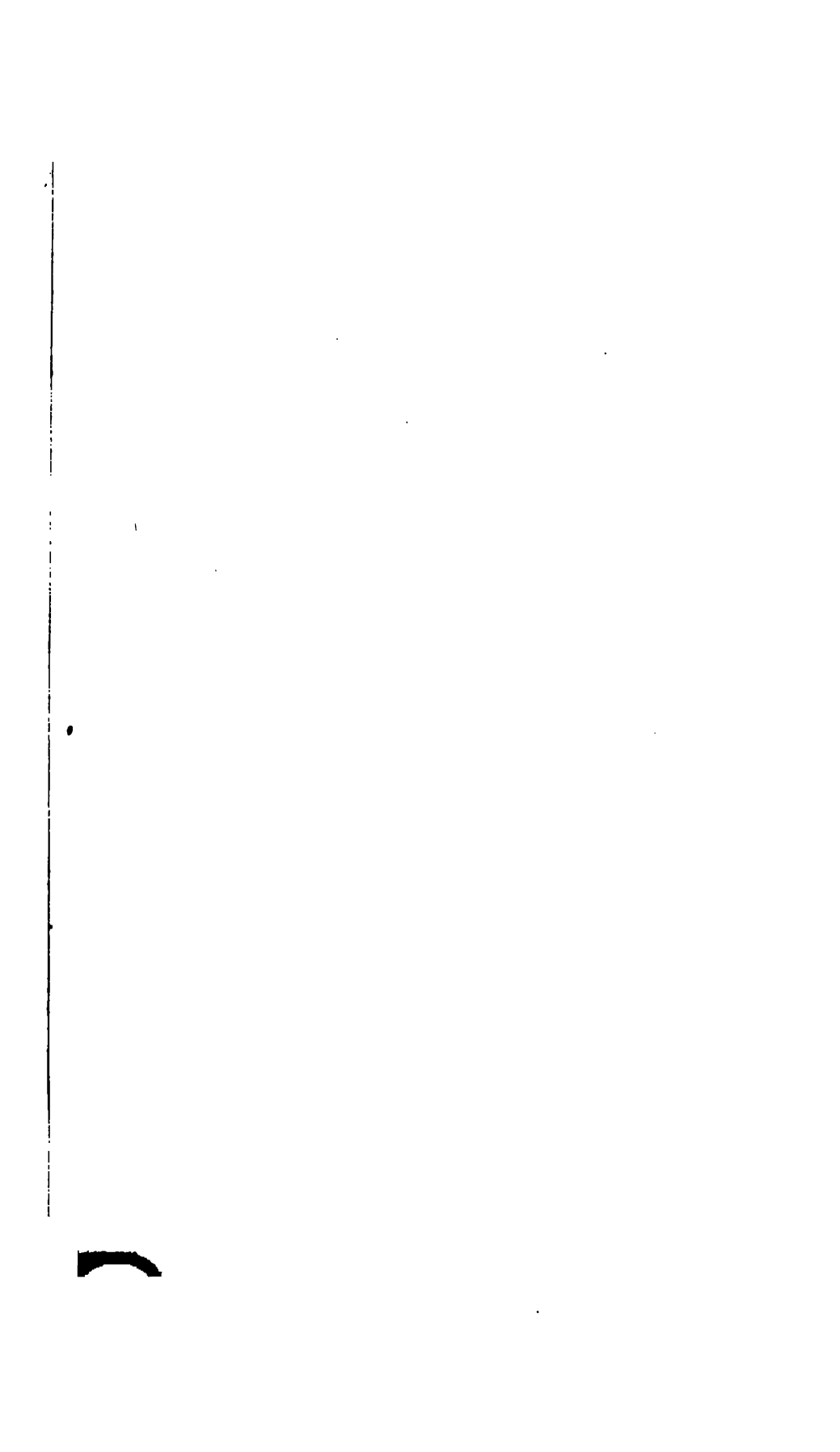


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THE  
WESTMINSTER REVIEW,

No. XXXV.

FOR JANUARY, 1833.

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ART I.—*Report from Select Committee on the Silk Trade : with the Minutes of Evidence, an Appendix, and Index.* Ordered, by the House of Commons, to be Printed, 2 August 1832.—fol. pp. 1050.

**I**T is disagreeable to do anything an adversary can by possibility exclaim against as unfair. For which reason the examination of the present subject has been deferred, till the efforts of the opponents to prop their cause by application to the same sources, united in some instances to frightful garbling of the evidence, had removed all hesitation which on this point could occur to the most scrupulous mind.

In March of the year 1832, at the urgent instance of some persons connected with the Silk Manufacture, a Select Committee was appointed by the House of Commons, whose object was to inquire into the consequences of a more liberal system of policy as affecting that particular branch of trade, and to

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ascertain whether it might be promoted by any measures compatible with the general interests of the country. The thick folio on which it is proposed to offer a few remarks, is the evidence given before that Committee, which in consequence of the advanced period of the session did not make any General Report, but presented the statements they had collected together, without note or comment, leaving every man to draw his own deductions from the document. Of all the witnesses examined, there are only two unassociated with the Silk Trade, either as throwsters, weavers, manufacturers, merchants, or sellers of silk goods; only two individuals therefore whose evidence can be considered as in any way representing 'the general Interests of the Country,' and a cloud of witnesses who represent the particular interests of the Silk Trade. If the proportion which the Silk Trade bears to the whole trade of Great Britain were taken into account, two hundred witnesses instead of two would only have been a fair average. Every interest had a right to be heard that was likely to suffer by the demands put forth by the Silk Trade. Every labourer who manufactures, every merchant who exports any article which serves to pay for the imported silk goods of France, might properly appeal against the injury intended him. And the unfortunate public that 'pays for all,' had certainly a strong case of grievance, being taxed thirty per cent on more than five millions sterling, for the benefit of the silk manufacturers; that is to say, being compelled to give to the said manufacturers about a million and a half per annum more than would purchase the same quantity and quality of goods from neighbours not forty miles away. It might have been supposed that so enormous an impost levied on the people of England in favour of a particular fabric, would have been deemed a sufficient exaction; but the object of those who obtained the nomination of the Select Committee was to levy something more. Their disadvantages they said were far above 30 per cent, and to compensate them for those disadvantages, they must make a further attack upon the pockets of the consumers. They demanded prohibition.

Now, as their complaints were most loud, and their demands most vehement, it would naturally be expected that they had to present an appalling case which should demonstrate the decline of their manufacture;—that they would show, in fact, an enormous import of raw silk some years ago, and a dwindling of the consumption down to almost nothing at the present hour. But what are the facts?—That the average consumption of raw silk in the manufactures of England, is more than a million lbs. per annum greater than before the admission of foreign

manufactured silks, constituting an increase of more than one half\*; while such an impulse has been given to improvement by the influence of foreign competition, that our exports of silk manufactures have in the same period mounted up from less than 160,000*l.* to half a million a-year†.

\* Quantities of Raw Silk, Waste Silk, and Thrown Silk, Imported at certain Periods.

In 1765 and 1766, Prohibitions on Manufactures enacted.	Raw Silk.	Waste Silk.	Thrown Silk.
<b>AVERAGE IMPORT]</b>	lbs.	lbs.	lbs.
Of 1765-6-7; commencement of Prohibition .. .. .	352,000	.. ..	363,000
Of 1785-6-7; being a period of 20 Years after Prohibition .. .. .	544,000	.. ..	337,000
Of 1801 to 1812 .. .. .	760,000	.. ..	350,000
Of 1815-16-17; being 50 Years after Prohibition, and the first year of peace ..	1,095,000	27,000	293,000
Of 1821-2-3; being the last three years prior to the change of the Law ..	1,970,000	74,000	355,000
Of 1829-30-31; being the three last years ..	3,075,000	515,000	374,000
Of 1830-31; being the two last years ..	3,353,000	623,000	475,000
Of 1831 .. .. .	3,036,000	762,000	514,000

*Mr. Hume's Evidence, p. 10.*

† An Account of the Official Values of British Manufactured Silks Exported in each Year from 1821 to 1830, both inclusive.

YEARS.	Official Values of British Manufactured Silks Exported from the United Kingdom.					
	Manufactures of Silk only.		Silks mixed with other materials.		TOTAL.	
	£.	s. d.	£.	s. d.	£.	s. d.
1821....	104,124	10 7	39,717	8 6	136,841	19 1
1822....	102,707	3 3	38,467	14 3	141,174	17 6
1823....	104,934	19 2	35,525	0 3	140,459	19 5
1824....	95,038	9 5	64,632	8 1	159,670	17 6
1825....	57,499	8 9	93,387	11 0	150,886	19 9
1826....	53,155	19 3	53,775	10 10	106,931	10 1
1827....	78,665	15 10	94,927	8 8	173,593	4 6
1828....	81,636	6 6	97,417	13 5	179,053	19 11
1829....	141,686	0 6	80,312	0 9	221,998	1 3
1830....	348,761	10 8	79,087	14 11	427,849	5 7
1831....	..	..	say		500,000	

*Mr. Hume's Evidence, p. 14.*



It cannot be denied that in many departments in the silk manufacture considerable distress did and does exist. Silk goods, whose consumption among the poor must always be limited in consequence of the high price of the raw material, will be inevitably more subject than most other fabrics to those fluctuations of fashion with which the opulent amuse themselves in the preparation of their habiliments. The fancy or caprice of a few women of rank will affect the well-being of tens of thousands. If the silk-weaver is injured, somebody else it is true will be benefited by their varying humours;—but in the transit there must be suffering. And perhaps a wise and benevolent legislature could be engaged in no more interesting or more important inquiry, than on the means of removing or diminishing those evils which grow out of the uncertain demand for a particular sort of labour. A fitter and better education of the people would alleviate this and many other grievances. A man ought not to depend on one solitary method of support. He should be so instructed as to shift his position with the shifting requirements of the market. In the towns where an art of this kind is possessed, the wages of labour never fall so low, nor are the privations of the labourer at all comparable in length and severity, to those experienced where he has only one resource.

It is not from insensibility to the real distresses of the labourer, that the Westminster Review refuses to ally itself with those who insist that the distress shall be relieved according to their prescription and to theirs alone,—namely by enabling them to prey upon the community under a promise to the labourer that he shall share the spoils. The trick which the landlords have too long practised on the farmers, by setting them to cry out for ‘high prices for our protection,’ of which the true meaning was ‘high rents for our monopoly,’—is now being played off upon the poor silk-weaver by the manufacturing lords. But symptoms have lately been showing themselves, which prove that ‘the clodpoles’ begin to feel that they after all have got little but disappointment, while their masters have realized the substantial benefits; and it is to be hoped that the artisans of England, who are so inquiring and intelligent, will not long be imposed on. They will see that the demand of their masters to be allowed to carry on a system of deception and pillage, is one which they are really interested in overthrowing. Their minds are already opened to the fraud of the Corn-laws; they see that what the landed aristocracy call protection is in truth nothing but robbery; and they will be ashamed ere long of having it supposed that they sanctioned a robbery of their own, though this robbery was represented as

beneficial to themselves. The scales will fall from their eyes and they will discover that they, like the great mass of the community, have a deeper interest in honesty than they could possibly have in fraud.

Prohibitions and protections, restrictions and monopolies, are in truth nothing but Toryism applied to the daily concerns of life. They are part and parcel of the great delusions by which strong multitudes are made the tools of a handful of weak leaders, prompted and led astray by those who are interested in increasing the real causes of the national distress. Many of the labourers of England are at this moment joining in the plot. Meanwhile the real friends of the people patiently wait the dispersion of those mists in which a portion of the people are enveloped. Ultimately an immense majority will be found on the side of logic, arithmetic, and virtue. It is something to have got the monopolists into the field of controversy. Till lately they held the power of government; they have now only the power of prejudice and of dishonest interests, and of such allies as these can find. Happily the greatest of all interests, the well-being of the community, is coming into the field, and there can be little doubt that, whatever may be its early aberrations, its final preponderance is assured.

As the struggle of the silk manufacturers is the latest, so it probably will be one of the last attempts to cause a vast sacrifice to be made by the community for the purpose of producing a trifling benefit to a small number of individuals. An appeal was made to the feelings of the Legislature in the name of the labouring classes; the introduction of foreign manufactures was boldly proclaimed to be the cause of their suffering; and a Select Committee of the House of Commons was appointed to examine the statements made. Constituted as the committees of the House of Commons generally are, they are most imperfect instruments for the investigation of evidence, and in consequence for the elucidation of truth. So few indeed are the members to whose appropriate knowledge, zeal, and disinterestedness, a question of commercial policy can safely be intrusted, and so many objects are constantly pressing simultaneously upon the attention of such, that it is impossible for them to give to any one of those objects the attention it deserves. The whole machine of parliamentary inquiry is unorganized and cumbrous. Committees are, for the most part, assemblages of advocates in the hands of sinister interests, sitting, not as dispassionate judges, but as partizans of particular systems of policy. The members who have any purpose to serve, any constituency to oblige, are regularly

present; but for the most part, the attendance of the others is capricious and uncertain. Having no regular plan of proceeding, no established rules as to the acceptance or rejection of evidence, the usefulness of bodies so chosen depends essentially on the presence of that quality, impartiality, which is the rarest of all. They are at present encumbered with the defects of both secrecy and publicity. While the public is excluded from the knowledge of what is passing, it is notorious that those who have private interests to serve can obtain, and do obtain, the fullest cognizance of whatever is elicited in the examination of witnesses. If the evidence went forth to the world at the time of its production, light would flow in upon its obscurities, truth upon its errors, honesty upon its misrepresentations, and information upon its ignorance. If it were kept strictly secret, all parties would be left at equal disadvantage. As it is, all the machinery of petty management, intrigue, and trickery, is called into action; and the tactics of legislative *macchiavelism* might be studied with advantage in some of the committee-rooms of St. Stephen's Chapel. The existence of distress—of great and unparalleled distress—was, as has been stated, put forward as the prominent reason for granting the select committee. Now, it is certain that at any and all times a considerable portion of suffering must exist in a manufacturing community dependent on the uncertainties and irregularities of demand, and pressed with a quantity of superfluous labour in consequence of the restrictions on the supply of food. Prosperity itself, calling into action a number of new hands, infallibly lays the foundation of future evil; since a regular and undisturbed increase of demand is incompatible with the vicissitudes to which all human things are subject. The changes of the seasons exercise a perpetual influence on all articles of dress; the caprice of fashion, an influence still less amenable to the calculations of foresight. Civilization displaces numerous objects by objects more beautiful, cheap, or convenient. Inferiority in every shape must be the victim of superiority; and the error of the sufferer is, to suppose that legislation can preserve to inferiority the privileges it possessed when, in fact, it was not inferiority, but the contrary. In the contests of capital, no law can long give to the poor man the benefits possessed by the rich. In the struggles of industry, no legislation can place the man whose knowledge, diligence, and means are less, on a level with him whose knowledge, diligence, and means are greater. The great interests of society will protect themselves at all hazards. If they are sacrificed by foolish legislators, the violators of the law, forming

an alliance with those great interests, come in to avert or diminish the evil. There is a self-regulating power which always to a certain extent guarantees the community against the conspiracies of the narrow interests which are leagued against it. Each individual for himself prefers that which is cheap to that which is dear—that which is good to that which is bad,—and until men can be persuaded that the worse is to be taken rather than the better, the advocates of the anti-free-trade system are but howling to the winds. Is there one among them who applies his theory to his own practical use? Does the city alderman wear coarse clothing, and eat indifferent food, and dwell in a hovel, and use slates for coals, if for the same money he can get comfortable raiment, diet, house-room and fuel? The most intemperate advocate for restriction and prohibition, would think the system which he insists shall be applied to others for *his* benefit, most despotic and abominable if applied to him for theirs. But there must be exceptions. So says every one who claims to be excepted; and all would be excepted in turn. Let every man rob every man, and we shall all get rich. Such is the anti-free-trade theory when generalized; but when it comes in a particular shape, its language is only, 'Let *me* rob.'

And what, to come to facts, is in this country at this moment the state of that industry which is the immediate topic of inquiry, on the showing of those who want new Acts of Parliament to enable them to take more than they now take out of the pockets of the community? They estimate the annual value of the silk manufactures of England, at from five to eight millions sterling. In the evidence given before the Silk Committee, they state that the difference in the cost of production between France and England, is at least 40, but many of them say from 60 to 80 per cent. Now take the lowest of these estimates, and they demand an annual annihilation of the property of the consumers of silk goods, to the amount of two millions sterling per year. Here, in addition to all the other sacrifices of misdirected capital, we have an indirect taxation proposed to be levied on the public, for the interests of the silk manufacturers alone, equal to nearly one twentieth of the whole of the public burthens. But if the average statement can be admitted,—if the manufacturers of France can on an amount of six millions and a half, give the English consumer a benefit of 60 per cent,—then the demand of the English silk trade is, that they shall be authorized to take near four millions a-year for their exclusive benefit, out of the consumer's purse. At present they are allowed a protection of 30 per cent; that is to say, a million and a half per annum of the national wealth is

transferred to them. They are not satisfied, they are very angry, that they have not twice as much.

But if some of the advocates of prohibition are to be believed, a still greater injury is inflicted on the community; for the French who let us have their silk manufactures, 'take nothing in return.' Is it then an act of entire and gratuitous beneficence on their part? 'Look at your exports and look at your imports,' shouts Mr. Robinson triumphantly. The intelligent and prohibitive Frenchmen, from whom you receive four times the amount that they receive from you, these are the true political economists, these are the enlightened men who know how to manage their affairs, the sound, the practical merchants, who give you two millions sterling of their commodities for the half million they admit of yours! It is humiliating to think, that such puerilities as these, should be still dealt out from high places, and find an echo beyond parliamentary walls. But when driven out of this first field, a position is taken up in another, and the cry is, 'O, but we pay in bullion!' How bullion is to be obtained by a country which does not produce it, except by the sale of something it does produce, is a question with which sagacious anti-political-economists take care not to trouble themselves. It is indeed no part of their strategy to inquire; otherwise they might discover, that a payment in bullion by a country which must have received that bullion from another country, represents two profits instead of one, namely the profits on both the import and the export of the bullion; whereas a direct payment in goods, the produce of the exporting country, is *à priori* a less beneficial operation, than one where the two exchanges have had place. In matter of fact however, commercial exchanges between two countries, will naturally flow in the channels of their separate productions, the productions in which they are each peculiarly distinguished. It is on these that each will present to the other the strongest motives for sale and purchase. The produce of a third country will, in the long run, be attainable by each on cheaper terms from the third country direct. Now and then a traffic in foreign produce may undoubtedly take place; but the general trade, the regular transactions of business, will be infallibly carried on in those manufactured articles which exhibit the peculiar aptitude or superiority of each, or in that raw produce for the growth of which either is distinguished. As respects France, the intercourse with England, under the system most beneficial to both, might be traced in broad outlines. Mineral productions, iron and coal especially, cotton and woollen manufactures, would be the great objects of export from England;

vegetable productions, wine, brandy, oil, silk fabrics, and all articles of taste, would become the leading articles of our import from France. Under a wise and reasonable legislation, the annual profits of the trade with France would soon be much greater than the present annual gross amount of the whole goods which pass between the two countries; to say nothing of the immense sum that would be added to human enjoyment by the interchange of so many sources of enjoyment, or of the benignant influence of close and amicable relations between two countries so distinguished for their power, their wealth, and their capabilities.

Until, then, the French manufacturer can be found who gives his goods for nothing, or the English importer is produced who obtains them for nothing, it may (with all deference to the opponents) be taken for granted, that a barter has taken place; and it may be presumed that the real amount of exports and imports from and to any given country will be the same. Every French exporter therefore, is paid by somebody and with something; and the requisition of our English silk manufacturers, to put a stop to the introduction of foreign silk goods, should in fairness be accompanied with a declaration on their part, of what particular interest, or class of persons, it is their desire to sacrifice,—on what particular purse they wish to levy the assessment. It may be well that Macclesfield should grow rich; but is Macclesfield to get rich by plundering Manchester? The prosperity of Coventry would be delightful to contemplate; but Coventry must not play Robin Hood with his good neighbour Birmingham. Spitalfields is dear as the apple of an eye; but she cannot be allowed to be poaching on Sheffield. In all these matters, nothing is so convenient as an abstraction. It is the public, 'the pensive public,' upon whose huge bank of credulity the dishonest interests are to draw. With one hand 'the practical men' are for bandaging our eyes, with the other they are for stealing our monies. And in the evidence given before the Silk Committee, nothing is more amusing than the extraordinary anxiety on the part of the monopoly-demanding witnesses, to keep out of view every interest but their own; to prevent any ray of light falling upon the honest interests of others. Their winnings must in no event be interfered with, by reference to the losses of anybody else. No matter whom you impoverish, you must, they say, make *us* rich; ask not whence the money comes, only take care that *we* have it; and if anybody cries out, you may do by them as we ask you to do by us, give them their privateering license and let them away to the ocean. Prizes and pickings for all.

At the present moment, the silk manufactures of France

and of England, consume annually about an equal quantity of raw silk, namely four millions of pounds; and the value of the produce of each may be estimated, in their separate markets, at nearly the same amount, say 6,000,000*l.* sterling; for though the silk used in France, is on the average much finer and costlier, and the manufactures in France more perfect, tasteful, and elaborate, the difference in the expense of production, of wages, &c., will about equalize the value of the articles produced. The line of superiority of France over England, is easily drawn. The French silk manufacturer is imaginative, inventive, creative, constantly putting forth new improvements in his art. The English, less fanciful, less ingenious, less varied, but with larger capital and better machinery, would, under a free-trade system, rather direct his attention to those articles which are of wider consumption, and which demand less of variety in pattern or colour. Of the silk manufactures of France, four-fifths go to supply the foreign demand. They give the fashion to the world, and from their beauty and variety they are entitled to do so. Of the silk manufactures of England, only one-twelfth are exported, eleven-twelfths being absorbed by home consumption. The silk manufacture of England has been more rapid in its growth than that of France; but as it is dependent mainly on one sort of demand, that of the native purchaser, it may be liable to greater fluctuations. Under the system which preceded the introduction of French manufactured silk, the average consumption for three years was 2,399,000 pounds per annum; the present average for three years, is 3,999,000 pounds per annum; an increase of 60 per cent, and an increase wholly unexplained and inexplicable by those who represent the silk manufacture to be in a state of decline.

The real amount of the exportation of French manufactured silks to England, is as follows:—

Franks.				Franks.			
1818	...	...	1,744,105	1825	...	...	6,104,103
1819	...	...	2,713,583	1826	...	...	7,596,421
1820	...	...	2,727,748	1827	...	...	11,460,119
1821	...	...	2,815,178	1828	...	...	17,311,810
1822	...	...	3,516,328	1829	...	...	10,483,777
1823	...	...	2,901,670	1830	...	...	15,204,388
1824	...	...	3,856,465				

*Dr. Bowring's Evidence, p. 525.*

And this table is particularly instructive, as representing the gradual progress of English demand, and showing how inefficient all legislative prohibitory measures were against any considerable superiority. From 1818 when the amount of smuggling was only about 70,000*l.* per annum, the illicit introduction

increased year after year, until it had reached 250,000*l.* in 1825-6. Yet with such evidence of the failure of the attempt to prevent contraband imports under a system of prohibition, prohibition has been demanded anew as the sole efficient protection.

France, from her geographical position, is necessarily the central market for unmanufactured silk, and there are few things so likely to forward her great interests, as the removal of every internal impediment to a free trade in this valuable commodity. If she opened her eyes to the sources of her real prosperity, she would relieve the trade in silk from every trammel, she would allow its freest ingress, egress, and transit; at present she impedes the introduction of foreign silk by a heavy duty, she prohibits wholly the exit of her own silks, and of any silk but that which enters her bonding warehouses for the special purpose of transit to other countries; she thus diminishes the motives to produce, which is of pernicious influence on her silk growers; she adds to the uncertainties and embarrassments of speculation (by refusing permission to export), by which she inflicts injury upon her silk merchants; and narrows her market for the raw material, by which she does mischief to her silk manufacturers. Her import and export trade may be pursued in the following tables extracted from the evidence.

## FRENCH SILK TRADE—IMPORTATIONS.

## RAW AND THROWN SILK.

Countries whence Imported.	Quantities Imported (Kilogrammes.)						
	1825.	1826.	1827.	1828.	1829.	1830.	1831.
England .....	40,872	62,863	2,655	764	14,897	8,393	3,178
Low Countries ..	13	26,487	3,550	164,802	53,696	9,912	4,133
Austria .....	455,686	229,411	607,678	542,041	612,113	560,401	645,478
Germany .....	666	2,129	86	313	464	82	986
Switzerland ....	15,488	10,207	16,182	17,566	15,273	18,671	25,379
Sardinia .....	277,316	411,546	368,127	276,264	335,556	344,683	296,652
Tuscany .....	5,911	1,259	4,882	5,038	8,141	4,863	1,854
Naples and Sicily	45,126	48,575	49,200	39,735	57,250	40,398	30,439
Spain .....	42,673	10,480	25,024	18,547	9,227	10,325	23,104
Turkey .....	59,481	84,334	70,054	127,334	138,637	128,744	25,858
Egypt .....	764	308	673	12,286	551	..	..
Barbary States ..	..	3,435	3,375	348	79	3,759	1,480
United States ..	123	4,153	1,262	..	..	2,113	244
China and Cochin	..	..	..	..	..	..	..
China .....	..	..	2,119	140	8,234	..	6,146
English India ..	..	1,327	23	..	2,811	..	435
French India ..	..	139	436	1,054	..	4	1,878
TOTAL .....	944,119	896,553	1,155,326	1,206,232	1,256,929	1,132,348	1,067,239



## FRENCH SILK TRADE—EXPORTATIONS.

## RAW AND THROWN SILK.

Countries to which Exported.	Quantities Exported (Kilogrammes.)						
	1825.	1826.	1827.	1828.	1829.	1830.	1831.
England .....	466,814	216,687	701,490	773,340	396,260	609,497	669,605
Low Countries .....	6,711	4,517	5,585	6,097	4,660	4,065	3,094
Prussia .....	228	..	20	147	..	..	317
Germany .....	2,784	2,002	5,907	3,650	2,780	2,702	1,858
Switzerland .....	8,027	5,147	14,771	8,792	10,746	23,447	13,150
Sardinia .....	2,994	20,369	2,977	3,335	1,230	8,328	9,141
Tuscany and Roman States .....	416	379	1,974	3,358	668	2,527	745
Spain .....	..	643	63	4	37	396	121
Portugal .....	31	..	..	..	..	..	..
Turkey .....	..	380	137	..	218	487	106
Egypt .....	..	..	..	..	..	227	126
Algiers .....	..	..	..	..	..	..	3,724
Barbary States .....	570	1,806	1,534	7,120	4,558	1,368	598
United States .....	137	..	..	..	..	563	818
Mexico .....	654	579	1,941	..	80	2,634	1,812
Brazils .....	..	395	8	..	..	73	..
<b>TOTAL.....</b>	<b>489,366</b>	<b>252,904</b>	<b>736,407</b>	<b>805,843</b>	<b>421,250</b>	<b>661,314</b>	<b>705,215</b>

*Evidence, p. 512.*

The causes of French superiority in the silk manufacture may easily be traced. That manufacture has grown up naturally and spontaneously, as it were, in the silk-producing districts; it is the only one which has not been cursed with protecting laws; its productions being distinguished for cheapness and beauty, find their way into all the markets of the world, and in consequence, they give and receive the impressions which the general taste displays. Into this fabric, a vastly greater portion of fancy and art enters than into any rival manufacture. The elegance and variety of its patterns, the harmony both of form and colour, are much superior to those exhibited by any of its competitors. In England especially, little has been done to bring the arts into the field of instruction; there are no schools, no professors, whose object it is to make the fine arts subservient to manufacturing improvement. In France it is far different; and as they who would reap must sow, the account of the *Ecole des Arts* at Lyons may be advantageously studied by those who proclaim that England has nothing to learn from France in any part of the manufacturing field,

‘8,806. You have stated the great superiority which, in your opinion, exists in the finer articles produced at Lyons over those produced in other places, will you state whether there are any circumstances to which you attribute, in particular, this superiority in taste and design ?—*A.* I think that is the part of the question on which I may be enabled to throw most light ; and I fear that it has not excited so much attention as it deserves. It is to the neglect of this, which may be called the germ of the French superiority, that I suspect the want of our superiority is principally to be traced. Up to the period in which the pattern is produced, I think the French have greatly the advantage over us ; they have not a great superiority when the pattern is produced ; when, in other words, the machine gets possession of the design ; but the fact that struck me most in France was the way in which taste was formed, and I was exceedingly surprised at finding among the weavers themselves and among their children, and amongst every body connected with the production of patterns, an attention devoted to every thing which was in any way connected with beauty, either in arrangement or in colour. I have again and again seen the weavers walking about gathering flowers, arranging them in their most attractive shapes. I found them constantly suggesting to their masters improvements in their designs ; and I learnt that in almost every case, where the manufacturer had great success, there was some individual in the fabric who was the creator of beautiful things ; there is, at this moment, scarcely any house of any considerable reputation in Lyons, which has not a partner who owes his position to his great success in the study of the arts ; this has been treated as an object of so great importance that they have, in the city of Lyons, a school of arts, to which the town itself gives 20,000 francs a year, and which takes possession of every lad who shows any great aptitude for drawing or for any other subject of study which is likely to be brought to bear on manufactures ; all the painters and all the sculptors, and all the botanists at Lyons become manufacturers, and scarcely ever go out of the manufacturing circle. The town gives instruction in every thing which presents itself in the shape of art. I went to the school of St. Peter, which is one of the most remarkable schools of art, and I found there 180 students, and that to every one of those students the town was giving five years gratuitous instruction in art ; a great number of them were engaged in the study of anatomy ; they had a surgical professor there, who was teaching them, not only the harmony of the human form, but all the wonderful organization of the human machine, as connected with the machinery of manufactures : I found a botanical professor, who had 30 or 40 boys under him studying flowers, and many flowers exceedingly beautiful : I found others attending to architecture ; and, in fact, that all the departments of art which could in any way be caught hold of for the production of tasteful things, had become objects of attention ; and I found also a professor, the object of whose teaching was to show those young men how the machine could avail itself of their productions ; that is to say, how by machinery they could produce, on a piece of silk cloth, that which

they had drawn on a piece of paper. Those schools are not only the object of local attention, but they come immediately under the protection of Government; and I see by the general budget that the Government (that is the Minister of Commerce) allows 3,100 francs a year, independently of the endowment the town gives to this school. Although the Minister of Commerce makes a special grant for any purpose which is likely to advance those studies, the town is willing to consent to make supernumerary grants; the school supplies the student with every thing but the materials, and their works belong to the students themselves. Of late, which by the way is another evidence of the effect of competition, the school has become an object of very considerable attention, and the French, finding they are thrown more on their production of beautiful patterns, are giving to the schools of art a vast deal of their care and anxiety; the professor of painting of this school is a man of high distinction, very well known in the world of art. It is in this way that this taste, the testimony to which has been frequently called a prejudice, this admiration, this production of beautiful things, leads to the invention of works, which meet with the preferring acceptance of the consumer. I do not mean to say that there is not as much genius in England as in France, but there are not the same means of developing it. The French manufacturer considers that his pattern is the principal element on which he is to depend for his success: the mere art of manufacturing may be easily effected; but here is a taste-producing school which contains from 150 to 180 students; it has gone as high as 200. The manufacturer goes there, and he sees a boy who has passed through all the courses of study, who has in fact the appropriate knowledge, that boy's mind having been getting instruction in every shape, and applying it all to one particular end, namely, of manufacture, which he looks to as the means of future success. The manufacturers can pick out of these 200 boys the boy whose taste is most distinguished; that boy is admitted into his house, probably at a small salary. One manufacturer told me he had three such; to the lowest in rank he gave 1,000 francs, equal to 40*l*. The number of pieces produced, the object of a particular pattern, may be very small at first, but if his success is remarkable, in two years he may get 2,000 francs; after three or four years, if his success is great indeed, and the patterns he produces meet with great acceptance, he can obtain 3,000 francs: from the moment that his reputation is worth 3,000 francs his fame is established, and he has the offer of a partnership; and that is the history of a great many of the most prosperous manufacturers of Lyons.'—p. 532.

It would be well if, instead of denying the superiority of the French manufacture, our manufacturers occupied themselves in endeavouring to imitate it. This would be far wiser and better than to persist in attempts to exclude it. Were a Phidias now to appear, our every-day sculptors would be eager to exclude his works from our markets; our portrait-painters would be displeased at the presence of a Vandyke; an affection for English

artists might shut 'the foreigner' out of our island; but what would be said of such patronage of English art? The same reasoning applies to the silk trade; the demand made by our manufacturers is precisely this,—that a preference shall be extorted from the public for their inferior works,—that a higher price shall be paid them than those works would be obtained for from others, and that they themselves shall be shut out perpetually from the benefits of that instruction, to whose superiority their own clamours for excluding it are the most irrefragable testimony.

Though it is true that, in all those departments of the silk-manufacture into which taste and fashion enter for any considerable portion of the cost of production, the French possess a great advantage over our manufacturer, it ought to be observed that there are many silk articles in which we compete with them in their own market, notwithstanding an import duty of 15 per cent; and not only is this the fact, but while, on an average of three years, the importations into France from all other countries have diminished, those from England have increased nearly six-fold. The official returns are as follow\*.

It is well understood that a great difference of opinion existed in 'the Silk Trade' as to the desirableness of the parliamentary inquiry, which the more impatient—but assuredly not more enlightened—of its members, obtained with the consent of the government. The public have apparently everything to gain by an investigation fairly and honestly conducted, and the opposed interest has everything to lose; but so negligently are the public interests watched over, and so diligently the private ones,—so much less active in all bosoms is the zeal for the well-being of the community than that which watches over personal advantage,—that these inquiries sometimes prove merely

\* IMPORTATIONS INTO FRANCE OF MANUFACTURED SILKS.

Countries whence Imported.	Quantities and Value Imported.					
	1828.		1829.		1830.	
	Kil.	fr.	Kil.	fr.	Kil.	fr.
England .....	1,087	119,570	3,507	385,770	5,852	643,720
Prussia .....	4,593	505,230	3,439	2 90	4,268	469,480
Other Countries .....	596	65,560	329	9 0	234	25,740
<b>TOTALS .....</b>	<b>6,276</b>	<b>690,360</b>	<b>7,275</b>	<b>800,250</b>	<b>10,354</b>	<b>1,138,940</b>

*Evidence, p. 521.*

abortive, and sometimes purely pernicious. The petty interest is magnified into greatness by its busy representatives; the great interest dwindles by neglect into seeming unimportance. The adjacent mole-hill becomes mountainous, and the mountain looks small because it is remote. As an appeal made to the feelings in favour of one sufferer who is present, speaks more loudly than the tale of sufferings of absent millions; so, in inquiries like these, the only art is, to parade the distress of the few in close and perpetual procession before the eyes of the inquirers, and to take care that nothing beyond it shall by any means be seen.

To form anything like a correct idea of the sort of evidence on which is founded the claim of such among the silk-manufacturers as demand further protection, it will be well to examine more closely some of the testimony put forward by those witnesses. And that of Mr. Doxat, the most diligent and laborious of the whole, may be taken as a sample.

The object of Mr. Doxat is to show, that at every step of the silk manufacture, the English are met by a ruinous and irresistible competition. His evidence is not wholly of a declamatory sort, though every now and then interspersed with the language of pity and commiseration for the suffering weavers, which does more honour to his benevolence, than his proposed remedies for their sufferings do to his philosophy. But his assumptions are frequently groundless, unauthenticated, and opposed to obvious facts. He declares that there is a difference of 'from three to four, five and six shillings and more,' (p. 253.) between the prices of thrown silk in France and England; but in order to account for the astounding fact, that the Italian silk-merchant is content to sell in the market of Lyons to the value of about a million sterling per annum, Mr. Doxat asserts,—he repeats the assertion at least ten times (pp. 217, 218, 234, *ib.*, 245, *ib.*, 251, 252, 253, 254), and it is in fact a favourite position which he assumes on every occasion,—that the home produce of French silk is four millions and a half of lbs., and the importation of fine silks, he says, is only 100,000 or 150,000 lbs., from which he deduces that this foreign importation cannot influence French price. Both statements are most erroneous. There is not an author of credit,—there is not a document of any authority, official or otherwise,—that estimates the produce of France at above three millions of pounds (the general calculation is from two to two and a half millions. Mr. Heath estimates it (p. 311) at only 1,750,000lbs; Mr. Martin (p. 321) 1,800,000lbs.)\*;

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\* Mr. Bottrell says (p. 456) 3,527,675lbs for the growth of 1831, but does not say where he gathers his information.

while of the importations into France of a million pounds per annum, more than three-fourths are the finer qualities of Italian silks, the very silks which come in immediate competition with the fine silks of France, and of the coarse silks of the East the consumption is extremely small. Now, as Mr. Doxat declares several times (p. 236), that the English manufacturer is subjected, all charges included, to only a penny or twopence more per lb. for Italian raw silk than is paid by the French manufacturer, it might surely have occurred to him, that any very considerable difference between the markets of Lyons and London was impossible, since the Italian grower would take care to raise the Lyons market by refusing to supply it, unless he could get a price equivalent to that offered him by the English purchaser, or else be tempted to offer it for less to the English with a view to increasing their custom. In the representations made by the silk trade of France to the minister of finance and to the chambers, they insist on the peculiar advantages possessed by the English in their monopoly of East India silks, and use language very similar to, though not quite so unreasonable as that employed by Mr. Doxat. Every man who gives the subject a moment's attention, will perceive that there can be very little difference in adjacent countries between the import value of foreign produce. The French have the advantage of adjacency; but this is counteracted by the import duty of fr. 1. 20 per kilogram or about five-pence per lb., while the English duty is only a penny.

But the testimony of other witnesses confirms, by quotation of prices, that which would be a most natural and obvious deduction from the established facts. Mr. Heath (p. 309) makes several statements showing that the prices at Lyons and in London are as nearly on a par as may be; and, in quoting the value of different qualities at Lyons, he shows that some rate a little above, and others a little below, the English average. This is confirmed by Mr. Martin (p. 315). Mr. Ratliff indeed does not hesitate to say (p. 96) that there is a difference of 26 and 44 per cent in the prices of Organzine and Marabout Silk between France and England; and he does so with extreme self-confidence, assuring the committee that he is putting forward 'an absolute fact,' and using the strongest language as to the accuracy of his information. But of these two contrary evidences, which do the inferences of reason show to be the correct?

The opinions which Mr. Doxat puts forth, are so contradictory, that they may be delivered over to mutual destruction. In page 219, he says—'France has a peculiar taste

and ability in the manufacture of figured articles.' In page 246, 'There is every possible means in this country to do every thing which can be done in France; it is not want of ability in our manufacturers and labourers.' He states (p. 240) that 'ten or twenty years ago, the quantity of Italian silks imported into France was much larger,' and that he understands the quantity now imported to diminish every year. Yet he himself gives (p. 218) the average importation from 1825 to 1828 as 1,073,000lbs, and says the present importation is about 1,000,000lbs (p. 251). In 1830, it was really 1,142,633lbs.

Mr. Doxat is a man of benevolence and upright intent; yet when he was asked to compare his statements with those of Dr. Bowring, and in the presence of such facts as they could mutually gather together, to investigate the points of difference and report thereon to the committee, Mr. Doxat refused. He has all the enthusiasm of martyrdom upon him, and a supererogation of zeal makes up for a deficiency of arithmetic. He enlightened the committee by endeavouring to prove that the increase of the silk manufacture under the prohibitory system was far greater than that of cotton; he had the art of showing that thousands were relatively more than hundreds of thousands, that Macclesfield was in truth more important than Manchester, and that six millions sterling might have been flung by the government into the pockets of the silk-weavers, only by saying *Presto! Fly!* Feeble indeed must be the minds of legislators, and blind in the extreme the legislation directed by presumptions like these.

But it is not only by errors in deductions, to which all men are liable, it is by mis-statements of facts, which all men would not employ, that it has been sought to establish a case in favour of higher duties, or total prohibition, of foreign silks. And to accomplish this, the evidence of Dr. Bowring, consisting in great measure of official documents, has been specially singled out.

The words of this evidence in two separate places, as to the number of looms at work at Lyons, were (p. 526) 'I apprehend if 25,000 were taken now as the number of looms employed, that would be the full amount,' and again, 'the quantity now employed is from 24,000 to 25,000.' Yet (at p. 646) one of the examiners asserts, for the purpose of showing an inconsistency,—'You stated the probable quantity at work was 30,000.' Again, though the price of silk is quoted several hundred times in the course of this evidence, and the average value of raw cannot be taken from his statements at more than fifty francs per kilogram, one of the examiners (p. 646) desirous

of showing the value of the French silk manufacture to be more than it is, makes him to assert that seventy francs per kilogram (2lb. French) for raw silk is the average price. In page 683, when the object is not to prove that the French pay a high price but a low price for their silk, the following representation is put forward by another examiner. 'It has been stated by Dr. Bowring, that the average value of raw silk of France, of the finest growth, is about 18 francs per lb.' Now this statement is as far removed from the truth as that which represented seventy francs per kilogram (or thirty-five francs per lb.), as the average price. In the tables the witness gave in, the price quoted for the fine silk of the Cevennes during ten years past, ranges from 21f. 50c. to 30f. per Alais pound, which is 21 per cent less than the half kilogram and 11 per cent less than the English pound. In page 684, another of these extraordinary generalizations is put forward. 'It appears by the evidence of Dr. Bowring [it is said by an examiner] that he admitted that there was a difference in the cost of French and English silk goods of from 30 to 40 per cent.' Nothing of the kind. He stated that there were goods in which there was such a difference, and nothing more; though the witness who replies to the examiner is allowed on this false representation to compare the former witness to 'a quack.' This is the encouragement a man has for telling the truth before a parliamentary committee. This is the sort of dirt a man must be subjected to, the moment he separates himself from the herd of robbers of the public.

Again, a member of the committee (p. 647) makes a ground for impugning Dr. Bowring's evidence, that he had said 'the expense of working up the raw material was in no case less than 80 per cent;' no such statement, nor anything like such statement, being to be found in the course of his examination. The witness says (p. 663), 'I would take 6 per cent for loss in throwing, 20 per cent for loss on dyeing, 9 per cent for loss by weaving, clipping, and other waste, which leaves 35 per cent in all to be deducted from the weight of raw silk.' This is clear enough, it might be supposed; but a critic on the evidence thus mis-quotes it; 'I must also observe that the witness [Dr. Bowring] is mistaken in stating that from 30 to 35 per cent is the loss in dyeing. The average loss is about 14 per cent.' (p. 738.)

It would in truth be an interminable task to exhibit the extraordinary misstatements which disfigure the evidence of some of the witnesses in favour of prohibition. Whether any cause is thereby to be served in the end, remains to be seen; but an example or two will serve to show with what a dashing jactancy the most deliberate perversions of evidence were put



upon paper and received without hesitation by the select committee. And these examples, if they do nothing else, will show that examinations whose purpose it is to arrive at truth, should be conducted differently from the manner in which the inquiry in question was pursued.

In the course of his examinations the witness put in a statement (Question 8,942, p. 558) given him by a principal house at Lyons, showing the cost of the raw material and all other expenses in the manufacture of 500 Ells of satin 7-16ths wide. Of that document the following is a copy.

	F.	C.
500 Ells ; i. e., 12 grams of chain, or 12 kilo. organzine, soft and dyed ; these 12 kilo. weighed, before dyeing, 17 kilo. 45 grams, at 50f. ..	872	50
Throwing the organzine, at 11f. ..	191	95
Dyeing the organzine (raw) at 3f. ..	51	35
Winding the organzine, 12 kilo. at 4f. ..	48	00
Warping, at 1f. 50c. .. ..	18	00
500 Ells, at 36 grams of trams supple, 18 kilo. raw, at 47f. 846	00	
Throwing the tram, 7f. .. ..	126	00
Dyeing .. ditto 3f. .. ..	54	00
Weaving 500 ells, at 95c. .. ..	475	00
Finishing 500 ells, at 10c. .. ..	50	00
	<hr/>	<hr/>
	2,732	80
Proportion of expenses on 3,000f. at 3 per cent	90	00
	<hr/>	<hr/>
	2,822	80
Profit .. ..	177	20
	<hr/>	<hr/>
	3,000	00

In the weaving are included—

Winding tram 20c.  
Cannetage 10c.  
Folding 5c.

*Evidence, p. 559.*

Will it be believed that a witness, specially put forward to controvert this evidence, should in the presence of this document have made the following statement?

‘ Dr. Bowring has also, if his evidence be examined, put upon record the cost of certain raw silks purchased by this manufacturer for the purpose of being worked by him into 500 ells of satin, he has given in the various costs of the raw silk, and all the processes of throwing, dyeing, winding, warping and weaving, and the only alteration that I have undertaken to make in the account as tendered by

the learned Doctor, is to correct some of his figures, where I have found them to be arithmetically wrong. I hope in doing that, I have done justice to his account, which if not corrected by me, would stand a record, that even the learned Doctor himself had put upon the Minutes of your Evidence some most erroneous calculations. He states that the manufacturer gives 50f. per kilogram, for  $17\frac{1}{2}$  kilogrammes of silk, and the item set down as amounting to 872f; I find that according to school-boy arithmetic it is 875f. ; he goes on to put it through the process of throwing, which he states cost the manufacturer 11f., I do not dispute it, for throwing the tram 7f., for dyeing 3f. per kilogram ; for winding, 4f. per kilogram ; for warping the whole 500 ells of satin, 18f., and for weaving the 500 ells of satin, 475f., altogether amounting to 2471f. 88c., which taken at the exchange of 25f. turns out to be worth 98*l.* 17*s.* 6*d.* I find that in Spitalfields, goods manufactured of equal weight and of equal length and similar in quality, would cost me 189*l.* 9*s.* 3*d.*, or the cost of working the silk through its various processes, agreeable to those calculations which I made last March, and which I have already had the honour of submitting to this Committee ; so that the cost of production between Lyons and Spitalfields in the manufacture of those 500 ells of satin, as given in evidence by the learned Doctor, the difference between Lyons and Spitalfields is 40*l.* 11*s.* 9*d.*, or 41 per cent above the cost price at Lyons.'—p. 665.

The witness *did not* say  $17\frac{1}{2}$  kilograms, but 17 kilograms 45 grams [or hundredths of a kilogram]; which at 50 francs a kilogram makes 872f. 50c. as the witness stated. The witness's figures are altered, with a view to charge him with an error. A volume of scorn is affected to be poured out on his arithmetic, which it is hinted, a school-boy might reform ; the simple fact being, that his calculation is right to a fraction, and that the other witness puts new words and figures into the evidence, in the expectation, as every man has a right to believe till the contrary is proved, that the House of Commons or the Select Committee would take the evidence, not from the lips of the speaker, but from the mistatement substituted. Human transactions cannot go on, under a system like this. The whole affair is here committed to print, that future times may know how things went on in a Committee of the unreformed House of Commons. The man who has got into such a scrape ought to go down upon his knees, and beg and pray of the community not to believe him moved by ill design, but only the most unfortunate blunderer and incapable witness that ever disclosed his unfitness to be trusted before a court. The argument is of strength insuperable ;—what confidence will any man of ordinary sense and knowledge of the world, put in evidence delivered under the manifest operation of such a spirit, or of such talents for collecting truth ?

'Another important fact put on record also by him, namely, that he found that there was a difference between the cost of production in France and in Spitalfields amounting to between 30 and 40 per cent, I say in the midst of these glaring facts, he has informed your honourable Committee that 20 per cent would be a protection against foreign manufacturers.'—p. 666.

What the witness really stated was, that 20 per cent is the highest duty that can or ought to be collected. But hear again.

'This satin so manufactured at Lyons, is made by a party who acknowledged to the learned doctor, that he had his 10 per cent profit; for his evidence is, that the satins would sell for 3000f., that is, yielding the French manufacturer 10 per cent profit, and the material was furnished to that manufacturer by a grower getting from 15 to 25 per cent profit on the production of the raw material.'—*Ib.*

The document pretended to be referred to gives to the manufacturer a profit of 177fr. 20c., or about 6 per cent on 3,000fr.\*; yet this witness finds no difficulty in declaring 'that the manufacturer acknowledged he had his ten per cent profit,'—that this article 'yielded the French manufacturer 10 per cent profit;'—and this in spite of the figures staring him in the face.

In the same spirit does the same witness in his evidence, profess to represent to the Committee the cost and wages 'as given in evidence by Dr. Bowring.' And the document, misnamed, misquoted, distorted, and mutilated, appears in p. 667 of the evidence as it stands copied in the page next following †.

Is it needful to point out to the reader the misstatements which are here introduced? Is it necessary to repeat, that the price of raw silk in the market at Lyons, regulated as it is by the price of Italian silk (of which Lyons imports a million of lbs. per annum) cannot be essentially under the price in London; otherwise the Italian growers would certainly either refuse to supply the French markets, or lower their prices to the English?

Equally inconsistent are the different quotations of the cost of weaving, dyeing, winding, &c. Throughout the whole of the evidence of the prohibitionists, there are two strata of inconsistencies. The quotations given of English prices when they are intended to prove English distress, never tally with those which are given where the object is to prove the impossibility of competing with French labour. Compare Mr. Wadden's

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\* It is hardly necessary to remark on the gratuitous attempt to perplex the question, by referring to the profits of the silk grower at all. Whatever his profits may be, the purchaser of his produce whether a French manufacturer or an English, is equally affected by it.

+ *Extract; for the purpose of showing the alterations that have been made in the Evidence. A Copy, except the words in Italics between brackets.*

Comparative View of the Cost and Wages paid for Manufacturing 17½ Kilogrammes of Orgazine, and 18 Kilogrammes of Tram Silk, into 500 Ells of Satin at Lyons and Spitalfields respectively.—As given in Evidence [*So stated, but inserted here for the purpose of comparison.*] by Dr. BOWRING.

LYONS.

	£.	s.	d.
17½ Kilogrammes Raw Silk, at 50f. per kilo. is .....	875	0	
18 Ditto .. ditto, at 47f. ....	846	0	
<u>35½</u>	<u>1,721</u>	<u>0</u>	
12½ per cent Discount one month's credit .....	215	12	
	<u>1,505</u>	<u>88</u>	
Throwing Orgazine, 17½ Kil. at 11f.	192	50	
Throwing Tram, 18 Kil. at 7f. ....	126	0	
Dyeing Orgazine, at 3f. ....	52	50	
Dyeing Tram, at 3f. ....	54	0	
Winding Orgazine, 12 Kil. at 4f. .	48	0	
Warping .....	18	0	
Weaving 500 ells .....	475	0	
	<u>966</u>	<u>0</u>	
	<u>2,471</u>	<u>88</u>	

Exchange at 25f. is £.98 17. 6.

SPITALFIELDS.

	lbs. oz.	£.	s.	d.
17½ Kilo. equal to 38 9 Orgazine, at 25f. per lb. ....		48	4	0
18 .. .. 39 11 Tram, at 21f. 6d. per lb. ....		42	13	4
<u>35½</u>	<u>78 4</u>	<u>90</u>	<u>17</u>	<u>4</u>
2½ per cent discount .....		2	5	4
		<u>88</u>	<u>12</u>	<u>0</u>
lbs. oz.		£.	s.	d.
Dyeing 78 4 Silk at 2s. per lb. ....		7	16	6
Winding Orgazine, 29 lbs. at 2s. ....		2	18	0
Winding Tram, 38½ lbs. at 1s. 9d. ....		3	9	7½
Warping 5 pieces, each 125 yards, at 6s. ..		1	10	0
Weaving 625 yards, at 1s. ....		31	5	0
Dressing ditto, at 1½d. ....		3	18	1½
		<u>50</u>	<u>17</u>	<u>3</u>
		<u>139</u>	<u>9</u>	<u>3</u>
		<u>40</u>	<u>11</u>	<u>9</u>
Cost of Production in Spitalfields over Lyons .....				
Suppose the whole of the Duty on the above Silk were taken away, what would the difference then be?				
38½ lbs. Orgazine, at 3s. 6d., and 39½ lbs. Tram, at 2s. .		10	14	3
The difference would be .....		29	17	6

Barrett Wadden.

Evidence, p. 667.

statements with Mr. Doxat's [pp. 232, 233], Mr. Gibson's [p. 298], Mr. Stone's [p. 337], and the discrepancies will be obvious.

Could anything be more ingeniously put than such a question as the following, in order to make a former witness appear to have given an opinion contrary to his real one?

'10,460. Q. Have you not heard it stated by a gentleman sent out by Government to obtain information, did he not afford you that sort of information that leads you to suppose that their [the French raw] silk is from 2s. to 3s. a pound cheaper than your raw?—A. I understood so.—p. 704.

There are in the evidence some passages so illustrative of the effects of a protecting system upon manufactures themselves, that they may be well recommended to the attention of those interested in the inquiry. Take for example, the following answer to a question as to the comparative situation of the manufactures of France and England in the North American ports.—

'9,135. Q. Have you any information as to the relative position of the English and French manufactures in the market of the United States?—A. I have some curious information derived from the United States. The English and French merchants are there on an equal footing; and it is certainly, of all countries, the country that affords the best ground for comparison, from the largeness of its imports. The operation of the different systems of legislation may be traced there with considerable accuracy; while French silks were prohibited in England, those of England were in so backward a state that she exported scarcely any manufactured silks to America. I have obtained, from official sources, the American returns of 1830, and I find that the United States imported from England of piece goods 249,860 dollars, of other silk manufactures 119,701 dollars, this is the legitimate importation without any reference to smuggling; in all 369,561 dollars of English silk goods were entered at the Custom House. The United States imported from France 2,256,529 dollars of piece goods, and 1,291,849 dollars of other silk goods, making 3,548,378 dollars. Now this is the state of export of a manufacture which has most of what is called protection in England; (assuming 30 per cent for that protection, as it is the highest duty paid in England on any sort of stuff,) the same article is that which has the least of that which is called protection, in France, inasmuch as the duties on foreign silk goods in France, are less than half the duties paid in England on foreign silk goods; the protection of silk manufactures in England is thus double that which the silk manufactures have in France, while the exports of the article which has only half the protection are, it will be seen, nearly ten-fold greater than from England, where the protection is double. I wish that the Committee should have an opportunity of contrasting this with the American

imports of those manufactures which in France have most of the so-called "protection," namely, the absolute prohibition of competing foreign goods, which, as I have repeatedly said, is only the protection which enables an inferior article to obtain a superior price; it is the encouragement given to imperfection. Now I would, in the markets of the United States, contrast the state of that French article so protected, with the English article which has only a 10 per cent protection in England, I mean cotton goods. By the same official document it will be seen, that in 1830 the amount of cotton manufactures imported from England was 5,295,294 dollars, and from France only 619,987 dollars, yet to support this trade the French people are taxed with a premium or bounty to the exporter of cotton goods equal to 40s. English per cwt. though the duty paid on the raw material in France is only 8s. 11d., so that they receive from the Government on the exportation of cotton manufactures nearly five times the amount the Government have received on the raw material; notwithstanding this, the French manufacturers declare they shall be ruined unless they can obtain an additional bounty of twenty sous for plain, and thirty sous for printed cotton, and they demand that it shall be secured to them until every difficulty is removed; they ask, too, a boon of 3,000,000f. in the shape of an additional bounty to enable them to export 5,000,000 kilogrammes. Yet in spite of this protection or encouragement given to the French manufacturer, the exportation of cotton goods from France was in 1830 three-fourths of a million pounds less than in 1827. Thus the Committee will see the influence of "protection," as it is called, on foreign commerce; and I will now state one or two of its effects on production. While according to the best calculation 7,000,000 of spindles are employed in England to manufacture more than 240,000,000 lbs. of cotton; in France, according to the return of the Commission which reported on the cotton trade, 3,200,000 spindles are employed to manufacture 66,000,000 lbs. So that where the protected French manufacturer produces only 66,000,000, the unprotected English manufacturer would, with the same number of spindles, produce nearly 110,000,000; or if the English manufacturer produced at the same rate as the French, instead of 240,000,000 he would only produce 144,000,000. In England it is estimated, according to the Parliamentary Returns, that 700,000 persons are engaged in different branches of the cotton manufacture, and they produce nearly four times the quantity which is rendered in France by 550,000 persons, according to the returns of the French Commission. That protection has thus led to the waste of more than two-thirds of the whole amount of labour employed on the protected articles. The French cotton manufacturers have had the benefit of this prohibitory system ever since the peace, and according to the statement made by their Commission it costs the country 47,000,000f. per annum beyond the sum at which the same articles might be imported from England; this is the result of eighteen years experience of protection, yet the testimony of the French manufac-

turers is, that the very existence of their business is rendered doubtful from year to year.—*Evidence of Dr. Bowring*, p. 585.

This evidence might have been left to speak for itself without further reference, if a member of the committee in attacking it had not attempted to represent the French government as parties to a system of misrepresentation and fraud, in a place where his opponent could neither contradict nor confute him. The tone in which the same member spoke of the witness, is also before the public; and will remain on record, as a reason why no man of the ordinary habits of good society should present himself before a committee of the House of Commons if he can help it, and as a countervailing memorial to the bluster which some portions of the Honourable House put forth occasionally on the subject of what are called attacks upon the absent. If a knave had been called a knave, twenty voices would have been raised upon the impropriety of calling him by his name when absent. For a witness whose evidence happened to be on the side of the public, there was manifestly no such sympathy. It is not for the value attached to the opinions of ignorant and vulgar minds, but in order to do justice to those whose candour and good faith in the communication of a number of valuable and otherwise inaccessible facts deserve the highest eulogiums, that it becomes necessary to claim for the late French ministry the good opinion of our countrymen. That scorn and calumny should be flung on the cabinet of a friendly neighbouring country, while spontaneously opening to us all her own sources of knowledge for the purpose of deliberate and honest investigation into the means of extending amicable, useful, and lucrative mutual arrangements,—is only an evidence the more, of the real state of facts, and of the nature of the opposition.

It is satisfactory in the highest degree, while thus endeavouring to do justice to France and to plant and encourage the feelings of respect and amity, to learn that a mutual feeling of good-will is growing up in that country towards England. In the addresses of the Chamber of Lyons to the French ministry, the following interesting and instructive passages occur.—

‘8,960. They [the Chamber of Commerce at Lyons] represent to the Minister that “it is of the highest importance that some forward steps should be taken, that the prohibitory regulations of the Custom House system of France should be reconsidered, in order to show to England that we are no longer indisposed to come to an understanding with her as to the means of gradually removing the impediments that exist, and of extending the amicable

relations of the two countries." In another part they say, "the moment is arrived in which opinion requires that our restrictive system should be revised, and that which is hostilely prohibitory to the products of Great Britain should be abandoned; of these prohibitions, a great many have been shown us by long experience to have been unfortunate, and they are persisted in without any regard to the changes which have taken place in the political situations of the two countries, whom events daily bring more closely together. The whole system of prohibition we consider as nothing more or less than a representation of the ancient theory of national enmity, and look to a change in the system as the best ground of peace, of union, and of sympathy, which could ally the two nations together."—*Evidence*, p. 562.

In spite, however, of the representations of the discontented members of the silk trade, it is consolatory to gather from the evidence irresistible proofs of the progressive advance of manufacturing skill in England. Among the points the manufacturers have at heart to establish, one is, to maintain, that there has been no progress made since 1826, that is to say, that competition has not led to improvement; that with the increase of motives to introduce improvements, improvements have not been introduced; that, in a word, the trade is stationary, and some of the manufacturers declared it to have retrograded. But the buyers of silk goods, who have no sinister interest in the matter, all avow that the improvement has been striking and rapid. Mr. Baggallay says, that the 'English ribbons are so much improved,' that 'at this moment he orders no Swiss ribbons at all, he thinks he can do better at home.' (p. 412). Mr. Dillon, whose purchases of silk goods are estimated by millions, says (p. 427) 'the demand for French goods is altogether decreasing, and has very considerably diminished, in consequence chiefly of the very great improvement in the English manufactures;' and he corroborates these facts by a great number of details as to the increasing demand for different sorts of silk goods, which before 1826 were introduced from France (p. 431). Mr. Bottrell (p. 459) says, there has been an improvement in the English manufacture in consequence of the removal of the prohibition, 'as respects style and colour;' and this may be asserted to be the invariable testimony of the unprejudiced portion of the witnesses, as it is of many of the manufacturers.

Of these, to their honour be it recorded, some have not scrupled to give opinions wholly at variance with those who appear to have been the prime movers and managers of the inquiry. It is consoling to hear it confessed by intelligent manufacturers, that the competition in our own country has been more fatal than the competition from abroad (Mr. T. Stone, p. 340); that



25 per cent as at present, would be a proper protecting duty for the manufacturer of plain goods in Spitalfields (Mr. T. F. Gibson, p. 290); Mr. W. Harter declares he 'cannot conceive any alteration in the present silk laws which would be likely to benefit the trade' (p. 599); and Mr. Tootal states (p. 619) that in a great many instances Americans come to him who went formerly to France.

The strength of the case put forward by the silk-manufacturers is this;—The rate of wages is diminished to the starvation point;—to allow higher wages, we must have an increase of price;—and this increase of price the public must be made to pay. The Committee did not inquire whether the number of labourers had increased in a greater proportion than the increased demand for silk goods. They received, it is true, the returns of the poor-rates from the towns suffering from the pressure of surplus labour; but the population returns were not given in evidence, which might have served to throw some light upon the general question. Much was said of the diminution of the silk manufacture in some places, and little about its growth in others; much of the silk-weavers thrown out of employment in certain districts, and nothing of those called into employment where new manufactures have started up; for the fact that the silk-manufacture as a whole has greatly increased within the last six years, is one that cannot be impugned or doubted. The low wages and consequent sufferings of the people, far from being the consequence of foreign trade, are the immediate progeny of restrictions and prohibitions. Any step in that perverse direction, however it may serve a monopoly-demanding master-manufacturer, will infallibly fling his labourer a degree deeper into the abyss.

The Select Committee has been severely censured for not making a full Report; censured, however, by those who expected the committee to recommend that the House of Commons should grant them letters of marque to proceed on their roving expeditions on the high seas, and levy taxes of a few millions per annum for their own benefit on his Majesty's lieges. Already the silk-trade exacts an enormous contribution both in wealth and labour. It absorbs more than a million per annum of the property of the community, while the protection afforded to it shuts out from employment double the number of persons who are employed under the baneful shadow of that protection. It is true that the thousands of silk-manufacturing labourers have a claim upon the benevolent consideration of the government and the people; but Parliament, if its course be wise, will assign them a relief in money if found necessary, and not relieve them

by the bungling process of giving them a commission to take from the public double the amount. The cry of all the trades, the mysteries, is that sixpence shall be given them by robbing some other people of a shilling. They want to form a general organization for public impoverishment; and the Member for the Duke of Newcastle will tell them they are wronged men if they do not. But this never can go on. Parliament cannot be allowed to be a committee for throwing a per-centage of the general property into the sea. By degrees we must come forth from the cells in which we have been immured for the interest of our jailors, and walk in the free air. Beyond the necessary claims of the revenue, commercial intercourse must be unfettered by restrictions, while prohibition must be banished from our dictionary. It will soon be discovered that what is called protection for one, is in reality destruction for two; and the demands which any interest may make for benefits to be conferred on itself, will, it is to be hoped, hereafter be immediately met by the inquiry, what quantity of mischief it proposes to inflict upon others, and upon whom. It will then be found out that partial laws, exclusive privileges, protecting duties, established monopolies, are only varied forms of licensed pillage; and that, out of whatever vocabulary the name given to the dishonest preference be taken, the meaning and the fact is, that the many are to lose a shilling, that the few may divide a sixpence among themselves.

That the present state of things ought not to continue, is certain. It appears from all the evidence that about 300,000*l.* per annum of foreign silk manufactures are annually introduced into this country by contraband traders; so that a fraud is practised on the revenue to the extent of more than 90,000*l.* a-year. In fact, less than two-thirds of the whole amount of imported French silk goods pay the duty. It is so high that it cannot be collected; and not only in the interest of the consumer, but for the public interest as involved in the resources of the state, the duty should be gradually lowered to the rate which can be collected. There is little doubt that, at 20 per cent fairly levied, a larger amount would enter the Treasury than is collected under the irregular and ill-defined 30 per cent which is claimed at present. Under the existing state of things, it is the exchequer which pays the manufacturers profits. They are traders in, and absorbers of, the public revenue; they simply divert what the customs should give to the state, into their own individual purses. At the present moment, the imports of foreign silks relieve the public of taxes to the extent of about 160,000*l.* per annum. There can be little doubt that they

might be made to produce double or treble that amount by lowering the per-centage of duty. And there is no better way of gradually changing our position, than that which fiscal regulations would offer. In duties properly applied to the different foreign articles which come into competition with our own, considerable financial resources might easily be found, and the way be smoothed and straightened to that state of things in which capital should be left to its fair and natural developement. The demand of the manufacturing monopolists for prohibition is in truth as absurd as it is impolitic. They profess to be smarting under the inroads of the smuggler, yet want to add to the smuggler's recompense. As if the smuggler's encouragements were already small, the manufacturers are loudly demanding that they shall receive an enormous increase. The law already gives him 30 per cent remuneration, and the manufacturers insist that he shall have 60 or 80 ; that being, they say, the difference between the cost of their goods and those of their foreign rivals. True it is they have their schemes for making prohibition effective ; they are to turn all human motives, all human actions, into new channels ; they are to create a preference, a passion, for that which is bad, over that which is good—for that which is dear, over that which is cheap. They are to say of a beautiful fabric—' this is French,' and it is immediately to lose its beauty and be flung aside ; of a not beautiful fabric—' this is English,' and it is to change its character and become the object of admiration. All experience is henceforth to be wasted ; all the experiments made by individuals or by nations are to go for nothing. Means are to be found for doing that which never has been done yet ; novel desires are to fill men's minds ; undeveloped capacities are to be created ; every ancient prejudice is to pass away ; smuggling is to cease, because the smuggler's profits are to be doubled ; and the whole community are to rush into the arms of a handful of manufacturers, because their goods are indifferent, or costly, or both at once. It is in this way the country is to be made opulent, and the political economists receive their *quietus*.

And what, after all, are the results of the experiment made in 1826 ? An extension of the English silk-manufacture to the amount of 60 per cent on the raw material, that is, an average increase of the yearly consumption, of a million and a half lbs. ;—an improvement of the manufacture in all its departments, that improvement having received its principal impetus from the presence of the superior French article ;—a prodigiously increased consumption of silk goods among the people, and a consequent extension of their enjoyments ;—an export trade in silk manufac-

tures gradually increasing from 160,000*l.* which was the amount in 1824, and which is now half a million ;—an increased trade with France to the extent of 800,000*l.* a-year ;—a produce to the revenue of 160,000*l.* per annum.

These are consequences which may be hailed with delight, however unimportant or deleterious they may appear to those whose system requires high prices, diminished demand, protected inferiority, loss of foreign commerce, sacrifice of the revenue, and, worst of all, the old machinery of distrust, malevolence, and hate directed against a neighbouring people, with whom to dwell in fraternal union, and engage in peaceful and generous emulation, will be the greatest event, the most glorious triumph of civilization in our age. The advocates of free trade feel they have mighty allies,—justice, arithmetic, patriotism, and the satisfaction of not being cheated. They have got the small end of the crow-bar even into the unreformed House of Commons ; and in the new one it will not be long before labour shall be free, and honest men live by working as before Toryism was invented.

*ART. II.—Report from the Select Committee on Dramatic Literature, with the Minutes of Evidence : Ordered by the House of Commons to be printed, 2nd August, 1832.*

**T**HE word ‘legitimate’ seems to be the stumbling-block of the nineteenth century ; it has produced all sorts of confusion in the real, and now it is playing at nine-pins with the mimic world. The grand difficulty all through this parliamentary report, is as to what may be termed the legitimate drama ; there is much talk of the dignity of the legitimate drama, but no one can say what is the legitimate drama. It seems taken for granted that it can only be properly performed within certain precincts ; and it therefore might perhaps be better defined than has been hitherto done, as that drama which is performed within the odour of the gin-shops of Drury Lane, and the putrescent cabbage-stalks of Covent Garden. Dignity in this case might be gauged by the intensity of the vapour, and when there was no occasion to hold the nose, the public might be aware that the boundaries of the legitimate drama had been exceeded. In one sense there is something in the present use of the term ‘legitimate,’ which smacks greatly of a Holy Alliance. What the possessors call legitimate, everybody else calls monopoly ; so that it will be found on due inquiry, that ‘legitimate’ means that which it is lawful to do for your own interest, to the con-

tempt of that of your neighbours. In the drama, seeing the multitude of definitions, perhaps the shortest way would be to adopt Mr. Macready's—that the legitimate drama is in five acts. Then the minor theatres, as in duty bound, would only act plays in three or one, and the dignity of the quintuple play would be wholly reserved for the legitimate theatres as well as the tedium. Unless indeed the minors should resolve upon gaining in length what they lost in number; in which case, it is true, they might keep us from our beds to an hour as unseasonable as any the largest and most legitimate theatre in London.

The fact is, a tissue of greater absurdity was never entangled together than in this voluminous report, by which a number of parliamentary wits and amateurs contrived to amuse themselves during the last session, from 13<sup>o</sup> *die Junii* to 12<sup>o</sup> *die Julii*. It was pleasant enough, no doubt, thus to 'play' at legislation, and all very well, by way of relaxation, to summon the mimes and jesters of the day to perform their drolleries before them for nothing; but, for the good that has been done, and for the time that has been wasted, the honourable Committee might as well have been playing at speech-making or anything else. A report is a very innocent thing, and sometimes, as in this case, more entertaining than the 'legitimate' drama, in spite of all the vexation caused by witnessing such clumsy attempts at legislative investigation.

The drama seems to be considered as some kind of inexplicable mystery. General principles are not expected to apply; every thing is empirical as in alchymy, though in other respects there has been no resemblance unless it be *in contrariam partem*. Actors, managers, authors, are here all examined as to their private opinions, and, as might be expected, every man speaks according to his private interest; and as these interests vary, opinions are as opposite as tragedy and farce. The proprietors of the patent theatres talk more impudently of their rights and privileges, than parsons of their tithes. One of them considers the public excessively impertinent in imagining entertainment, unless presented under Davenant or Killigrew's patent. The tolerated minors, who have been acting illegally but with impunity, think that toleration should extend just far enough to include themselves. Of the actors, those who are sure of high salaries at the great theatres, consider that magnitude is necessary to the due effect of scenic exhibition; on the other hand, the stars of the minors are all for being seen and heard. A few plain and intelligible principles easily applied, would have saved the necessity of this dramatic Babel; but

then we should have lost Colman's recantations, Mathews's jokes, and the reminiscences of all the rest, which make this report altogether a more amusing thing than most of the 'legitimate' dramas of the present day. Monopoly, which applies to this measure as to most others, will not, it is presumed, permit any one to reprint this Report for the national benefit; otherwise it might be recommended to the editors of plays and farces to circulate it in numbers, in lack of original dialogue and dramatic representation. No book of *ana* lately published possesses half the claims of this Report. It might be entitled, after Mr. Mathews's coinage, a Parliamentary Monopolylogue.

One great source of difficulty in the examination of this question has been, that the inquirers have never determined on their ground. They, at one moment, take the thing in abstract, and at another they argue it surrounded with all its accumulated peculiarities and excrescences, and never allow for the difference. The rubbish must be cleared away, before a right view of the state of the drama can be had. If the interests of the public are to be considered, it is one thing; but another and a very different thing when care is also to be taken of the interests of the patent proprietors, the renters, the shareholders, the 'talented family of Mrs.' Tom 'Sheridan,' who have been brought up, so say the Minutes, on the interest of a bond on Drury Lane for 10,000*l.*, of which the said 'Tom Sheridan' died possessed; of Mr. Harris, who dates his claims to consideration from Wierre au Bois, his valuable property making expatriation necessary; besides the claims of the Kemble family, and half a dozen other vested interests, in the right of entertaining the public. Clearing away all this rubbish, as has been observed, there seems to be but little difficulty in the matter.

The due administration of the theatres is pretty much like that of other houses promising entertainment for man or beast. If some particular good cook in the days of Charles II had received a patent for preparing beef-à-la-mode, we should have had disputes about the legitimate beef-à-la-mode. Some would have pretended they had a right to stew beef in any way they pleased, provided they did not lard it; and others have shown in opposition, that these modes of cooking were by no means contemplated by the original dispensers of the privilege. Then again there would have been some grand officer of the household like the Lord Chamberlain, taking upon himself to allow beef to be ragouted in small kitchens, and in pans of a peculiar size, provided always that the lard was not inserted in the beef after the 'legitimate' fashion of beef-à-la-mode with

a larding-pin, but suffered to lie alongside in the pan, and be served up separately to the public. Had the privilege been to some culinary Killigrew or Davenant, the patent would have become matter of bargain and sale, and have been perhaps sold like Killigrew's for 20,000*l.*; then would have come all the intricacy and complexity of loans and bonds upon the great *batterie de cuisine*, and the argument that such an array of stew-pans never would have been ventured on, but for the faith put in the patent by the capitalist. The kitchen Captain Forbeses would have stoutly declared, that they had as much right to the exclusive power of cooking beef-à-la-mode, as the Duke of Bedford to the exclusive right of letting his own land. At length, there would have been a grand committee of inquiry; all the makers of beef-à-la-mode would have been had up;—all the proprietors of houses in which alone the legitimate beef-à-la-mode was prepared, and of such as had stewed beef contrary to law;—all those who loved beef according to law, and those who had a taste for it with the lawless alterations;—and in the end there would have been some such a folio hotch-potch as the present,—a kind of Salmagundi of law, literature, joke, and blunder,—a Yankee pepper-pot, or Scotch haggis, reeking with a gush of odorous steam of many flavours, as its interior is laid open with the knife of the curious carver.

There is however a short way with both patent beef-à-la-mode manufacturer, and the legitimate play exhibitors;—either allow their claims and pay them, or send them to the right-about and let the public interests stand clear and unshackled.

That the drama may be duly represented,—by duly, meaning in such a manner as shall gratify the public, conduce to its moral and social well-being, or at least not the contrary,—three parties must combine; first, the actor; second, the author; third, the capitalist. The last may be dismissed at once, as this country being never wanting on a reasonable show of per-centage. If a theatre would pay in every street as well as a public-house or a doctor's shop, there would be no deficiency of *entrepreneurs*. With respect to both actor and author, it is only necessary that the public taste should appreciate their services and reward them; they will then abound of all qualities, like lawyers and physicians. The fact is, that there is a natural relish for scenic exhibition; and a taste for it, with a disposition to pay for it, is just as likely to endure as a taste for viewing fine scenery or fine pictures, or drinking good wine, or riding a fine horse, or living in an agreeable house. But it is pretended that there is another element to be taken

into consideration and greatly to be regarded, and this is no other than the equivocal treasure, the legitimated drama,—which, as has been said, no one can describe,—but whose dignity is mightily to be cared for. The grand argument against the minors is, that they are too small for the representation of the legitimate drama ; against the large theatres, that they are too extensive for it ; against numerous theatres, that the legitimate drama would perish ; for the monopoly, that the licensed few preserve the legitimate drama, though it is allowed they rarely perform it, and the minors declare it to be a losing concern. Within a circle of twenty miles round London none may perform the legitimate drama but at Drury Lane and Covent Garden ; beyond that, anybody may play it. Now what is there in this mysterious incognito, that it should be confined to one spot of London, and be banished all other parts within the pale of twenty miles surrounding it. To make the phrase ‘ legitimate drama ’ something more intelligible, it may be observed, it is frequently qualified thus—‘ Shakspeare and the legitimate drama.’ Now it appears, that Shakspeare brings no money, that the minors would not act him if they could, and the majors do not though they might. Shakspeare is never acted for himself, but for some actor, to the developement of whose talents his plays are adapted. All allow that Shakspeare and an ordinary company are a losing concern. It is the same thing with the legitimate drama, which means something that used to be admired but is not now,—that like the dead languages, was a fine thing in its day, but whose day is gone by ;—yet in connexion with which there are so many revered associations, that the shadow is worshipped long time after the departure of the substance. It is, in short, a respectable humbug, like the ‘ British Constitution and all that kind of thing.’ There are many objects of this class that are never spoken of but with respect, but which are always treated with the utmost practical contempt. We build large theatres, and license and patent them for the performance of the legitimate drama, the classical humbug of the stage,—but it is either never performed or performed to empty benches. Its place is taken by the despised melodrame, the sing-song of opera, the tight-rope dancing of the Devil Antonio, or the lions and other wild-fowl of Monsieur Martin, and then the house fills, and thus makes up for the loss and vexation incurred by keeping up the civil list of that most expensive and incomprehensible personage the legitimate drama. In this instance as in some others, it is plain that the proper definition of legitimate, is something very dear the people see no use in.



One striking abomination in all monopoly is, that it destroys the natural elasticity of social institutions. To establish a monopoly is to put an infant's foot into a small iron boot ;—as the flesh grows the boot pinches. When the evil increases to the magnitude that demands attention, there is a consultation had, how the pain is to be diminished and the iron still kept on. Some say a little hole should be bored about the region of the great toe, others recommend that the iron be ribbed, and others that joints be constructed in the sole, so that the foot shall have a beautiful quasi-natural play. But flinging the iron to the bottom of the sea, and either walking with a free and naked step, or protecting the limb with a covering of pliant leather,—is far too rash and dangerous a measure for safe and prudent characters.

This iron-binding quality of monopoly has been the grand cause of the complaint and confusion. Had the legitimate drama been left to itself, at this moment we should have abounded both in good plays and good actors. We might possibly have had a Shakspeare in every reign since that of the virgin queen. At any rate there would have been men who could please their age, and who were as much qualified to satisfy the public taste as any other professors of fine arts or literature.

When the legitimate drama arose, there was a closer union between poetry and personation than there is now or ever will be again. At that time a drama stood for much more than it does at present ; it was novel, poem, and play. Besides, there were few other sources of intellectual entertainment. The play was not merely poem and novel, but it was also review, magazine, voyage, and travel. Theology alone divided attention with it in the way of literature. And theology is nowadays amply represented by 'seriousness,' called in the report 'sectarianism.' So that the drama no longer reigns over a wide domain, but has been by modern changes, like the German princes, virtually mediatised. Had there been no monopoly, the department of the drama which remains with all its force, viz. personation and exhibition, would have taken more complete possession of the stage than it has done, and in fact been much more developed. Authors and actors having been hampered by their superstitious veneration for the 'legitimate,' have gone upon the old model till they have wearied the public to the uttermost stretch of ennui ; while personation and exhibition taken up as a despised succedaneum for some great unknown, have had to struggle with all kinds of discountenance and discouragement. Thus the drama, like many other things, has fallen between two stools—the old excellence and the new.

When the drama was the fashionable means of publication of the day, the Bull and the Globe were what the shops of Murray and Colburn are now. Men went there for ideas; there was neither costume, scenery, nor dramatic effect. 'PARIS' chalked on a board served to indicate the capital of France, and a blanket was a sufficient drop scene. Some personation there doubtless was, and also some elocution, but probably in no very high degree of perfection. The grand object of the audience was the genius of the writer. In a small cabin, crowded with noted persons, where every word was heard as it was deliberately uttered, the play stood or fell by the ideas announced. Now, on the contrary, ideas are sought in books, by the fire-side or on the sofa, through the medium of the convenient duodecimo. Be it fair or foul, be the reader near or distant from the theatre, be his horses sick or lame, or be he too poor, or too rich, or too great to go to a theatre, the ideas of our modern men of genius are always at his command. In this manner poetry, and imagination generally, have become surplusage in the drama; and they are consequently oftener left out than recited. Half the 'legitimate drama' is omitted in performance, and only that retained which concerns action. Poetry, luckily, has never been patented; and in consequence we possess our Miltons, our Popes, our Scotts, and Byrons. The drama, like the peerage, has been handed down in particular lines, till the House of Peers and the House of Players, have come to be in a similar state of decrepitude.

Had the legitimate drama been more strictly 'preserved,' the state of things would have been much worse than it is; but monopolies never do all the mischief possible. The very guardians of legitimacy have built houses in which illegitimacy alone could flourish; and the minor theatres being legally excluded from the classical drama, took to what they could get up in compliance with the public taste. The result is, a great deal of splendour in our theatres, fine scene-painting, fine exhibition of all kinds, even to good personal exhibition, that is, personation, play of countenance, action, costume, and all that serves to keep up illusion. The authors have not, however, seconded these efforts; for this reason, that they were aiming at the nominal object of admiration, the legitimate drama,—that is, the drama full of poetry, full of that which told at the Globe and the Bull. The proof of this is in the fact that no tragedy of the legitimate drama, ancient or modern, is ever acted as it is written; half or more is obliged to be left out, because the authors were not thinking of the stage as it is, but as it was. The author of a good play is quite a different person from the author of a

good poem ; yet it is always expected that a great poet should produce a good play. Acting under this impression, Scott, Byron, Moore, and perhaps Campbell, have tried and failed. Whereas such a writer, or rather doer, as Mr. Jerrold, has carried the whole town before him. If evidence were wanting to prove that the really successful dramatists of the day, are an order of men not characterized by what is ordinarily considered as understanding, appeal might be made to the minutes of examination before the Committee. In a direct proportion to their celebrity, are they absurd, illogical, and ridiculous. The players beat the authors in every point of view. The player has been less iron-shod than the author ; emancipate the drama, and we shall soon see men who understand their business. There have been good actors under every disadvantage ; under obloquy, under monopoly, under the fact of its being an unrequiting profession ; *à fortiori*, there will be good actors under a state of things relieved from all these trammels. The very contrary however, is feared by the greater part of the dramatic witnesses here examined ; as in so many other matters it is supposed the cottage cannot stand if the ivy be taken away, though it is proved the parasite entertains moisture, encourages vermin, and in fact is eating into the very elements of strength. Let the profession become remunerative and steady in its demand, and there will be a rush of students towards it ; their conduct will be ruled by the regularity of their gains, and the respectability of the class will rise with its responsibility. Actors will no more decrease because of the number of theatres, than corn because of an increase of corn-markets. They might at first perhaps be somewhat dispersed ; but the corps would be quickly filled up with able volunteers, when placed on a proper footing. It is impudently alleged, that the public will spoil the taste of the actors, if admitted to view them in un-ruined and un-patented abodes. The public however has always been a fair judge of merit, and the patentee people have never done more than follow the public's lead, and not always that.

The case of authors is not less plain. Give them proper remuneration, and relieve them from the idea of perpetually aiming at the legitimate drama, and there will be a conflux of good dramatists in every reign. Give them a law of copyright as in France ; so that an author and all his posterity, shall enjoy a small advantage from every representation of his play for an extensive period. Then dramatic authors would be not only men of dramatic genius, but approved citizens of an educated and esteemed class.

Much has been said of the decline of the public taste for the

drama. The fact may be greatly doubted. Let it be remembered that in consequence of the enormous expenses of keeping up the 'legitimate drama,' of the vast and misjudged outlays in supporting the monopoly of the great theatres, the price of admission to theatrical exhibitions has been maintained at a most exorbitant rate. For the middle classes and others, it is necessary, at the great theatres, to pay seven shillings a head for females and even for children, in addition to the expenses attending locomotion in such dress as is alone considered presentable. Such an amount of expense is altogether disproportioned to that of other descriptions of social amusement. Balls may be danced, cards played, books read, even entertainments given in a moderate style, at less expense than is incurred by a visit to either of the great theatres. This is one of the invariable effects of monopoly, to raise price, and generally to lessen the motives to improve quality. Competition has however grown up in an irregular manner, so as to diminish the ill effects of the latter process, by in fact partially destroying the monopoly. Ancient prejudice, grandeur, magnitude, and exclusive privilege, have nevertheless all combined to keep up price. Could good dramas be got up at one third of the present prices, it would soon be seen whether a taste for scenic exhibitions is increased or diminished. Opera may be a more expensive article than tragedy or farce, just as silk stockings cost more than homespun; let the opera therefore charge according to the cost of production. But no good reason can be urged why the public should continue to pay the interest of enormous debts, possibly half embezzlements, at any rate incurred in bad judgment,—and what is worse pay for four or five companies to see one. The monopoly theatres have, it is well known, a tragedy, a comedy, an opera, a melo-drame, and a farce company, and it is only two of these companies that an audience can see during one evening; the play-goer therefore must not only pay for the actors on the stage, but the actors who are smoking their pipes at the Shakespeare or elsewhere. Were these composite companies subdivided, several representations might be going on at the same time in different parts of the metropolis, and at a proportionate diminution of price. Nay, if the patentees would take a hint, it might be suggested that they should work their companies in half a dozen theatres at once, either congregated in one area, or scattered in various localities. It is presumable that the names of Killigrew or Davenant would be as serviceable in one part of the capital as another. The materials of Drury Lane would build four moderate-sized theatres; and the present company could well support four separate performances on each evening, if, as

they ought to be, they were of moderate length. The short way however is to extinguish monopoly, and various and variegated companies thus unnaturally bound up together would quickly separate. Actors would be more regularly worked ; but being better paid, and more in request, they would lead more regular lives, and be better fitted for arduous undertakings.

There are some subordinate questions gone into in the Report, in which, as in things of greater magnitude, the Committee has not shown its wisdom. The second clause in the Report runs as follows.—

‘ 2. In respect to the Licensing of Theatres, Your Committee are of opinion, that the Laws would be rendered more clear and effectual by confining the sole power and authority to license Theatres throughout the Metropolis (as well as in places of Royal Residence) to the Lord Chamberlain ; and that his—the sole—jurisdiction, should be extended twenty miles round London (that being the point at which Magistrates now have the power of licensing Theatres for the legitimate Drama). And as Your Committee believe that the interests of the Drama will be considerably advanced by the natural consequences of a fair competition in its Representation, they recommend that the Lord Chamberlain should continue a Licence to all the Theatres licensed at present, whether by himself or by the Magistrates. Your Committee are also of opinion, partly from the difficulty of defining, by clear and legal distinctions, “ the Legitimate Drama,” and principally from the propriety of giving a full opening as well to the higher as to the more humble orders of Dramatic Talent, that the Proprietors and Managers of the said Theatres should be allowed to exhibit, at their option, the Legitimate Drama, and all such plays as have received or shall receive the sanction of the Censor.’

Small respect can be had for the opinion of a Committee which could draw up a report containing such a clause as this ; and it is not worse than the rest.

The drama is put under the control of the Lord Chamberlain within twenty miles of London ;—why not within five hundred ? Are not magistrates as capable within the sphere of London smoke, as beyond it ? Then the Lord Chamberlain is made the sole authority for licensing theatres, and yet for the benefit of competition, he is recommended to continue the licence to all that exist. So that it is apprehended the officer to whom sole authority is delegated, will make but a poor use of it ; for in the very first step of his new duty, they think proper to tutor him on the benefit of competition. Then the legislature is advised to permit the legitimate drama to be performed any where ; partly because no one can say what is the legitimate drama, but principally that the legitimate unknown may have all the advantage of ‘ a full opening ’ as well as humbler things,—and always under the

sanction of the censor, the Cato of Broad Grins, who cuts out 'dam'mes' and 'angels' whether they occur in drama legitimate or illegitimate,—who deliberately, before a Committee of the House, suggests, that in small oaths, 'hang me' ought always to be read for 'dam'me,' being that it is of small consequence being hanged, but of vast importance to be damned.

This is wretched legislation, and something very different may be hoped from Reformed Parliament. Can any rational man say what the Lord Chamberlain has to do with the people's entertainments, within or without twenty miles from London? What good purpose can his interference answer? Such is the inconsistency of the Committee, that feeling the force of this objection, in another clause they recommend that on the representation of the majority of any parish or district setting forth their wish to have a theatre among them, the Lord Chamberlain shall be 'bound' to grant a licence; that is, that the 'sole authority' shall be no authority at all. There is no want of a Lord Chamberlain to manage theatres, and no ground for his interference. It is the remnant of an obsolete state of things. The Committee must have seen the absurdity of his situation, but either had not the courage or the honesty to recommend his entire abstinence from meddling with this branch of the people's pleasures. There are two exertions of the power of licensing; the one is to license the house in which plays are acted, and the other, the play. The only conceivable object of licensing *the house*, is to establish a check upon parties outraging public decency, either by assembling immoral persons for immoral purposes, or by exhibiting immoral entertainments. Is not this as clearly an affair of the police, the guardians of public order, as any other of the subjects constantly brought before the magistrates? And as for the assembling of immoral persons, there is no necessity for resorting to theatres for that object. Everybody who knows anything of London, is well aware that licensing or non-licensing the house, has no bearing on the practice of immorality. If there are any places in the world where indecency is openly and shamelessly exhibited, it is within the walls of the great monopolist houses, sacred to the holy worship of the 'legitimate' drama. It is there not only exhibited, but encouraged; not only encouraged, but defended, as a means of attraction far more potent than the charms of that fair incognita the 'legitimate' drama. Let the question be fairly asked and answered, whether an extensive brothel-department is not part and portion of the 'legitimate' houses as much as lawn sleeves are of a bishop, and whether architectural and upholstering provision is not made for carrying on Pompey Bum's profession, with only the

substitution of ice and orgeat for the legitimate ' stewed prunes.' The Lord Chamberlain's office is for fear of immorality; yet is he made the first he-bawd in Christendom, grand Pandarus within Their Majesties Dominions and mightiest holder of doors when men would go to, Great Chartered Banker for conducting the receipts and disbursements of frail flesh, High-Priest of Venus and all derivatives therefrom, Distributor-General of the tub-fast and the diet, Purveyor-in-Chief to all that writes on walls or strives to bloom unseen with a private bell and a lamp in the passage. Two-thirds of the house cannot if they would, escape the odour of his fry of fornication, or avoid tumbling over the *phocæ* that roll in and out of his Protean hall. There is no such thing in foreign countries; it is peculiar to the land that has the nuisance of the patent. The patent altogether, is a remnant of the day of England's degradation, which ought to have been swept away with the puddle that it sprang from, and should not exist a fortnight under the besom of a Reformed Parliament;—a tribute paid upon the rotting-places of the loose men-women of the Stuart, to remind the world that England once had a Republic. Yet the Select Committee takes all this by the hand, and states with gravity that 'sectaries' oppose. The licensing of the *play* is defended on three grounds; first, taste; second, morality; third, politics. As far as regards taste, it may be possible to pick out an examiner of very good taste, —better taste than perhaps most managers; but the question is not what is good or bad taste, but what pleases the public; and that is wholly an affair between the public and the proprietors of theatres. As to morality, what judges more sensitive than the managers whose fortunes are at stake, and the public, assembled as they are in open day, wives, daughters, and children in company? If there is one thing on which all the witnesses are agreed, it is, that the public is the strictest censor on this point, and that few plays can now be acted as they are written, the omissions all being from a sense of decency. With regard to the third ground, and the only one upon which it is cared one jot to keep up the power of the licenser, the supposed necessity of checking political applications and allusions,—it is in the first place an infringement on public freedom that any such check should be applied, for the public have as much right to witness a political play, as to read a political pamphlet; and secondly, such check is virtually impracticable. A new play may be rejected on that ground; but if an audience is so disposed, there is scarcely a play existing, the representation of which could not be made to serve the purpose of an expression of political feelings. Audiences moreover can show their

unlicensed power by calling for popular songs ; and if there is any danger in such things, a manager must be enjoined neither to sing ' Rule Britannia ' nor ' God save the King ' without a licence.

Wherever numerous bodies are collected, and more particularly where the object is dramatic exhibition, the police must have a certain power. There is a constant necessity for their supervision, in order to ensure, in such miscellaneous assemblages, the preservation of public order, quiet, and regularity. Instead of the absurd power given to magistrates and the Lord Chamberlain, the Committee would have done well to have recommended a theatrical police, consisting of respectable and efficient persons of the neighbourhood, having at their head a superior competent to the settling of disputes, quarrels, riots, and other descriptions of confusion, liable to occur in a country where the spirit of accommodation is at a very low ebb, where a habit of drinking is pretty prevalent, and where persons who do not know each other look either defiance or distrust.

It is pleasing to find the principles of political economy extensible to the arts of amusement. Had a political economist been called upon to draw up a report, it would have been brief ; dramatic authors he would have put on the same footing as in France ; all acts, patents, licences, relating to the drama, now in existence, he would repeal, and substitute for all that has been said and written on the subject, the grand maxim of commercial policy, *Laissez-les faire*.

ART. III.—*Family Classical Library. Plutarch's Lives. Tiberius and Caius Gracchus.*—Valpy. London.

AS there were no persons in antiquity who suffered by a more detestable oppression than the Gracchi, so there are in history no characters pursued with a greater virulence of calumny to the present times. Their defenders have been few, their enemies many, loud, and with few exceptions, ignorant. It is natural to feel for persons against whom such odds of injury are arrayed ; but as their enemies, not content with the private wrong, have erected a battery on their dead bodies and from it swept the whole line of the popular cause, the offices of political piety are synonymous with the demands of duty, and it becomes doubly necessary to examine the truth of the charges brought against them.

Scholars of very moderate reading are no doubt free from the grosser errors concerning their history ; but three-fourths of



those who rail against the Gracchi, and even rise to the smart dignity of quoting the well-known line, which notwithstanding the falsehood it embodies, has nearly acquired the currency of a proverb, imagine the Gracchi were 'vulgar radicals,' 'low fellows' who never set foot in a drawing-room, Jack Cades who would hang the clerk of Chatham, with his inkhorn about his neck, because he wrote his name 'instead of having a mark to himself, like an honest plain-dealing man.' These persons would be surprised to find that the Gracchi were nobles, of one of the most illustrious families in Rome, that in purity of private life they were irreproachable, that they had both of them distinguished themselves in war, and were also the most accomplished orators of their time.

Their father, Tiberius Gracchus, whom Cicero praises frequently in warm terms, was censor, twice consul, obtained two triumphs, and nevertheless left behind him, what was rare with Romans, a high reputation for justice and humanity among the people of Spain. Their mother was Cornelia, the daughter of Scipio Africanus. Scipio, who was one of the best of the Romans in what light soever the reader please to take him, had been prosecuted for an unauthorized disposal of military spoils. The daring contempt with which he treated the charge, is well known; but as his brother continued to be pursued by the tribunes of the people, Tiberius who was also a tribune, interposed his negative, and forbade any further molestation of a family which had so essentially served the state. Scipio's brother was condemned; but a grateful recollection of the conduct of Tiberius was retained, and the Scipios gave Cornelia in marriage to him after the death of Africanus. He might well have been proud of such a reward. She bore him twelve children, of whom all died prematurely, except one daughter married afterwards to Scipio Æmilianus, and the Gracchi;—but two such sons are a blessing rarely granted to a parent. The opinion he entertained of her may be collected from an anecdote mentioned by Cicero, and which is not at all to be estimated by our notions of things. However ridiculous it may seem to moderns, in an ancient Roman few circumstances could have tried more severely the sincerity of affection. Indeed the omen appears to have been the cause of his death. He happened one day to find two serpents in his house, and alarmed by the circumstance consulted the soothsayers. Their answer was, that if he allowed the male to escape, Cornelia would die; if the female, himself. Upon this he allowed the female to escape, and died in a few days after. But as Plutarch says, such was the domestic affection and greatness of mind Cornelia displayed, that he seemed not to have judged ill in chusing to die for such a woman.

Perhaps there is not on record, a memorial of any woman with such various and noble claims to sympathy and respect as Cornelia. By her own and her children's merits, she almost redeems the mass of Roman vice and oppression. Her character spreads a greenness over that period of history. The purity of modern, and the dignity of ancient sentiment, were united in her to the generosity of feeling that peculiarly belongs to women, when left to the natural impulse of their dispositions. Along with the lofty qualities of her country, grew up the mild virtues which war had burned out of the minds of the Metelli, the Claudii, and the Æmilii; the rugged muscles of the Roman character, were melted into the graceful continuous outline, and its harsh features harmonized by the gentle expression of female beauty. General opinion attributed to her the political views, and what is indeed more questionable, the talents of the Gracchi. A long list might certainly be made out of distinguished men, some the most distinguished in history, who declared they owed their greatness to their mothers, and there seems strong evidence for at least a portion of the proposition, that the portion of life during which children are nearly altogether under the care of their mothers, is that on which the structure of the future mind principally depends. That their political career however was influenced by her, is historically certain, and does not need the testimony afforded by the noble question 'How long shall I be known as the mother in law of Scipio, and not as the mother of the Gracchi?' This, Plutarch with incredible waywardness, regards as no more than a wild impulse to ambition, and not (though her character and the conduct of her children ought to have forced him into the right road) as a generous exhortation to acquire a new glory in peace, by securing the rights and liberties of their fellow citizens. But though thus possessed of talents and political information, guided by more humane principles than were usually to be found in the republic, she did not seek this as an excuse to neglect her duties, or quit the retired station which befits women. All her attention was devoted to the education of her children, and to the instilling those good and honourable principles, which their talents, rank, and influence would enable them to embody in the state, according to the mode suggested by their future experience of men and life. The noble pride she felt in her sons, is well known from the characteristic anecdote. The offer of a crown could not at a later period tempt her to abandon them. Ptolemy king of Egypt solicited her hand and was rejected. But perhaps the Roman contempt for kings contributed to the refusal.

Of the excellent reputation of Tiberius the son, Plutarch gives two proofs. One is, that he was admitted into the College of Augurs, at an age, it would seem, unusually early; the other gives a curious glimpse of Roman life. 'Appius Claudius (a man of great distinction, who had been consul and censor) supping one evening with the Augurs in public, addressed himself to Tiberius with great kindness, and offered him his daughter in marriage. Tiberius accepted the proposal with pleasure; and the contract being agreed upon, Appius, when he went home, had no sooner entered the house than he called aloud to his wife and said, 'Antistia, I have contracted our daughter Claudia.' Antistia much surprised, answered, 'Why so suddenly? what need of such haste; unless it was Tiberius Gracchus?' To the dismay of all novel readers, the young lady accepted the husband so unceremoniously provided for her.

After serving with distinction in Spain and Africa, he was elected tribune of the people. A short time before his accession to the tribunate, the fever of nearly two hundred years of continual war had left Rome the mistress of the world, but with the seeds of dissolution sown thickly in her frame. The republican spirit of equality, through the continued ascendancy of the nobles, and the vast power which almost perpetual war had allowed to consolidate in their hands, was nearly destroyed; and at the same moment the issues which a policy singularly adapted to its ends had provided for leading off the humours and evils of a military state, were closed. Rome, at first view, would seem to have been always the natural prey of a popular and successful commander; but wise provisions in the most noiseless yet effectual manner guarded against it. Her ancient policy, of which Licinius's law was only a legal sanction, carefully removed the disbanded soldiery; and by assigning them lands, at once paid the due reward of their services, acted in the spirit of republican justice, and converted those who would otherwise have become the tools of tyranny into a peaceful and patriotic population. The base of the empire extended as its height increased; and while the principle of future conquest was maintained in full vigour, her acquisitions were secured, and by degrees grew into a part of her substance. Rome, the centre, was secured by the strength of the extremities. What hope of usurping the government could any general form? To whom was he to address himself? To soldiers filled with a strong spirit of nationality, regarding the republic as a careful mother that provided farms for themselves and their families, and bound to her by the instinct of affection as well as interest? But at the period

above mentioned, all of this was reversed. A widening moat of arrogance and insolence, was every day separating more broadly the people and the aristocracy. War had covered with its *débris* many of the popular rights. The power of the senate, great in time of peace but almost supreme in war, the wealth of the world which flowed into its coffers, and the authority which success gave to its generals, were employed to create a haughty rapacious cruel aristocracy, to thrust down the people into poverty and contempt, and while leaving to the people a show of power, to exclude them from all effectual control by which their interests could be secured. As in the late war against Napoleon, a Tory party dividing the honours and powers of the state became dominant, and either bribed or terrified into submission the nation for a while. Polybius gives a strong idea of the influence of the aristocracy. 'The people again, on their part, are held in a dependence on the Senate, and are obliged to pay a certain deference, both to the general body and to individual members. All over Italy, there are works of various kinds which are let out to farm by the censors; such as the building or repairing of the public edifices, which are almost innumerable; the revenues from rivers, harbours, gardens, mines, and lands; every thing in a word that falls beneath the dominion of the Romans. In all these cases, the people are the lessees; insomuch that there are scarcely any persons who are not involved (*ἐνδεδίσθαι*) in the contracts or management of some or other. For some take the contracts themselves; and others become partners with them. Others again engage themselves as sureties for the contractors; and others in support of those sureties, pledge their own fortunes to the treasury. Now the supreme direction of all those affairs, is lodged wholly in the Senate. It is the Senate that has the power to allot a longer time, to lighten the conditions of the contract if any unexpected accident has taken place, or even to release the contractors altogether, if the terms of the contract should be found impracticable. There are also many other circumstances in which those that are engaged in any of these public works may be greatly injured or benefited by the Senate; since to this body, all those things are referred. But the most important of all is, that from the Senate, judges are selected in almost every cause of considerable weight, whether it be of a public or private nature. In consequence of which, all persons being tied and bound in its hands, and afraid that its assistance may be necessary to them at one time or another, are cautious of offering any resistance or opposition to its pleasure. In the same manner, the people are reluctant to oppose the orders of

the consuls; because individually as well as collectively, the whole of the citizens are liable to fall under their control when they are called into the field.' [*Hist.* vi. 15.] How good a description of what Englishmen have heard of by the title of 'the government.'

The consequences of this power operating for nearly two centuries, was the abrogation of the popular liberties, and the uncontrolled ascendancy of a fierce aristocracy. Foreign wealth brought with it the vices by which it was lost, and those by which more was to be won. Morals, which in a military state run to decomposition with as much rapidity as the flesh of a wounded tiger to gangrenè, were tainted and fly-blown. Merit was no longer the road to distinction, the senate looked not to the number of scars on the soldier's breast, but to the party which claimed him, or the noble who patronized his fortune. The temple of valour still led to that of honour, but a crowd of lazy insolent nobles got down through the roof and filled it, while the plebeian who had fought his way to the entrance, found himself excluded from his reward with scorn and outrage. The soldier who had grown grey in battle, and promised his old age the legal assignment of land, was defrauded of his right; or if he had possessed a farm before, he found that the engines of power had shaken his family out of it and thrown them on the world. The territories of the nobility were extended on all sides and in all ways, either by the exclusive and unjust diversion of military spoils, and purchases often perhaps compelled; or by legal processes which there was no one at home to resist. The people whom the excitement of war had supported under its pressure, now that this was passed away, staggered under their burthens; while at the same time the advancing inundation of slaves drove them into Rome, as the only point of safety. The population, to provide for which originally would have required the exertion of considerable statesmanship, was thus still further increased; and the usual mode of relieving itself by assignments of land being taken away, Rome resembled a body which in the spring-tide of health has all the outlets of its secretions stopped up in a moment. Discontent new and deep was of course the consequence. Sallust says, 'before the destruction of Carthage, the Roman people and senate managed the republic among them in peace and moderation. There was no contest among the citizens for glory or domination, fear of the enemy retained the state in virtuous habits; but when that terror was removed from their minds, the wantonness and pride which prosperity loves, invaded them. The nobility began to turn their dignity, the people their liberty, into licentiousness,

and each man to seize and plunder for himself. Thus all was torn into two factions, and the republic which stood between them was rent in pieces; but the faction of the aristocracy was the most powerful, the strength of the people dissolved and divided among a multitude was least effective. All things therefore, abroad and at home, were governed by the pleasure of a few individuals. In their hands were the treasury, provinces, magistracies, honours, and triumphs; the people were oppressed by military service and poverty; the generals, with a few more, divided the spoils of war. In the meantime, the parents or children of the soldiers, as each happened to be the neighbour of a great man, were expelled from the farms; thus, along with the spirit of conquest, an avarice without limit or moderation polluted and desolated everything. To it, nothing was sacred, nothing respected; until it ran headlong to its ruin. For the moment that nobles were found who preferred real glory to unjust ascendancy, the state began to be shaken and civil discussion to come on like an earthquake. Thus when Tiberius and Caius Gracchus, whose ancestors in the Punic and other wars had considerably extended the empire, proceeded to restore the liberties of the people, and expose the crimes of a few individuals, the guilty aristocracy struck with alarm opposed their laws, sometimes through the allies and the Latins, sometimes through the equestrian order, whom the hope of a participation in the ascendancy had separated from the people's interests.'—*Jugurthine War*. c. 41, 42.

Tiberius Gracchus, then, had weighty duties to discharge. In the first place, it was necessary to provide for the subsistence of the mass which composed the lower orders. They were reduced to utter distress by the consequences of long wars now beginning to develop themselves, and by the usurpation of the nobility, which drove them in heaps on one another into Rome. Indeed the poverty of the people is assigned as a principal cause of the first Punic war; like genuine Tories, the Senate, fearing that in peace they might be compelled to make restitution of part of their plunder, hurried the state into war, and drowned in its din and delirium the general demand for justice. But as the soldiers were barely found in necessaries,—for Polybius mentions the amount of pay given to a foot-soldier as two oboli a day, out of which he was obliged to provide his bread and clothing,—it is evident that, without taking any notice of the national exhaustion produced by war, the poverty must have gone on widening and deepening. In the time of the Gracchi the distress was severe, and Caius, in his memoirs, has said, that the wretched condition of the peasantry in Etruria,

which Tiberius saw when proceeding on the Numantine expedition, first determined him to enforce the Agrarian law. Plutarch also says, speaking of Tiberius when actually proposing it to the Comitia or assemblies of the people, 'In this just and glorious cause, he exerted an eloquence which might have adorned a weaker subject, and which nothing could resist. How great was he when the people were gathered about the *rostrum*, and he pleaded for the poor in such language as this! "The wild beasts of Italy have their caves to retire to, but the brave men who spill their blood in her cause have nothing left but air and light. Without houses—without any settled habitations—they wander from place to place with their children; and their generals do but mock them, when, at the head of their armies, they exhort their men to fight for their sepulchres and household Gods; for, among such numbers, there is not a Roman who has an altar that belonged to his ancestors, or a sepulchre in which their ashes rest. The private soldiers fight and die, to advance the wealth and luxury of the great; and they are told they are masters of the world, while they have not a foot of ground belonging to themselves.' A declaration quoted by Cicero [*De Off.* ii. 21.], as made by Philippus a few years after this time, and quoted apparently as an imprudent one, gives a singular corroboration to Gracchus's speech, and affords a notion of the extent of aristocratic rapacity. Philippus said 'there were not two thousand persons in Rome who possessed any property.' And yet he was a violent opponent of the popular party.

His next duty was the reformation of the constituency, by granting to the poorer citizens, in accordance with the existing laws, a small lot of land which might at least serve as the nucleus of independence. The aristocracy hitherto, by means of their great authority and the power which immense spoils gave them of bribing the electors in various modes, had ruled the Comitia; and it was evident the first step to amendment on this point, was to create something like an independent body of constituents.

The third, and though closely connected with the two former, perhaps the most exigent, was to guard against the accumulation of a vast body of discontented soldiers in Rome, irritated by want and gross injustice, who would speedily be ready to cut their country's throat if some provision were not made for them. It was fearful to leave them to temptations of that description; but who could be so absurd as to think, if they once learned to do justice to themselves, their will would not from that moment become the law of the empire? If the principle of looking to laws for compensation, was rooted out by the shameful

injustice of the Senate, what other result could be expected, than that they should throw themselves into the hands of their generals, and fling off all respect for a country which was so cruel a step-mother? Patriotism was still strong in their minds, and it seemed a sacrilege to overthrow the liberties of their country; but if they were once taught the secret of their strength, it would be useless to try to recall them to their former dispositions. Ten times the amount of compensation would then be nothing. The plunder of provinces would not bribe them back to obedience and respect. To show of how little value was the cajolery of 'country' in the mouth of the nobility after their proceedings at this and some subsequent periods, it is only necessary to recall the settled hatred and disgust the legions under Antony and Augustus felt for the Senate. That such thoughts would never have occurred to them but for the speeches of the Gracchi, is a Tory fallacy scarcely deserving of notice. There is no orator like want preaching to the passions.

To attain these objects, Tiberius Gracchus proposed to enforce the Licinian law; that is, that the prize land, the property of the Republic, should be surveyed; that those who were in the tenure of more than five hundred acres of it (which had been determined by the Licinian law as the greatest share that any individual should receive), should surrender the surplus, which was then to be divided among the poorer citizens, subject, either in whole or part, to a certain quit-rent, and that a fixed proportion of freemen should be employed in cultivation by the rich. The assignments were to be inalienable. In this, Gracchus acted with the approbation of Crassus, Mutius Scævola the great lawyer mentioned by Cicero, and Appius Claudius his father-in-law, all men of distinguished character and authority. But there was another important clause in the bill. Plutarch says, 'There never was a milder law made against so much oppression and injustice. For the men who deserved to have been punished for their infringements on the community, and fined for taking possession of the lands contrary to law, *were to have a consideration for giving up their groundless claims*. But though the reformation was conducted with so much tenderness, the people were satisfied; they were willing to overlook what was past, on condition that they might be secured against future usurpations\*.' Where was here the interference with private property?

\* Appian says that *each son* in the Tory families that had appropriated the lands, was further to be allowed to retain 250 acres. *Μισθὸν δὲ αὖ τῆς πεπονημένης ἐργασίας αὐτάρκη φερομένους, τὴν ἐξαιρετὸν ἀνευ τιμῆς κτῆσιν ἐς αἰεὶ βέβαιον ἐκάστω πεντακοσίων πλῆθρων, καὶ παισιν, οἷς εἰσὶ παῖδες, ἐκάστω καὶ τούτων τὰ ἡμίσηα.*—Appian. *De*



Not a section of the law referred to any but public land. Was it proposed that the shares in even this public land should be equal? It was not dreamed of. The nobility possessed of it, some far more, some no doubt less, in various quantities, than five hundred acres; and the law touched, in no degree whatever, the latter. The colonies were equally far from being formed on the basis of an equal division; for, as a colony was formed generally of a legion taken and planted bodily with its privates and officers [See *Tacitus, Ann.* 14. 27.], of course shares of various sizes would be allotted according to the respective ranks. It is nearly as certain that some proportion was established, probably according to the number of children, in the other kinds of assignments.

In a former number of this Review several passages have been quoted from Livy to prove that the Licinian law referred to nothing but the prize lands, and that it never thought of requiring that even these should be equally divided. And here are added the accounts given of this *publicus ager* by Plutarch and Appian; which fully coincide with Livy, and render it scarcely possible for even a country gentleman to represent the Agrarian law as an equalization or confiscation of private property. 'The Romans having subdued Italy piecemeal, seized a portion of the territory of each state, and either founded cities there, or in the cities previously existing placed colonies of Romans which were intended to serve as garrisons. As each territory was thus successively gained by war, the cultivated part was either instantly divided among colonists, or sold, or leased out; and the rest (which in consequence of the ravages of war was much the most extensive), they allowed all who chose, to farm on condition of paying as the yearly rent the tenth of the crops, and the fifth of the produce of the trees. The rent required of those who used the lands as pasture, was a proportion of the larger and smaller cattle. And this policy was adopted to increase the Italian population, which they deemed the best fitted to endure exertion; that they might always be able to recruit the armies out of their own countrymen. These measures however were finally attended with a totally different result; for the rich seizing the largest share of the undivided lands, and hoping the lapse of time would cover their usurpations, partly by purchase and partly by force occupied the neighbouring farms, and particularly the small lots of the poor, so that instead of

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*Bellis Civil.* i. 4. See also to the same effect in an earlier part of the same section. These passages explain the nature of the compensation, and confirm Plutarch's account.

what could be denominated farms they got the direction of entire districts of country. The labourers and shepherds employed on these were slaves, for freemen were liable to be called away on military service ; and besides, in this mode of possession they derived large profits from the children of their slaves, who multiplied on account of this very exemption from service. The result of the whole was, that the nobles engrossed all the wealth, and slaves swarmed through the country. The diminution of their own numbers on the other hand pressed heavily on the Italians, and left them to be ground down by poverty, taxes, and military services. Even when a temporary remission of these occurred, they had no means of finding employment, as the rich were in possession of the land, and employed slaves to the exclusion of free men.'—*Appian. De Bellis Civil.* i. 7.

Appian proceeds to say that these usurpations of the aristocracy at the time of Licinius were covered by prescription ; but in this he will be proved mistaken. Plutarch's account of the *publicus ager* is also as follows.

' When the Romans in these wars made any acquisitions of lands from their neighbours, they used formerly to sell part, to add part to the public demesnes, and to distribute the rest among the necessitous citizens, only reserving a small rent to be paid into the treasury. But when the rich began to carry it with a high hand over the poor, and to exclude them entirely if they did not pay exorbitant rents, a law was passed that no man should hold more than five hundred acres of land. This statute for a time restrained the avarice of the rich and helped the poor, who by virtue of it remained upon their lands at the old rents. But afterwards their wealthy neighbours took their farms from them, and held them in other names, though in time they scrupled not to claim them as their own. The poor thus expelled, neither gave in their names readily to the levies, nor attended to the bringing up of children. The consequence was, the want of free men all over Italy ; for it was filled with slaves and barbarians, who, after the poor Roman citizens were dispossessed, cultivated the ground for the rich. Caius Lælius the friend of Scipio attempted to correct this disorder ; but finding a formidable opposition from persons in power, and fearing the matter could not be decided without the sword, he gave it up. This gained him the name of " Lælius the Wise."—*Plutarch. Life of Tiberius Gracchus.*

These passages are valuable as they show in a strong light the extent of the aristocratic usurpations, and distinguish the different modes of acquiring property. The nobles evidently shared in the distribution of conquered land. Appius Claudius is found getting twenty-five acres ; and each of his clients, two. The Tarquinii had a distinct private estate ; and the manner in which Coriolanus spares the estates of the Patricians, seems to

mark them as distinct from what might be at the same time held by a sort of lease of the public demesnes. But whether that be so or not, there was nothing to prevent the nobles from investing their profits of any kind, nor their immense military spoils, in the conquered land sold by order of the republic; nor to prevent their making purchases of any extent in the lands retained by the conquered states of Italy or any other country. These were not in the remotest degree touched by the Agrarian law, which regarded solely the public lands.

The aristocracy unable to resist the law on any just or legal ground, induced one tribune M. Octavius, who would himself have suffered by its operation, being a holder of more than the allowed quantity of land, to quash the bill by his single veto. Gracchus upon this referred it to the Senate, who denounced all reform. Finding that no other mode remained of carrying it, he resolved to bring Octavius, who had abused the privilege of his high office to screen illegal and corrupt usurpation, before the people. Having just put to the Comitia the question whether they wished him to continue tribune, upon this being decided in the affirmative, he put the same question with regard to Octavius; who persisting in his veto, and thus defeating common justice and express law, perilling the safety of the empire by strangling a necessary reform and resisting the unanimous wish of the whole people, was deposed by their decision from his office. The law being then allowed to be proposed to the people, was passed, and Tiberius with his brother Caius and father-in-law Appius were appointed, at the desire of the people, who would not trust its execution in other hands, commissioners for carrying it into effect.

When the time of the elections for tribunes arrived, Tiberius Gracchus, apprehensive that otherwise his laws would be overturned, and even his life compromised, (for the aristocracy openly menaced him with their vengeance as soon as his year of office should be expired), became a candidate for re-election. The votes were of course going in his favour; when the senate and nobles met, and to make a pretext seized the first absurd falsehood in the way, and said that Gracchus had demanded a diadem and was about to elect himself king. Scipio Nasica, the Archbishop of Canterbury of the time (he was *Pontifex Maximus*) and a large usurper of the lands, called upon the consul to 'defend the commonwealth' and destroy the tyrant. The consul mildly answered, that he would not begin to use violence, nor put any citizen to death without a legal trial; but if Gracchus should either persuade or force the people to vote anything contrary

to the constitution, he would take care to annul it. Upon this Nasica declaring the consul had abandoned his country, covered his head with the skirts of his robe, and accompanied by a crowd of Patricians and their retainers, fell upon the people, killed Tiberius Gracchus with three hundred of his friends, and threw their bodies into the Tiber. Caius begged the wretched consolation of being allowed to bury his brother's corpse, but was refused. 'Nor was this all,' says Plutarch, 'they banished some without form of trial, and took others and put them to death. Caius Bilius they shut up in a cask with vipers, and left him to perish in that cruel manner.' This was the way men were treated in those days, who tried to get the people's property out of the jaws of an aristocracy. It was worthy of the duplicity of the Roman conservatives, that after this massacre, which was perpetrated to extinguish the Agrarian law in the blood of its author, they yet allowed a commissioner to be chosen in the place of Tiberius, and affected to observe the law.

These proceedings translated, as far as different usages will allow,—for certain peculiarities prevent an exact parallel with the English ones of 1832,—stood thus. After about twenty years of peace, the Roman people finding the consequences of misgovernment closing around them, pinched for subsistence, and irritated by an insolent aristocracy that monopolized the wealth, honours, and authority of the state, and used the strength of the community to thrust the bulk of that very community into poverty,—raised a general cry for reform. Express statute, justice, and necessity were on their side. At this juncture, Tiberius Gracchus, whose father had been raised to the peerage, (for the Gracchi were originally commoners), became the popular premier, and brought in a bill for reform, which though moderate contented the people. The bill would have passed the Roman House of Commons unanimously, had not the peers procured to their side one popular member, Octavius, who by his single voice threw it out. Upon this Gracchus stopped the supplies. In compliance however with the entreaties of his friends, who besought him to try milder measures first, and give the peers an opportunity of recovering the affections of the people and proving their disinterested regard for their country, he introduced the bill into the House of Lords. There it was scouted. He then appealed to the people, as would be done in England by a dissolution of the House of Commons, in order to take the sense of the country on Octavius's conduct; the nation rose as one man, Octavius was rejected, and the bill passed. Happily the sequel of these proceedings in Rome can find no analogy with us.

The writer of the life of Tiberius Gracchus in the *Encyclopædia*

Metropolitana, after observing in extenuation of his conduct that it had met with the approbation of men so distinguished for their virtues and knowledge as Crassus, Scævola, and Appius, proceeds to say, that with the light of modern political science we can entertain no doubt of the mischievousness of his course. Had not the writer displayed so much general ability and information in other portions of Roman history, along with so much just feeling, this might be thought the ordinary artifice by which an author seeks to acquire a character for peculiar comprehensiveness of view. But it certainly were desirable that whoever tries to add, though in a diminished degree, to the load of obloquy which has been heaped on the names of the Gracchi by aristocratic feeling, should state some ground for the condemnation he pronounces.

The policy of Tiberius Gracchus was not only dictated by law, justice, and expediency, and in strict conformity with declared legal rights, but it presented the only safe and honourable mode of averting those evils which in a few years burst on all, but with particular fury on the heads of the aristocracy. The hurricane which soon blackened the whole sky, was then a mere speck in the horizon, and might have been dissipated, had not the nobles torn in pieces the very men who sought to prevent their laying up for themselves and their children such ample treasures of bloody retribution. In a soil of itself sufficiently fertile they scattered abundant wrong, and when warned that this would surely bear fruit in vengeance, they flew upon the prophets and sacrificed them as the authors of the consequences produced by their own plunder and iniquity. Like other aristocracies, they paid much reverence to the time-honoured absurdity which says that men never feel oppression till some one tells them of it. They thought they could preserve the respect due to virtue, while their characters had broken out in blotches and eruptions of every sort of vice; and charged those who besought them by the public decency and safety to change their ways of life, as the cause of the leprosy that overspread their order. Immense tracts of land were seized in defiance of common justice, and covered with villas thronged with statues, pictures, and gold and silver vessels; yet they thought that the eye of want would not gaze wistfully at them, and that those rapacious Romans who acknowledged with the world no right but of the sword, would require a monitor to explain the grossness of defrauding them of the portion they had purchased with their blood. It was not wise to expect that the proudest people in existence, looking down on kings and nations with contempt in the first flush of universal empire, would patiently see them-

selves thrust out of their farms, which their fathers and grand-fathers held for generations before them, in order to make room for the very slaves they had conquered.

It is acknowledged on all hands that the policy of Tiberius was perfectly legal. There is no dispute that it was merely a revival, in a very mitigated form, of the law of Licinius, or to state it more correctly, that it was a renewal of an existing statute, with a premium for its honest execution. He entered into a composition with the nobility, and allowed a liberal percentage on the amount of their plunder, provided they restored the rest of the public property. The Licinian law was the *Magna Charta* of Roman liberty. It was bought by a century of plebeian struggles, by innumerable hardships, and great expenditure of blood. The subsistence of the bulk of the community was secured, by the equitable division of those lands which the bulk of the community were winning every day. Political power, the only guarantee for political rights and personal security short of constant rebellion, was by the same act vested in a certain proportion in the people; for both by the current of the constitutional spirit, and perhaps in no less degree by the inveterate habit which despised nearly all occupations but agriculture, and attached to it the idea of superior courage; virtue, and honour, property in land was the foundation of political power. The last object of the Licinian laws was to apply some check to that monstrous oppression of debt, which had eaten into the vitals of the people. This, like the division of the lands, has been misrepresented. It is held up as similar to what a proposition for the general abolition of debts at this day in England would be. Nothing can be more untrue.

In Rome the state tribute consisted of a rateable tax on property. The holders of the undivided public lands, who were in most instances the patricians, paying a tenth of the produce of what was sown, and a fifth of what was planted, as rent, were free from this tax. The plebeians of course were subject to it for their farms. But the peculiar oppression was in this. The plebeian soldier detained perhaps in the wars from the cultivation of his farm, or losing his whole harvest at one swoop by an inroad of the enemy, was yet assessed for the tax on the very property he had thus lost. He was compelled to borrow money at an enormous interest from the patrician, to discharge it. The same misfortunes might happen the next year, or at any rate the farm was comparatively unproductive; but the tribute was assessed, and the loan must be procured, with the enormous interest upon it. The returns of the farm were soon in the hands of the patrician to cover the interest of his successive loans, and still the tribute

was imposed on the value of the visible property and charged to the plebeian, who could not lay his hand on a penny-worth of his nominal crops. The patrician went on advancing money to meet the tax, until the farm, the plebeian, and his whole family, were irretrievably in his clutches. Such was the law of taxation\*. The law of debt was a fit companion to it. It allowed the creditor to imprison his victim in his own house, to chain him, to whip him, work him like a brute, and in short, reduce him and his family to slavery. Never was there anything so monstrous. As Livy observes, it completely disabled the debtor from ever discharging the debt, and was at the same moment incredibly inhuman and unjust. The following passages from Livy are given to bear out the preceding observations.

‘ This indignation, which was spreading of its own accord, the singular misery of one man blew into a conflagration. An individual advanced in years, flung himself into the forum with the marks of all his wretchednesses. His clothes were squalid and covered with filth. His person was still more shocking, wasted as it was with emaciation and paleness; while an overgrown beard and hair rendered his countenance wild and savage. Yet amidst all this hideousness, he was recognized, and men stated that he had once been a centurion, and touched with pity for his condition, they dwelt on the other military honours he had obtained. He himself showed the scars on his breast, as witnesses of honourable combats in various places. When men asked him “ Whence this appearance, whence this filth and misery,” he answered—and the crowd collected round him as if they were hearing the harangue of their general,—that while serving in the Sabine war he had lost all the produce of his farm by an incursion of the enemy, his house had been burned, all his property plundered, and his cattle driven off; that in order to pay the tribute demanded at this unreasonable time, he had incurred a debt, which accumulating by interest, had first stripped him of the farm held by his father and grandfather, then of the remnant of his fortunes, and had at last like a pestilence seized his body. That he was dragged by his creditor, not into servitude, but into a jail and a charnel-house. He then showed his back, a ghastly spectacle from the recent marks of stripes.’—*Livy*. ii. 23.

Another time, the consul Servilius leads out an army consisting in part of debtors, under promises of relief, and to encourage them issues a proclamation ‘ that no creditor should seize or sell the

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\* Savigny is believed to have been the first who clearly ascertained the truth on this point.

property of a soldier while in camp, or arrest his children or grandchildren.' Yet these very soldiers returning from a triple victory, were again chained up, and the faith of the consul laughed to scorn by the senate.

Again, immediately before the enactment of the Licinian laws, Livy thus describes the condition of the people.

'In proportion to the external tranquillity produced by successful wars, there increased in the city every day the oppression of the patricians and the miseries of the people; inasmuch as the very necessity of discharging a debt took away the power. The debtors therefore, thus delivered into the power of their creditors, and unable to satisfy them out of their properties, did so out of their bodies and characters, corporal suffering standing in lieu of payment. Such a submissive subjection of spirit was consequently produced, not only in the humbler but even in the leading plebeians, that not only was no plebeian found to come forward against the patricians as candidate for the military tribunate, though they had made most vigorous efforts to establish their eligibility to it; but even the peculiar plebeian magistracies no man of vigour and prudence had courage to undertake, or attempt the necessary canvass for them.'—*Livy*. vi. 34.

It was to secure the body of the community from such iniquities as these, that the tribune brought forward his celebrated *rogations*. And what after all was this perilous new law of debt? Was it an abolition of debts? It was that whatever sums had been actually paid as interest, should be deducted from the principal, and the residue be discharged in three years by three equal instalments.

The law of Gracchus giving effect to the Licinian law of division, was, like the latter, in the full spirit of Roman policy and practice. The division of lands existed from the first foundation of Rome. Romulus (see Plutarch) divided the conquered lands among the people. Numa made a division *virilim* or man by man, [*Cicero de Rep.* 2. 14], probably of that part undivided by his predecessor, or usurped upon his assassination by the senate. Ancus divided the conquered lands and planted colonies [*de Rep.* 2. 18]. Livy relates that the division of the lands made by Servius, was one of the causes of his unpopularity with the senate. The law proposed by Spurius Cassius, was only a return to the old established policy, which had been suspended, first by the patrician conspiracy against Servius, and then by the usurpations of the nobility as soon as they were relieved from the apprehension of Tarquin. From the time of Spurius Cassius to that of Licinius, there is scarce a year in which, unless the state was occupied by war, the division of the lands was not brought forward. By



this may be estimated the justice of the charge, that the Licinian rogations violated prescriptive rights,—that the possessions of the nobility, though originally usurpations, had been so long enjoyed, that it was a practical injustice to take them away. Any one looking into Livy, will see they were served with a constant succession of notices to quit; and no person, it is presumed, will dignify with the name of prescription, the length of time during which, by every sort of fraud and hypocrisy and violence, the just owner is kept out of claimed possession. No man will hear of a prescription, measured by the space during which an actual litigation has been going on, nor listen with gravity to the tale of uninterrupted possession, when he knows that the property has been throughout the subject of the fiercest suits. If while an estate was in Chancery, it were disposed of, as no doubt many Roman possessions were, in shape of family settlements, or any other mode of transference,—who would regard this but as an impudent attempt to trammel justice, and therefore a heavy aggravation of the original wrong?

But Tiberius Gracchus in re-enacting the Licinian law, was not only restoring the despised and insulted authority of law in general, by compelling the observance of that which was the fundamental rule of property, of political power, and of the subsistence of the great majority of Roman citizens,—he was not only acting in accordance with ancient precedent, and the established policy of Rome for the multiplication of her soldiery,—but he was enforcing laws in themselves essentially just and politic. Upon the establishment of the Licinian constitution, were seen the benefits of a contented people. Civil equality having been expressly recognized by statute, and permanently provided for by the promise of distribution of future conquests in fair proportions amongst all classes, Rome which until then had been torn by dissensions, and only twenty years before had been burned by the Gauls, poured out successive swarms of victories. She marched from conquest to conquest. The warlike tribes of Italy, the Gauls, the Samnites, the Latins, the Marsi, were hurried into the centre of her dominion. The science and chivalry of Pyrrhus, the discipline of Macedon, the fleets and armies of Carthage, and what were much more formidable, the profound military and political talents of Hannibal, spurred on by hereditary hatred to her very existence, were wasted and finally overthrown by the untameable spirit of the people. Nothing that had not the same active principle of growth, could resist the powerful and incessant pulsation of the mighty passions which were kneaded into her structure, and nourished with ample supplies of blood by those institutions of liberty and civil equality which the Licinian law

established. Everything is to be taken with its disadvantages. If they would conquer the world, they must give their soldiery an interest in the conquest. No man will fight for another's as he will for his own power, riches, and glory. How then could it be other than shamefully unjust to deny the Roman soldiery, when they had conquered the world, that portion of the spoils which had been guaranteed to them by express law; upon the faith of which they had fought, and for want of which their families were reduced, amidst the luxury of the nobles, to shivering poverty? We of the present age have our notions so warped by the practice of modern times, that it is not easy to put ourselves into the situation of the plebeian and assume his feelings. Reading frequently of the manner in which kings dispose of immense tracts of confiscated or-conquered lands to their tools and favourites, it does not at first shock us as it ought, when the senate bestows tracts of territories upon itself. Let it be supposed that when the United States acquired Florida or Louisiana, General Jackson or Mr. Adams or whoever was the President at the time, had parcelled it out among his friends and relations,—what would have been the amazement of the world, or what language would have covered the gigantic bulk of such a usurpation? But let it be further supposed, that the eastern coast had been thronged with a warlike population, which it had been for centuries the object of the laws, the habits, and the feelings of the country to multiply to the utmost, and which was reduced to great distress; and in this position of things, suppose that the President's friends and relations had quietly repealed the laws against the slave trade, swept from all quarters of the world hordes of slaves, and covered with them the estates which the liberality of their cousin the President had bestowed. A stranger hearing of this might be convulsed with laughter at the impudent injustice; but the face of the United States would probably have glowed with very different feelings.

The policy of Tiberius Gracchus had, it has been observed, two objects. He wished to remove from Rome a vast mass of turbulence and discontent in the disbanded soldiers and the ejected agricultural population, which had been for some time flowing into Rome, in addition to the usual metropolitan populace. This, though at present quiescent, if left to ferment under the pressure of want and magisterial oppression, would shake the state to its foundations. Fears of this kind are the natural protection of the poor. If there were no dangerous results to be apprehended by a government from their despair, they would be ground to powder without remorse. Did they not sometimes take the law into their own hands, and exact summary justice

either by violent insurrection, or, where long misgovernment has disciplined them into a sort of rude tactics, by a suppressed civil war, their suffering would in general go unheeded. The second object of Gracchus was to reform the Roman constituency. This might be effected in three ways; by raising the qualification, that is, narrowing the number of electors; or by extending the franchise to the surrounding states; or lastly by giving the citizens the lands to which law and justice entitled them, and from which they had been kept out only by the grossest oppression.

The first was peculiarly dangerous, and was directly opposed to the policy that had been the constant rule of Rome—which was to extend as much as possible her free population. The radical weakness of the Roman empire, and which so many expedients were adopted to cover, was the narrow base of her power. The Romans were a mere handful of men in the midst of millions, each separate state yielding a precarious obedience, and all rebelling and suppressed in turn. A general combination would have extinguished her like the snuff of a candle. But a certain proportion of citizens being as an invariable rule employed to form a sound heart for each army, and none but citizens being placed at the important passes in her whole civil, financial, and military administration, the promptitude, fidelity, and concert thus produced, along with the mechanical advantage of her position, enabled her to maintain an undiminished supremacy. But to disfranchise her population already small enough, however desirable in one view to the oligarchy as securing them in domestic tyranny, was in the infinitely larger interest of empire so frantic, that no one even of the intemperate Claudian family seems to have proposed it. They knew well that their power at the extremities diminished rapidly with the distance, and would be wholly exhausted were it not pushed on and supplied by a mighty impulse from the centre. In freedom alone, or the persuasion of it, common interest told them this impulse was to be found. While therefore they recoiled from breaking the spring of their empire, they, with much gravity, sought to combine the energy of the freeman and the suppleness of the slave. Ingenious demonstrations were given of the great Tory truth, that it is for the good of the people they should be oppressed; but, as far at least as the lower classes are concerned, they do not appear to have ever been convinced of the soundness of the theorem. It is certain however, that so dangerous did the restriction of freedom appear, that it was rejected from the minds of all. Indeed, had a large mass of that warlike people, in addition to their physical

miseries, been thrust forth from the temple of Roman communion, nothing could have prevented a military despotism from almost instantly falling on the state.

The next mode—the extension of the franchise to the wealthy Italian allies,—would probably have been a wise measure. It would be curious to surmise what might have been the result;—whether the inconvenience of such a large constituency operating for several years, might not have led to the discovery of representation, and changed the face of history. But, considered in itself, it was quite impracticable at that time; and as to be effective it implied having recourse to the first mode at the same time,—for the Roman electors being on the spot and at no expense, would continue, unless reduced in number, to command the decisions,—the insuperable objections to the former would be added to the extreme jealousy with which both patricians and plebeians regarded the communication of their privileges. All parties therefore united in opposition to this.

Sir Joshua Reynolds defined the grand style to consist in a certain assemblage of contrary qualities. Upon some such principle as this, the Romans might be accounted a great people; for never was there any which combined such opposite requisites for the purpose of attaining empire; the utmost daring and the most guarded caution; a philosophical indifference to other religions, and a fanatical superstition; an austere self-denial, and an untamed rapacity; individual decency, and national effrontery; a great facility of incorporating foreign states with themselves, and the most exclusive nationality. Their discipline was of iron rigour. It would have broken the spirit of almost any other people; but, instead of subduing, it helped to sustain in them that enthusiastic courage which, on the day of battle, filled their whole frame, gave a terrible beauty to their bearing, flashed from their eyes, and defeated the very minds of their enemies. The generals who plundered and wasted nations, and filled all Italy with their spoils, were at home plain, simple, frugal, humane men, whose rude cupboards did not contain a single vessel of gold or silver, and whose houses were distinguished only by a total absence of ornament. Factions raged at home; abroad they presented nothing but unanimity. Mutual oppression was common, but that too was an exclusive privilege; woe to the king or state that touched the hair of a Roman's head, or wounded with a haughty look the majesty of the republic in the meanest of her sons! Law, again, notwithstanding some gross and daring infractions, was on the whole regarded with much respect, and held in high honour. In fact their domestic virtue was the

great means by which rapacity and tyranny did their work abroad. It was on that stock the boldest shoots of every vicious disposition in their external policy were engrafted, and they flourished with an increased wildness of vigour from the very perversity of the principle. Had not the cement of civil justice been employed, their power would have been as transitory as that of the Turks or Mongols; if it held longer and firmer, it is mainly to be attributed to this, that it was in the bosom of household virtues, domestic affections, and social charities, their eagle plumed his wings for the most daring flights of infamous oppression.

But the peculiar union already mentioned was no where more strongly marked than in the treatment of their allies. They had a singular aptitude for incorporating other nations with themselves, and yet preserving the most palpable distinction between Rome and the other members of this vast body. There was a circle within which the most favoured allies could never penetrate. Privileges sufficient to mortify other states by the comparison, and induce them to spend their blood and treasure freely, were bestowed; but the Roman was always above them. They were never admitted to the *dais*; they were not the people announced by innumerable voices and prodigies for universal dominion; they were not made of that porcelain clay which alone was worthy to bear the stamp and crown of empire. The Romans were among them, but not of them,—forming part indeed of the same surface, but rushing in a distinct current through them, without ever mixing with the surrounding population. A proposal, therefore, to place the allies on a full equality with themselves, was repugnant to the whole body of national prejudices and policy. Anything approaching to it was generally sufficient to disgust the people with their dearest leaders. As to the aristocracy, they abhorred it. The scheme, therefore, was impracticable, and the only course consequently that remained to perpetuate the liberties of Rome, was by forming a sound constituency, and at the same time removing the growing mass of poor population through the old just and useful channel, which the invariable policy of the city had established from its foundation. This was the policy of Tiberius Gracchus.

The next question is of the propriety of the means employed by him,—that is to say, his re-election to the tribunate and the deposition of Octavius. On the first, it may be fairly answered, that laws concerning re-election were constantly disregarded. A striking instance had occurred a short time previously. In the year of the city 602, just seventeen years before, a law was passed forbidding any man to be twice consul, yet it was immediately

violated for Scipio Æmilianus. Hook also observes that in u. c. 397, when the comitia, through the influence of the senate, were electing two patricians to the consulate, in violation of the Licinian law, and when the tribunes for that reason opposed the proceeding, the interrex who presided in the assembly answered, 'that by the law of the twelve tables, whatever the people decreed last was law, and the votes of the people were their decree' [*Liv.* 7, 17.]; and two patricians were accordingly elected. This objection, therefore, need scarcely have been noticed, but for the purpose of showing how these nobles could play fast and loose with law.

With regard to the deposition of Octavius, to cite the *lex Sacrata* guaranteeing the safety of a Tribune's person, and evidently designed to prevent such a *coup d'état* as Ahala struck, seems a mere sophism. Neither was it unprecedented in principle; there are few features more common in the Roman history than the deposition of magistrates. It was a most efficient instrument of ordinary government in the hands of the aristocracy. The solemn compact between the two orders is violated u. c. 308, by deposing the military tribunes in the third month of their office, and substituting for them consuls; which form of government, to the insult and exclusion of the plebeians, is continued for six years. In the year u. c. 322 the consuls are deposed, and previously compelled to name a dictator. In the year u. c. 390, the dictator is deposed. Is it necessary to observe, that the dictatorship was an acknowledged deposition of every magistrate but one, and frequently a virtual deposition even in the case of that one also? But above all, did not the senate assume the power of deposing, by their mere decree, every magistrate, and wholly abrogating for the time the constitution itself,—of placing the people altogether out of the pale of the law,—and exercise this power with a cold-blooded cruelty and extent, of which an aristocracy alone seems to be capable?

Besides these striking examples, numerous other instances might be given; sometimes they are open and avowed, but in general they are effected under the mask of religion. The first instance quoted above was of that kind. The tribunes were deposed, three months after they had entered upon their office, as Livy circumstantially relates it [B. 4, c. 7], *augurum decreto, perinde ac vitio creati; quòd C. Curtius, qui comitibus eorum præfuerat, parum rectè tabernaculum cepisset*\*. Indeed the readiness

\* '—by the decree of the Augurs, as having been incompetently elected; because C. Curtius, who superintended their elections, had not made his booth face the proper way.'

with which the Roman aristocracy prostituted religion for any base or cruel purpose, is one of the worst features in their character. No reluctance ever seems to have been shown, by them or by the priests, to abuse the sincere but misdirected piety of the people. The priests are the scene-shifters in every grand scheme of oppression\*.

To understand the conduct of Tiberius Gracchus, the office of

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\* In nothing was the power of the priests in ancient Rome, and the use they made of it, more conspicuous, than in their management of the year. The *Pontifices* were the makers of the almanack, and entrusted with the regulation of the intercalary periods which were to be inserted by way of keeping the civil year in accordance with the natural. And the consequence was, they added them or not, as suited themselves or friends. If they had any interest in making the year short, they could omit the intercalation and add it to some other year; and the contrary.

Cicero, when employed on a foreign station which he does not seem to have thought either safe or comfortable, writes to his friend Atticus, '*Illud tamen memento curare per te, et per omnes nostros, in primis per Hortensium, ut annus noster maneat suo statu, ne quid novi decernatur. Hoc tibi ita mando, ut dubitem, an etiam te rogem, ut pugnes ne intercaletur. Sed non audeo tibi omnia opera imponere; annum quidem utique teneto.*' 'Remember too, to do what you can through yourself and all our friends, and particularly Hortensius, to keep this year that I am to serve, as at present settled; and not let any change be made. In saying this, it hardly seems necessary for me to add, that you must make a special fight that there may be no intercalation. I must not burthen you with everything at once; but whatever you do, keep them to the year.' (Cic. ad Att. v. 9.).

In a letter of Cælius to Cicero, speaking of Curio, the writer says, '*Levissimè enim, quia de intercalando non obtinuerat, transfugit ad populum, et pro Cæsare loqui cæpit.*' 'For he very foolishly, because he could not get his way about having the year made longer when he wanted it, went over to the popular side, and began to hold forth for Cæsar.' (Cic. Ep. ad Divers. viii. 6.) A curious light is thrown here on the state of parties in Rome. Cicero and Cælius were high Tories, thorough-going 'church and state' men, who would play tricks with the almanack when they could, but thought a man a fool for being in a pet because he failed. Cæsar was a 'march of intellect' man, who was trying to rise by putting down the others, and who finally did put them down, and among other things on this very subject of the almanack.

Macrobius says '*Nonnunquam verò per gratiam sacerdotum, qui publicanis proferri vel imminui consulto anni dies volebant, modò auctio modò retractio dierum proveniebant, et sub specie observationis emergebat major confusionis occasio.*' 'But not unfrequently for the private ends of the priests, who wanted the days of the year to be purposely drawn out or cut shorter to serve the collectors of the taxes, sometimes an increase and sometimes a reduction of days took place, and under pretence of setting to rights, room was made for more confusion another time.' (Macrob. Saturn. i. 17.)

Suetonius's account of Julius Cæsar's reform of the calendar is, '*Conversus hinc ad ordinandum reipublicæ statum fastos correxit jam pridem vitio pontificum per intercalandi licentiam aded turbatos, ut neque messium feriæ æstate, neque vindemiarum autumnò competerent.*' 'Turning from this to bringing the public business into order, he set to rights the

a tribune must be understood. The tribune was not an officer of the state, nor one invested with power to enact laws which should bind the whole community; he had no legislative power whatever; a turnpike bill he could not pass; he was the attorney, the agent, the protector, of the people, chosen in a peculiar assembly, and after peculiar forms, by the plebeians. The tribunate grew out of the particular circumstances of Rome,—an

Calendar, which by the fault of the Pontifices, *through the liberty they took of intercalating or not*, had got into such confusion that neither the harvest-feasts fell in summer, nor the vintage ones in autumn.' '*Fuitque is annus quo hæc constituebantur, quindecim mensium; cum intercalario qui ex consuetudine in eum annum inciderat.*' And the year in which this correction was made, was fifteen months long; including the intercalary period which properly belonged to it.' (Suetonius in Jul. Cæs. c. 40.)

Censorinus says, '*Pontificibus datum est negotium, eorumque arbitrio intercalandi ratio permissa. Sed horum plerique ob odium vel quo quis magistratu citius abiret, diutiusve fungeretur, aut publici redemptores anni magnitudine in lucro damnare essent, plus minusve ex libidine intercalandi rei sibi ad corrigendum mandatam vitiosè depravârunt.*' 'This business was entrusted to the Pontifices, and the mode of intercalation left at their discretion. But the greater part of them, for private enmity or to get some magistrate sooner out of office or keep him longer in it, or make the farmers of the taxes gain or lose by altering the length of the year, by dint of making the year longer or shorter at fancy made the thing grievously worse which had been given to them to mend.' (Censorinus. c. 20.)

Imagine the Archbishop of Canterbury giving Sir John Key eleven months of mayoralty and Sir Peter Laurie thirteen;—or putting off Christmas for three months to serve the Receiver-General of a county.

It has been seen above from Suetonius, that in the time of Julius Cæsar the accumulations of the *escroqueries* of the priesthood in the matter of the almanack amounted to between two and three months, and that the priests were in arrears. In modern terms, Michaelmas had got to Midsummer. It would appear that on the whole the temptation was to omit to intercalate.

Livy has an expression, of tremendous political import, bearing evidently on the use made of intercalations to affect the money market. '*Interculatæ pænæ usuram habeant.*' 'For punishments put off, run on at interest.'

One of the most instructive chapters in the history of the ancient Romans, is on the nature and influence of their religious establishment. Those who ridicule Livy's accounts of omens and the auguries, know not what they do. The serious question may be, whether Livy did not mean to be the Roman Gibbon, and aim at the overthrow of the popular creed.

The religious establishment was divided into several corporations, the Pontifs, Augurs, Haruspices, &c., with distinct offices and powers. The *Pontifex Maximus* inherited the religious mantle of the King, as the Consuls did his political one. He presided over all religious ceremonies, festivals, and regulations; and the Pontifs were officiators. He was also the Annalist ('*Pontificum libri*') and Astronomer of the state, and by consequence the regulator of the year. In this last capacity, his office was to see that the festivals appointed for certain days of the year fell in the appropriate seasons; in other words, that men were not set to thank Ceres for harvest-home before the corn was in the ear, or matrons to bathe in honour of April when ice was in the Tiber.

The Augurs were a distinct body, existing when the King was *Pontifex*



anomalous office to meet an anomalous state of things. He was created to protect a proud impatient people, (who must not be exasperated too far in a military state), from the otherwise uncontrolled power of a great aristocracy, from an unjust system of taxation, and from an inhuman law of debt; but above all, he was created to secure the subsistence of the people, and something like a reasonable distribution of the territories and spoils it was the end and object of Rome to win, and which the people never ceased to win with their blood till the world failed for conquest. A suspending power was bestowed, to save his clients from sudden oppression; the legislative power, the people reserved with jealous care to themselves. When Octavius, therefore, the attorney and protector of the people, the officer intended as a counterpoise to the terrible power of the aristocracy, openly sided with their enemies, he contradicted the ends of his election, and violated the express duty of a tribune both in practice and theory. It is something like the case that would arise, if half the House of Commons should unexpectedly

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*Maximus*, and controlling him as in the instance of Attus and Tarquinius Priscus (Liv. i. 36.). Their peculiar charge (as their name, *ex avium garritu*, imports) was to observe the chattering of birds; but omens in general, particularly any unusual appearance in the sky, fell under their cognizance. The power of these bird-conjurers was amazing. For a long period, as may be seen from Livy, no political assembly of any description, election of magistrates, &c., could be held without their sanction; and they had moreover the power of declaring, months afterwards, that they *now remembered* that such an assembly or election had been in opposition to the auspices (that is, the birds had not chattered favourably) though they at the time thought otherwise, and consequently the proceedings were impious and null. Think of Antony—the Antony—an Augur, and declaring months before an election came on, that if Dolabella stood for the Consulship, the auspices *would not be favourable*.

The Augurs chose their own colleagues; a recipe in all ages for the propagation of mischief. The Pontifex Maximus was chosen by the people. Julius Cæsar, as appears from Sallust, was chosen to the office before he had ever held any military command.

Suppose a Pontifex Maximus existing during the last year of the Reform question. He might have ordered a feast to Venus on every day that Schedules A and B were to be brought on; or when the cholera appeared, he might have declared it a judgment of heaven to be quieted only by the abandonment *rerum novarum*, and prescribed a course of lustration the first act of which should be to have his hands washed of the Bill; or he might have found something wrong among the Vestals, and proceeded to whip or bury alive the daughters of half the ministerial peers of parliament. The Haruspices would have been called in with tubs of bowels, and the keepers of the Sibylline books with their unreadable fragments. The chickens in the sacred coops would have been produced to the House in the extremity of emetic convulsion; and when the last orator of the conservatives had failed, a cow might have spoken in the Forum, and the Bill have become impossible. By all this, are we better than 'almighty Rome.'

declare that taxes might be raised without consent of Parliament. The result under the British constitution would be an irresistible demand for a dissolution of the House and a new reference to the people. The machinery for this purpose was not provided by the Roman constitution; and therefore Gracchus was obliged to *improvise* it. If he was irregular, it was with that kind of irregularity which exists only because the needful rule has not been previously laid down.

After the death of Tiberius Gracchus, the number of commissioners for dividing the lands was filled up; but the senate, countenanced by Scipio Æmilianus, in a short time transferred this office to the consul Tuditanus, who left Rome under pretence of suppressing an insurrection, and thus the Agrarian Law was never further proceeded with. In order to make assurance doubly sure, it was generally supposed that Scipio would be created Dictator. On the morning, however, of the important day, he was found dead in his bed. The cause of his death is uncertain; there appear to have been no marks of violence on the body, nor any traces of poison; and it may be held certain that, could any thing have been expected from an investigation that would blacken or throw suspicion on the popular party, it would have been eagerly caught at. It might as well be said, that had the Duke of Wellington been found dead in his house at the memorable gagging and imprisoning period of 1819, the Tories of that day would have huddled him into his grave without even a coroner's inquest,—as that the Roman Tories would not have raised the stones of the city, if there had been a shadow of presumption against the unfortunate reformers. Hear, however, Rollin reasoning upon the subject, and how he proves that Scipio was murdered by Cornelia, her daughter, son, and the commissioners who were left.

*'It is not to be doubted that this murder was committed by the faction of the Gracchi, and it is hard not to believe that Caius had a hand in it, seeing all those with whom he had the closest connexion were suspected. Plutarch says expressly that Fulvius was suspected. Pompey (Cic. ad Q. Frat. lib. 2, ep. 3) thought that Carbo was certainly guilty. Sempronia, sister of the Gracchi, and wife of Scipio, is charged in the Epitome of Livy and by Orosius, and Appian makes her mother Cornelia an accomplice with her in the murder.'*

*'From the testimonies of these different authors it results, that Sempronia, readily hearkening to the suggestions of Cornelia and the Triumvirs, either poisoned her husband, or brought into the house, by night, assassins who strangled him.'*—vol. 9, p. 65.

Such is the result of the Abbé's ludicrous inquest. But he is as much at fault in the facts as in the logic. Sempronia is *not*

charged in the Epitome; though what could be more absurd than to quote a table of contents as proof? The words of the Epitome are, '*Suspecta fuit tanquam venenum ei dedisset Sempronia uxor: hinc maxime, quod soror esset Gracchorum: cum quibus similtas Africano fuerat.*—*Livii Epitome, L. 59.* What an authority too is Orosius! But he does *not* charge Sempronia; the word he uses is *ferunt*,—the established phrase for rumour,—Livy uses it always for what he does not believe. Appian does *not* make Cornelia an accomplice; he mentions it as *one report*, another being that Scipio committed suicide.

Nine years after the murder of his brother, Caius Gracchus obtained the tribunate, and with an honourable devotion to the interests of his country, entered on the same course with almost a presentiment of a similar fatality. The aristocracy in a way perfectly worthy of itself, had first endeavoured to ruin him by two impeachments; but Caius Gracchus having triumphantly vindicated his innocence, stood for the tribunate. Such were the popularity of his name, the fame of his eloquence, the universal expectation of justice at his hands, and the long buried affections of the people now thronging around him, that the opposition of the patricians was overwhelmed. The Campus Martius was not large enough to contain all his friends, and many gave their votes in his favour from the tops of the surrounding houses. His principal measures were, that any magistrate deposed by the people, should be incapable of holding any office,—but this he dropped to oblige his mother Cornelia; a monthly distribution of corn to the poorer citizens, at a low rate; the transfer of the judicial power from the senate to the knights; and the enforcement of the Agrarian law. As to extending the franchise to the Italian allies, it seems to have been merely talked of. With regard to the policy of the distribution of corn it is sufficient to observe, that it was a poor-law necessary until the Agrarian law should be carried into effect, and even afterwards though on a narrower scale, so as to include relief to the aged, impotent, or those unable to find employment. The third is blamed by Appian (at least for its ultimate results), and praised by Cicero. One thing seems to be agreed upon, that the senate were wholly unfit for exercising the power; it was therefore a fair subject for experiment. That the knights afterwards became as corrupt as the senate, is asserted; but as the constitution was really overturned in the intermediate time, and all persons in power seem to have girded up their loins for the race of general profligacy, no accurate conclusion can be drawn from this. The want of a middle class was felt, and whether it might not under due regulations, have been raised out of the

knights, cannot be considered as decided in the negative. But the real crime of Caius Gracchus was the Agrarian law; which he revived and passed. The senate however dissembled. To destroy his popularity, to make him cheap in the eyes of men that they might murder him with less apprehension of the consequences, they employed Drusus a tribune, who was to outdo Gracchus in all his proposals. Accordingly when the latter had procured a decree for planting two colonies, which were to consist of some of the most decent citizens, Drusus passed a law for planting twelve, consisting of the meanest persons, and the senate applauded and sanctioned it. Drusus also abolished the rent paid by the plebeians under Gracchus's Agrarian law, and exempted the Latins from the usual military punishments. These artifices probably were not without their effect. When Caius Gracchus however stood a third time for the tribunate, it is said that he had actually a majority of voices, but his colleagues, who as presiding officers, had a power analogous to that which in a diluted degree is sometimes found in the hands of a Tory assessor or returning officer, falsely and wickedly declared him not to have been elected. Another circumstance that seemed to mark him out for destruction, was the election of his enemy Opimius to the consulate; a man of sanguinary character, and of venality equal to his cruelty. Opimius immediately prepared to repeal Gracchus's laws, and particularly to remove the colony planted by him at Carthage. That no wicked deed might be consummated without the aid of an augur, the pretext for this last was, that the wolves had seized the boundary stones and torn them away! The college affecting to sweat with terror at this portent, pronounced that the colony must be recalled. This prostitution of religion was designed to represent Gracchus to the people as the enemy of heaven. By the exhortations of his friend Fulvius Flaccus, Caius was determined to uphold his laws. On the day of the Comitia, both parties appeared in the Capitol (it is Plutarch's account that is followed) and after the consul had sacrificed, Antyllus one of his lictors, who was carrying out the entrails of the victims, said to Flaccus (a man who had been consul and obtained a triumph) and those about him, 'Make way, traitors, for honest men!' These words he is stated to have accompanied with an indecent gesture, whereupon some persons fell on him with the sharp-pointed instruments used for writing, and killed him. The crime was undoubtedly indefensible; but what did the senate do. They at once gave absolute power to Opimius, the consul. They proclaimed martial law! The consul summoned Gracchus, Flaccus, and their party to surrender at discretion;

and when they, unwilling to rely on the tender mercies of a man of his character, a second time sent the son of Flaccus, a young lad of eighteen, with a caduceus in his hand to make proposals of peace, he imprisoned the young boy, and with a body of troops attacked them sword in hand. Gracchus, in the rout, fled to a grove consecrated to the Furies, and was slain at his own desire by his slave. Flaccus and his eldest son, with 3,000 citizens, were killed, and their bodies thrown into the Tiber. The head of Caius Gracchus was cut off and taken to Opimius, who ordered its weight in gold to be paid to the bearer. His body, like those of the others, was thrown into the Tiber, and his wife Licinia was deprived of her dowry. The young son of Flaccus who had been imprisoned before the engagement, was murdered in cold blood. The goods of all who had fallen were confiscated, and their wives forbidden to put on mourning. Having done all this, Opimius *built a temple to Concord*. It would be a waste of time and patience to discuss the circumstances of this incident. History has perhaps no parallel for it. Some may exceed it in the quantity of murder and outrage, but for the peculiar complication of large slaughter, wanton cruelty, insult, and blasphemy, it stands alone; a memorable warning of what a lawless aristocracy can do.

The Romans, as soon as they recovered from the terror of this massacre, paid various honours to the Gracchi. Cornelia, it is related, 'bore these misfortunes with a noble magnanimity, and said of the consecrated places in particular, where her sons lost their lives, that they were monuments worthy of the Gracchi. She took up her residence at Misenum, and made no alteration in her way of living. Greeks and other men of letters, she had always with her; and all the kings in alliance with Rome, expressed their regard by sending her presents, and receiving the like civilities in return. She made herself very agreeable to her guests, by acquainting them with many particulars of her father Africanus, and his way of living. But what they most admired in her was, that she could speak of her sons without a sigh or tear, and recount their actions and sufferings as if she had been giving a narrative of some ancient heroes.' Some in consequence undertook to imagine, that age and the greatness of her misfortunes had deprived her of her understanding and sensibility; but those who were of that opinion, seem rather, as Plutarch says, to have wanted understanding themselves, since by a woman of that noble mind, such deaths in such a cause, must have been accounted glories.

With the death of the Gracchi ended the liberties of Rome. Nothing remained but the government of the sword. It was

well said, 'this was the first instance of civil bloodshed in Rome, and of the impunity of massacres. From that day forward justice was overwhelmed by violence; the strongest was master. The dissensions of citizens, which heretofore were wont to be settled by mutual concessions, were now decided by the sword, and the motive to war was the hope of reward it held out. But that is not surprising, for examples never terminate in themselves; however narrow their original path, they soon form for themselves a highway of the widest latitude, and having once swerved from right, rush on in a headlong career. No man thinks that disgraceful to him, which has been profitable to another.' [*Vell. Paterculus*, Hist. Rom. B. 2. C. 3.] After such enormous massacres, what hope could there be of civil affections? All trust, faith, and respect were gone. To what could the senate appeal?—to laws which they had trampled under foot—to religion which they had converted into an assassin. Could they stretch forth to the people the hand of reconciliation, reeking as it was with the blood of their kindred? Roman history, from this period to the defeat of Antony, is only a series of struggles between two parties, contending for the continuance or retaliation of slaughter. The aristocracy had placed things in that situation, that they could neither trust nor be trusted. They had proved that the ordinary ties of society were no better than cobwebs to them, that laws and institutions were in their eyes forms designed to facilitate plunder, peculation, and injustice, to be regarded no longer than as they served the purposes of oppression, and that when they failed, any quantity of open crime was to be employed without hesitation. In such principles and practices there is a necessary contagion. Men in self-defence became wholesale murderers; against the sword of slaughter they took up the shield of massacre. Roman history is from this time a series of lakes of blood, widening as they proceed, until they are lost in the terrible proscriptions of the triumvirate; when the heads of the nobility were knocked off like heads of poppies, the streets of Rome were strewn with their carcasses, assassins posted through the country in all directions, and the feet of murderers were in every villa of Italy. Bands of soldiers scoured the empire, murdering every person of distinction who happened to be obnoxious to their masters. No man was safe; neither the old nor the young, the virtuous nor the profligate, the weak nor the powerful; not even the bosom friends and relations of the triumvirs themselves. A short breathing-time was given to the unfortunate nobility during the reign of Augustus; they were allowed to multiply, to beget sons and daughters, to become great, and in a manner

powerful; but the avenger of blood had also taken breath, and commenced the hot pursuit again, just as bloody, and much more debasing than before, for now lust and brutality defiled what a fatigued cruelty might have spared. A series of tyrants succeeded each other, who almost take away pity from their victims by the ludicrous extravagance of their atrocities. In this death-dance, there is such a mixture of horror and fantastical absurdity, that the spectator knows not whether to detest or to be convulsed with laughter. Tyranny appears a sort of Merry-Andrew. The most dreadful crimes have something whimsical about them, and murder seems turned into a buffoon. But the effect of these incongruous medleys depends a good deal upon the distance. The wretched nobles doubtless had not the same keen sense of the ridiculous as the modern reader; and those acts which suspend our emotions with curious wonder or incredulity—the *in miracula corruptis rebus* of Tacitus—were surely an exceeding aggravation to men groaning under a tyranny which was cruel without apparently a sense of the suffering it inflicted, which took away life not as if to gratify any bad passion but simply to indulge some freak of the imagination, some new combination of the fancy.

If Toryism were not as absurd as it is wicked, 'the seditions of the Gracchi' would be kept most carefully out of view by it, for they contain the strongest demonstrations of the ruin it draws down upon its own senseless head. For what is there proved? Was the aristocracy crushed, and despotism brought on by the Agrarian laws? The directly contrary. The Agrarian laws were never established, nay, they were formally overthrown. Upon the death of Caius Gracchus, a law was passed allowing the holders of assignments to sell their lots, and the rich instantly bought them up from the poor, or seized them upon one pretext or other; so that the condition of the poor was more miserable than ever. At length Thorius, a Tribune, procured a law that the public land should not be divided, that the possessors [the nobles] should retain it upon condition of paying a rent to the state, and that this money should be distributed among the people. This was some relief to the poor, but had no effect on the excessive population. The law of Gracchus (a most excellent and useful one if it could have been carried into effect) having been overthrown by such sophistical artifices, another Tribune shortly after abrogated the very rent, and the people thus lost all,—the rents, the distributions, and the laws,—fifteen years after their enactment by Gracchus. [*Appian de Bellis civil.*] But not only were the laws defeated; their proposers were murdered, and their friends slaughtered, prosecuted, and ba-

nished *ad libitum* by their opponents. What can be, not more false, but more absurd, than to charge succeeding events upon the Gracchi? The aristocracy was ruined by its own success. The Gods, in the depth of their justice, punished it by the unbounded gratification of its bloody wishes. Like the mad tyrant, it cut off its own limbs with the very axe which was wielded for the destruction of the people. It gained all it sought, and what was the result? Rome staggered through a series of slaughters and anarchies until it fell headlong into tyranny. From the day that the aristocracy succeeded, law was at an end. The elections became another name for compulsion, the assemblies for periodical tumults. The stronger henceforward was the master. No man saw why he had not as good a right to murder and rob as the senate. Did the firm establishment of the aristocracy produce better manners? On the contrary, it became utterly corrupt, and was itself the head-quarters of infamy. It infected everything it touched. Religion and law now exhibited the ravages of their connexion with it. Plunder wasted the provinces, and bribery of the senate walked about with both hands open at noon day.

Did the nobles even succeed in spreading a soft and secure bed for vice? No such thing. They lived the life of a hare, among a people goaded by poverty and revenge. Marius chopped them like gourds; Catiline, one of themselves, narrowly missed doing the same; Cæsar had the power, but used it in a way, of which, had fortune been reversed, that den of bravoës and priests would never have shown him the resemblance; but the triumvirs, one of whom embodied its grave plausible air and cold-blooded cruelty, another its imbecility, a third its naked infamy and chivalrous ruffianism, were ministers of vengeance that made up for all deficiencies.

Did they secure their own power? It is striking to observe how their very success directly tended to its ruin. The exclusive power and wealth they now possessed, along with the natural recklessness of crime, completely corrupted them. To cruelty were added vice, folly, imbecility. All respect for them was destroyed, as well as fear. As they accumulated motives to general hatred, they became utterly disabled by the loss of spirit and energy, from controlling it. Cicero bears ample testimony to this.

They resisted a reform in the constituency; they endeavoured to make the electors a venal brawling mob; and their success was the great instrument of their ruin. They collected in Rome an immense mass of discontented soldiery; they refused the army its legal share of the conquered lands. The consequence



of the latter was, that the armies now never looked home,—they depended on their general alone, and made his tent their country; of the former, that they raised at their own doors a mound on which every popular character, but above all a successful general, might plant the standard of rebellion. In fact, the plan of the system of donatives was traced the day the Gracchi were murdered; and it was reduced to practice by Sylla, though the tendency of the results, which were at first in their favour, was not at once perceived by the nobles. They outraged and oppressed the people; and, by that conduct, threw away the means of defeating Cæsar. The Rubicon never would have been crossed, had the population of Rome been well affected to the senate. In short the death of the Gracchi wholly corrupted the aristocracy,—exasperated, impoverished, and degraded the people,—destroyed law,—and rendered military despotism inevitable. Under this, all suffered,—the aristocracy in far the greatest proportion. ‘The cobblers’ were the happiest.

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ART. IV.—*Report of the Secret Committee appointed to inquire into the Expediency of renewing the Charter of the Bank of England, and into the System on which Banks of Issue in England and Wales are conducted; and to whom the Petition of certain Directors of Joint Stock Banking Companies in England was referred; and who were empowered to report the Minutes of Evidence taken before them.*—Atlas Newspaper. Kraken folio. Sept. 23. 1832.

**W**HEN George the First or Second got into a heat with his Minister, and insisted on being shown the documents relating to a certain subject the next morning, the Minister obeyed, and when the King rose he saw three large waggons full of papers, parked beneath his window. Tradition says he consented to wrestle with the matter in an abstract. And so it must be here; for without it, there would be no better chance of verifying the scriptural hyperbole, that the world itself could not contain the books that should be written.

The first thing to be collected from this Abstract—for such it is, notwithstanding its covering a surface of paper that may remind the spectator of the sea-monster ‘floating many a rood,’—is that on no one point, on which more or less information is found in the Minutes of Evidence, is the information so complete as to justify the Committee in giving a decided opinion\*. Nothing could convey a more modest statement of the conjunct

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\* ‘On all these, and on some collateral points, more or less information will be found in the Minutes of Evidence; but on no one of them is it so complete as to justify the Committee in giving a decided opinion.’—*Report*.

abilities of the Committee, or of the aptitude of similar combinations for giving an opinion on anything. Imagine William Cobbett directing thirty square feet of examination on half a dozen points and their collaterals, and being finally unable to 'justify himself in giving a decided opinion on any one.' His opinion might be wrong after all; and so might the Committee's. The miracle is not in the Committee's being unable to secure itself from the possibility of being mistaken; but in its labouring under an incapacity to include in thirty square feet of close brevier, the materials for committing itself to an opinion at all. Every man has an opinion, or can make one in a quarter of an hour,—a better in an hour,—a better still in a week,—and one still more precious in a month. The Committee, from the dates of the evidence, was sitting above three calendar months; it ought to have hatched, therefore, a three months opinion. But perhaps this is wrong; under forms where 'nothing is but what is not,' it may be etiquette that a Committee should not have an opinion; it may be a fiction of law or policy, that thirty-one members and a chairman cannot in three months of incubation, compass an opinion. It would be putting new wine into old *borrachas*, to think upon these things too deeply.

As long as the Bank of England pays in gold upon demand, it is impossible for it to keep in circulation a depreciated paper; but all the value there can be in this, depends on the degree of certainty that the Bank will continue to pay when people want it. Now one objection raised to a limited and inconvertible paper issued by the public for its own benefit, is that in case of political alarm the consequences might be—*nobody can tell what*. It becomes therefore of importance at all events to know, whether under the existing state of things the public has any greater security against this danger, whatever it may be. And on this point,—though of course the Committee has been unable to form any opinion thereon,—appears in the evidence of the Governor of the Bank, the following oracular statement.—

'Against political alarm and political discredit the bank can never guard itself. *It makes no preparation against a political demand for gold.*'

From this, such men as *can* form opinions, may be permitted to collect one fact;—that the Bank habitually and systematically 'makes no preparation,'—that it does not pretend or profess that 'it makes any preparation,' but avows that it does not,—for paying its paper in gold, in the event of anything that may be represented by the terms 'political alarm,' 'political discredit,' or 'political demand.' It is something to know this;

for though the Committee of thirty-two could form no opinion on it, other people will. And one branch of that opinion will be, a conviction that against the consequences of 'political alarm,' *the Bank* does not pretend to hold out any remedy, but the moment the said 'political alarm' arises, is prepared to declare its insolvency and refuse to pay. So far as there is any merit or importance in the notes being paid, we are doing business with a declared insolvent; we are taking the notes of a banker who protests that he is not ready for a run, of the only kind in which anybody cares a pin whether he is ready to pay or not,—who avows that if such a run arrives, the clerks have his printed orders beforehand (and here they are), to shut up shop. All of which it is well the public should know, if it is only for the sake of convincing themselves, that if they were to issue a limited and inconvertible paper for their own advantage, they would at all events lose nothing in comparison with the present paper which is issued for the advantage of somebody else, and which differs from being inconvertible only by the fact that it is convertible at all times except when people may be anxious to convert. This declaration of the Governor of the Bank, has weathered a point of immense importance in favour of a limited inconvertible currency.

The same witness is stated to have been asked,

'According to your description of the principle upon which the affairs of the bank are conducted, do not the directors of the Bank of England possess the power of regulating the whole circulation of the country?'

To which the witness is represented to have answered,

'The bank are very desirous not to exercise any power, but to leave the public to use the power which they possess of returning bank paper for bullion. *The bank has the power to extend or contract the circulation*, but the bank would never use that power; it would leave the public to act upon the bank so as to produce the effect in the end.'

It may be a bold proceeding to tell the man at the helm he does not box his compass aright; but if there is no error either in the Report or in the way of understanding it, the helmsman must certainly be mistaken if he means that the Bank has any power to extend the circulation (in the proper sense of the term), so long as it is under an obligation to pay in gold upon demand. It can prevent the circulation (gold and paper together) from being ever reduced in quantity so as to cause the five-pound note to be worth *more* than the gold in five sovereigns; and if this is what it calls the power of extension, it is right. But if it means to take any merit to itself for not multiplying five-pound notes till they are worth *less* than the gold in five sovereigns;—if it thinks, or designs to allow

country gentlemen to believe, that there is a yawning gulph where five-pound notes would be only worth four sovereigns and a half, and that the public is suspended over it in simple dependence on the virtue of the Bank ;—then it is time to proclaim all this to be a mistake, and to maintain stoutly that the Bank is mystifying itself and country gentlemen, as much as the philosopher of Rasselas who thought that the guidance of the seasons was in his hands. The Bank may be virtuous above measure ; but it must not be conceded that its virtue is the bar to a deluge of paper, when all the merit is in the obligation to pay.

Another point on which the Bank seems disposed to claim a disputable credit, is on its nostrum for regulating its issues by the foreign exchanges. Think only what superhuman genius ! what complex ingenuity ! The Bank regulates its issues by the foreign exchanges ! who else could do anything so wonderful ! what would become of us all if we had not the Bank to regulate the issues by the foreign exchanges ! Whether the directors of the Bank do or do not mean to represent themselves as conjurors upon this point, must be settled by reference to what they say.

‘ The Bank of England is the only banking concern that, for prudential reasons, puts any check or restraint upon its issues. Country bankers give out notes in full proportion to the value of their securities. The Bank of England, however, is the only body that has knowledge of the actual state of foreign exchanges, and the only body (of course) that can regulate its issues on that principle. A demand on the bank for gold to be exported is the only criterion of an unfavourable exchange, and the inward flow of gold is the only indubitable proof that the exchanges are favourable.’—*Evidence of the Governor of the Bank.*

Now what does all this, when put with the best side foremost, amount to, but that the Bank does its best, like any other bankers, to put out as many notes as will be kept in circulation and no more ;—and where is the extraordinary merit in that ? When in consequence of the fluctuations of commercial or political transactions, an increased demand for gold arises on the continent, the Bank knows as well as a baby knows how to take its fingers out of the fire, that this is not the moment to increase its issues with any use ; because the value of gold on the continent being raised, there must to a certain extent be a run upon the Bank for gold, for the purpose of employing it in the quarter where it happens to be in request. And contrarywise, when it foresees a glut or slack in the demand for gold on the continent, it is as sure as a

schoolboy that he may play when the master is away, that this is the season when it may launch out a little in the way of issues, without a prospect of their being immediately brought back for gold. But all this is nothing but what is common to man. A banker at Hull or Yarmouth must directly or indirectly be called upon in exactly the same way, whenever a fat skipper hears that gold will be a better article at Hamburgh or Oporto than anything else in which he can vest his venture; and the opposite. If the Bank of England by residing at the fountain-head of affairs has better opportunities for being thus weather-wise than a country banker, the only reasonable inference is, that it ought to make a corresponding reduction in the bargain it makes with the public. On this point therefore it is also of importance, that country gentlemen should not run away with the idea that there is some mystery connected with the imposing words 'regulation by the foreign exchanges,' which the Bank alone is competent to solve, and which in the absence of its scientific interference, would set the ale running from all the barrels in the country, or otherwise disturb the harmony of nature.

The Bank has stated distinctly, that by 'an unfavourable exchange' it means 'a demand on the bank for gold to be exported;' which is the simplest form under which the phenomenon presents itself. The more complex form, is where it shows itself in the guise of a diminution in the quantity of francs (for instance) which will be named in an order of Messrs. Hammersley on Paris, in return for ten sterling pounds paid down in London in any way that is to Messrs. Hammersley's contentment; and it is useful to trace this case to its connexion with the other. The North American land-voyagers fell in with some tribes of Indians in the West, who called everything of which they did not comprehend the mode of action, *a medicine*. A compass was a prodigious medicine, and a double-barrelled gun one greater still. In this sense the variation in the rate of exchange is to most people a medicine; and the consequence is, that there is no lack of persons willing to make the utmost of the obscurity. The bankers way of accounting for it, is by referring it to the comparative abundance or scarcity of bills drawn in one country upon another. It may be hard, as before, to stay a man in his own profession; but still it must be maintained, that this *is not* the cause, but only the concomitant. The effect does not arise from the multitude and rivalry of bits of paper, but from the multitude and rivalry of the goods exported to the foreign country, by which alone they can finally be paid. Since every bill on a foreign country must be paid—if it is paid at all—by the transmission of com-

modities of some kind, gold and silver included ;—it follows that the amount of the foreign currency which will be expressed in the bill in return for a given amount of home currency, will depend on the amount of foreign currency which can be procured in the foreign country by the sale of the commodities purchaseable here with the home currency received. If indeed an extraordinary number of persons are wanting bills to be drawn on the foreign country at the same time, this is, so far as it goes, a sign that an increased quantity of commodities will be sent to that foreign country, and that consequently the prices of English commodities in the foreign market are likely to fall ; and the tendency will be, to make a prudent man write down a smaller quantity of foreign currency in the order he will give on the foreign country in return for the home currency received. But the rate falls because there is the appearance of a great many commodities being on the point of being sent, and not because there are a great many bills ; and if from extraneous causes there should be no fall in the prices of goods sent abroad after all,—as, for example, if there should just then be an increase of fancy for English goods abroad,—the rate of exchange will not fall, and would even rise, if the prices of English goods abroad should rise in defiance of the increase of quantity indicated by the bills. To change the scene, if an officer in India has an allowance of three hundred a year from his father in England, payable quarterly in Lombard Street ;—the number of rupees he will obtain for his quarterly bill on Lombard Street from an Agent in India, (after allowance made for all necessary risks, expenses, and profits), will be equal to the number for which goods purchaseable with 75*l.* in England can be sold in India. Hence, if an increase in the number of similar demands on the Indian Agents is attended with a diminution in the rupees proffered, it is not because of the multiplication of pieces of paper, but the multiplication of the goods which must be brought out and sold, *coute qui coute*, in the Indian market ; and if from extraneous causes an alteration is taking place in the demand for English goods in India, the value given for bills on England will not be affected in proportion to the increase of their own number *simpliciter*, but by the whole compound result of this and the extraneous causes besides. And in like manner if there are other persons in India possessed of rupees, which they wish to exchange for bills available in Lombard Street, the Agents will in the first instance try to effect an exchange on receiving a reasonable commission for the same, by putting the bill of A who has money in Lombard Street and wants rupees, into the hands of B who has rupees and wants money in Lombard Street.

But in so far as exchanges of this kind are not effected,—then the number of pounds shillings and pence which will appear in the bill on England that will be given for a hundred rupees in India, will (after allowances as before) be equal to the number for which the goods purchaseable with a hundred rupees in India can be sold in England. So that if pains-taking residents in India find to their dismay, that the rupee for which twenty years ago they could secure thirty pence in Lombard Street, will now only produce them twenty-one,—they may be certain that the effect does not arise simply from the increased quantity of remittances from India, which may or may not be greater than twenty years ago, but that the main part of the reason is in the diminished value of Indian goods in England, through glut, discovery of other markets, or change of fancy,—in other words in the fact that the goods purchaseable in India with a silver rupee would formerly clear thirty pence in England and now no more than twenty-one. It is always good to root up a mystery, and halloo the long-tailed things that start from beneath its cover.

But there is another side of the quotation last made from the Evidence, which is *not* the best, and requires further prying into. What is meant by ‘country bankers giving out notes in full proportion to the value of their securities;’ and is it intended to assert that the Bank of England does anything different from the others? Here are two things placed in opposition to each other,—here is the ‘for prudential reasons, putting any check or restraint upon its issues,’ which is put forward as peculiar to the wise virgins of the Bank,—and here is the ‘giving out notes in full proportion to the value of their securities,’ which is stated to be the practice of those foolish virgins the country bankers.

Now *quare* whether the conduct of both sets is not precisely the same, and whether either can do any increased harm if they would. How far is it true, that country bankers will always ‘give out notes in full proportion to the value of their securities?’ Every country banker knows that there is some experimental limit to the number of his notes the circulation of his neighbourhood will bear, as for instance a hundred thousand pounds. If then he was invited to lend another sixty thousand pounds of his paper, on undeniable security and good interest as for example five per cent;—will he consent or not? It will depend upon circumstances. If he lends the new sixty thousand pieces of paper, sixty thousand of the old will come back for payment, and he must produce sixty thousand sovereigns from some other quarter. Has he then sixty thousand sovereigns somewhere else, which are only paying him, suppose, four per cent? for if so, he may

gain one per cent by the transaction. And the same with the question of discounting; except that the trouble of issuing and receiving paper becomes of greater comparative magnitude. But whether the banker consents to lend or not, is a thing perfectly indifferent to the whole of the public except the borrower. Whether he does it or not, will not cause a single note of his more or less to remain in circulation. All that the banker can do, is to keep his given quantity of notes employed to the best advantage that from time to time may offer, by letting them come in from quarters that promise less. And all this is common to 'the Bank.' As long as it intends to pay in gold upon demand, it need not make the smallest conscience of not lending or discounting to the utmost that it can persuade itself to do. The public is perfectly willing to leave the matter in its hands; and will give it no credit for not doing harm where it cannot. If the Bank pretends to put restraint on itself for public motives, it will find few that it will convince. In the nautical proverb, 'they may tell it to the marines, but the sailors will never believe it.'

Many proofs are scattered through the evidence of the various witnesses, of the rate at which the knowledge of the principles of currency and a sense of its importance are advancing. One Director of the Bank (G. W. Norman, Esq.) positively states as one good effect that would arise from the periodical publication of the Bank's affairs, 'the gradual growth of knowledge on the working of the currency;' the ultimate consequence of which growth will be, to give us *an inconvertible currency under limitation*,—the dispersion of the knowledge of the fact that the breach of such limitation is to be put down like any other felony, forming the only efficacious security for its preservation. On the important question of the profits of the Bank,—not meaning thereby the stones in Thread-Needle Street, but the animated beings wherever they may be, to whose use the profits are finally applied,—on the nature of the bargain in short, whether good or evil, fair or unfair, under which the *personnel* of the Bank lends its services to the public, the information is very meagre; and for this very reason the Paul Pry of the public should apply himself to detect the mystery. But on the great point formerly noticed, the information is invaluable. Words can hardly measure the importance of the avowal distinctly and unequivocally obtained, that whatever obstacles, difficulties, or dangers the public may think it sees in a system of limited but inconvertible paper where in case of panic or political alarm every man should be left to whistle for his remedy, and in fact have no remedy but in submitting to the temporary depreciation



of the value of paper, or rise of paper prices, which the stagnation of business consequent on such alarm might bring with it;—that whatever bugbears a sagacious public may conjure up for itself upon this point, *they make a precise and accurate representation* of the prospect which the same sagacious public now pays the Bank heavily for providing for it; with the exacerbation only in the latter case, of the apprehended evil being brought on with all the concomitants of surprise, wonderment, alarm, and outcry of treachery and fraud, instead of being as in the other case, regarded as a natural and indispensable phenomenon, within the open and honest contemplation of the public, and of which every man had fully sounded the origin and the consequences.

ART. V.—*The Life of Andrew Marvell, the celebrated Patriot, with Extracts and Selections from his Prose and Poetical Works.* By John Dove.—London. Simpkin and Marshall. 12mo. pp. 116. 1832.

ANDREW MARVELL was born on the 15th of November 1620, at Kingston-upon-Hull, where his father was Master of the Grammar School and Lecturer of Trinity Church. At the age of fifteen he was sent to Trinity College, Cambridge. Little is known of his passage through the University, except that during his stay there he was for a short time caught in the toils of the Jesuits. Marvell's father died in 1640. Under the date of September 24, 1641, in the 'Conclusion Book' of his college, there is the following entry.

'It is agreed by y<sup>e</sup> Master and 8 Seniors y<sup>t</sup> M<sup>r</sup> Carter, and d<sup>s</sup> Wakefeild, d<sup>s</sup> Marvell, d<sup>s</sup> Waterhouse, and d<sup>s</sup> Maye, in regard y<sup>t</sup> some of them are reported to be maryed and y<sup>e</sup> other looke not after y<sup>e</sup><sub>ir</sub> dayes nor Acts, shall receave no more benefitt of y<sup>e</sup> Coll, and shalbe out of y<sup>e</sup><sub>ir</sub> places vnles y<sup>e</sup><sub>i</sub> shew just cause to y<sup>e</sup> Coll for y<sup>e</sup> contrary in 3 months.'

So that Marvell, like his friend Milton, appears to have parted with his *alma mater* not on the best of terms.

He now commenced his travels. It is surmised that during his excursion into Italy he made his first acquaintance with Milton, who was at that time abroad.

From this time there is little or no information respecting Marvell till 1652, further than appears from the following passage of a letter of Milton to Bradshawe, written on his behalf respecting the office of Latin Secretary, and dated February 21, 1652.

'He hath spent four years abroad, in Holland, France, Italy, and Spaine, to very good purpose, as I belleve, and the gaineing of those four languages; besides, he is a scholler, and well read in the Latin and Greek authors; and no doubt of an approved conversation, for he comes now lately out of the house of the Lord Fairfax, who was General, where he was intrusted to give some instructions in the languages to the Lady his daughter.'

The time which Marvell passed with Lord Fairfax would appear, to judge from some poems written at that period, to have been passed pleasantly. He seems to have augured very highly of his fair pupil Maria Fairfax; but alas a very different destiny from that which her illustrious tutor's muse assigned her, awaited the unhappy lady; since she married the villain Buckingham, who used to boast that he had wasted the fortune and broken the heart of the daughter of so redoubted a Roundhead. How different a destiny did Marvell anticipate for her, when he summed up the long catalogue of her accomplishments and her virtues, with saying,

'This 'tis to have been from the first  
In a domestic heaven nurs'd,  
Under the discipline severe  
Of Fairfax, and the starry Vere\*.'

The poem intitled 'Appleton House,' (a seat of Lord Fairfax), which contains the preceding lines, displays an intense feeling for the beauties of nature, expressed with a felicity which not unfrequently recalls *L'Allegro* and *Il Penseroso* of Milton, written in the same sort of verse, the octosyllabic of 'fatal facility.' The following beautiful picture has not been given by any modern poet.

'Thus as I careless on the bed  
Of gelid strawberries do tread,  
And through the hazles thick espy  
The hatching thristle's shining eye.'

But a great blemish in most of Marvell's poems is the occasional coarseness, surprising in the friend and contemporary of Milton; a perfect freedom from which is one of the many ennobling characteristics of that great writer.

In 1653, Marvell was appointed by Cromwell tutor to his nephew, Mr. Dutton; and in 1657, assistant Latin secretary with Milton. From the death of Cromwell there is no further account of him till the parliament of 1660.

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\* Marvell's Works, by Captain Edward Thompson. London. 4to. 1776. Vol. iii. p. 222. *King's Library. Brit. Mus.*

In 1660, Andrew Marvell commenced his parliamentary career. Of the manner in which he conducted himself in it, the well-known anecdote extracted by Mr. Dove from a pamphlet printed in Ireland about 1754, is a specimen.

‘The borough of Hull, in the reign of Charles II, chose Andrew Marvell, a young gentleman of little or no fortune, and maintained him in London for the service of the public. His understanding, integrity, and spirit, were dreadful to the then infamous administration. Persuaded that he would be theirs for properly asking; they sent his old school-fellow, the Lord Treasurer Danby, to renew acquaintance with him in his garret. At parting, the Lord Treasurer, out of pure affection, slipped into his hand 1000*l.*, and then went to his chariot. Marvell looking at the paper calls after the Treasurer, “My Lord, I request another moment.” They went up again to the garret, and Jack, the servant boy, was called, “Jack, child, what had I for dinner yesterday?” “Don’t you remember, Sir? You had the little shoulder of mutton that you ordered me to bring from a woman in the market.” “Very right, child—What have I for dinner to-day?” “Don’t you know, Sir, that you bid me lay by the blade-bone to broil?” “’Tis so; very right, child; go away.” “My Lord, do you hear that? Andrew Marvell’s dinner is provided; there’s your piece of paper, I want it not. I knew the sort of kindness you intended. I live here to serve my constituents; the ministry may seek men for their purpose; I am not one.”—p. 36.

But there were other temptations besides these, that a man placed in Marvell’s position had to withstand; such as are intimated in the following sentence.

‘He maintained his sincerity unseduced, when truth and chastity were crimes in the lewd circle of Charles’s Siren court; where, in poverty he held up the greatness of his soul, in spite of the cold disadvantages of a narrow fortune, and the artful lures and temptations of the most agreeable devils, possessed of more than the golden apples\*.’

With high-minded men like Marvell—men who could calmly say to the tempter, ‘Thy money perish with thee,’—this would probably be the harder struggle; for there are doubtless many men of minds elevated far above the lowest order, who would nevertheless give up to the flattery and the smile of a high-bred and beautiful woman

‘What gold could never buy.’

History does not state that the friends of tyranny and corruption raised any objection to Marvell as a parliamentary candidate on the score of his poverty. But they are now become

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\* Works, vol. iii. p. 447.

bolder ; and the struggle of party which is at present going on, affords an opportunity for the discussion of an important question to the welfare of the community.

The *gravamen* of the charge raised by one of the contending parties against the other, is that of not being rich, or, as some of the most violent express it, of being beggars ;—the world being too far advanced to pay much attention to the cries of heresy and blasphemy, which are become tolerably threadbare since the days when they assumed the sound of Crucify him ! Crucify him ! Now this charge of poverty involves matters of so much importance, that the question becomes one not of individual or temporary interest, but a question of principle, involving the consideration of interests as enduring and universal as man.

The present is the first time that the charge of not being rich has been openly brought against parliamentary candidates ; and is also the first time, at least since the days of Andrew Marvell, that candidates had come forward, to offer themselves to the people's choice, resting their pretensions solely on their intrinsic merit,—to wit, on their capacity, their honesty, and their knowledge. Where has this heavy charge, this grave accusation, lain so long concealed ? The truth is there was no guilt in being poor, till poor men stood forth the champions of the poor. Where was the accusation when Burke, and Sheridan, and Canning, and Huskisson, and Mr. Praed, and Mr. Wrangham, and men of that class came forward as candidates ? Neither the monied nor the landed interest conceived itself to be in danger, or raised any hue and cry then. The people of England now stand in the place of the individuals who brought into parliament the gentlemen named above ; and the moment they begin to exercise their privilege, the ' men of property ' raise a howl as loud as if their souls, which are their money bags, were ravished from them.

Expand your sordid souls, and conceive that independence has nothing to do with wealth ;—that a man is independent, not in proportion as he has many possessions, but as he has few wants. Does not all history, all experience, go to convince you of the falsehood of your position ? Would all the riches in the world have purchased a Socrates or a Bentham ? Would the riches of the universe have satisfied a Charles Stuart or a George Guelph, or formed one atom of security for their political good conduct ? As is the model, so are the copies ; as is the master, so are the followers. The vulgar admirers of a Guelph and a Stuart may be expected to labour under some difficulty in the conception, that there are men who would dine with more satisfaction at the simple board of Marvell than at the

'*regales dapes*' of a Charles or a George;—men who could live, happy and contented, without gorgeous palaces, coronetted trappings, gilded lacqueys, and jewelled harlots. But though such qualities are rare, they are to be found, and the education necessary to form them has not entirely, with Astræa, deserted the earth. Now it may be asked of any person of sense, whether it is most likely that a man who though he has little has what he wants, would for the sake of making some addition to his income, sell the power of being useful, not only to the present race of his countrymen, but to the men of all countries and of every time, —or that a man who has much more, should do the same for the purpose of gratifying his irregular desires. For the man who has once so sold himself, is sold for ever. He has irrevocably sullied the purity of a patriot's honour. There is a stain upon the brightness of his name, which the tide of ages could not wash out. Those men must have a strange idea, not only of the morality but of the intellect, of a philosophic radical like Marvell, if they imagine him such a dolt as to sacrifice so much for so little, as to exchange a greater happiness for one so palpably, so immeasurably less.

*Nemo repente fuit doctissimus.* The sciences of government and legislation, with the subsidiary sciences of political economy and jurisprudence, are not to be learned in an hour or a day. The man who would master them must go through the labour of years. And to that labour he must bring the powers of a mind prepared by previous cultivation, strengthened and sharpened by preliminary discipline. He must learn to sacrifice the pleasures of the senses for the labour of thought, and to render himself familiar with 'nights of study and laborious days.' Now all who have seen rich men in their career through school and the University, are able to affirm without fear of contradiction, that this is not the course which ninety-nine hundredths of them pursue. Like the lilies, 'they toil not, neither do they spin,' but verily they are not arrayed like Solomon in all his glory after all. An unfruitful and unprincipled manhood succeeds, in most cases, to an idle and crapulous youth; and how, from such a seed-time, should a harvest be expected of legislative, or any other kind of wisdom? As ye sow, so shall ye reap. Human nature does not produce good fruit without cultivation. Men who have passed their youth like the associates of Catiline, may in time become sapient debauchees, but will hardly turn out sages. As it is, we have been governed by gamekeepers.

In truth nothing could be more groundless than the fear lest the public should suffer from being represented by poor men in

parliament. All the regularly formed combinations against society recorded in history, were combinations by the rich, not by the poor. And those apparent combinations of the poor that have been assumed by the 'men of property,' are in fact only the irregular, unmeditated, out-breakings of the many from time to time when the domination of the few became for the moment too galling for them longer to endure. The rich in all ages, have enjoyed every facility for continuing to make their riches greater. *Regina Pecunia* beckons them on, enabling them, almost without metaphor, to annihilate time and space. They meet in an aristocratic hall without the fear of being rained on by bullets or ridden down by cavalry. Is it so with the multitudinous poor?—a prey to ignorance or imperfect knowledge of their true interests, and, besides the other evils attendant on their circumstances, an impossibility, from their very numbers, of assembling together without the cry being raised by the rich of 'murder, robbery, and treason.'

*Avarus semper eget.* The rich man never is rich enough. All history is a commentary upon this text. Here is to be seen a *Reverendissimo*, who not content with the revenues of the rich see over which he himself presides, must have all his sons, nephews, cousins, and grandsons, in possession of the richest preferments in the see. There an *Illustrissimo*, who, though he receives twenty thousand pounds a-year from the nation to live on, must have six thousand a-year more for educating his own child. Here a rich landholder moving heaven and earth against the abolition of a law, which, in order that he may live luxuriously, forbids the half-starved labourer to buy his bread cheap where he can. There a wealthy manufacturer doing his utmost to keep up an enactment which forbids his workmen to aid each other in obtaining the best price for their workmanship.

In France was it the poor who passed the edict establishing the *Corvées*, that most unjust and oppressive edict which took from the poor man all that he possessed,—his time, his labour, and his strength, without giving him anything in return? Was it the poor who in France and the other Continental States of Europe passed hundreds of similar laws? In England was it the poor who made the corn laws, or ruled that every man who entered the House of Commons should have an interest in the kind of property it was intended to increase at the expense of the community? These and a thousand similar, are enactments for which the rich alone are answerable.

There is no intention to cry up the poor at the expense of the rich. There is as little desire to see the rich tyrannized over by the poor, as the poor by the rich. And the rich

need be in little fear of seeing many ignorant demagogues in the legislative council of the poor. The men most likely to content the people at large, will be those who are rich enough to obtain the best possible education, but not rich enough to be independent of their own exertions, not merely for distinction, but for subsistence in the world. The man who is born rich and continues so through life, never knows mankind, never knows what the world is made of. Its mysteries are to him a book sealed, a forbidden tree, an undiscovered shore. Haunted from his cradle to his grave by the lies or the flattery of parasites, he grows old without experience, lives without imbibing the philosophy of life, and kept ignorant and enslaved by his deceivers and his passions, dies in his leading-strings. Like the cuckold who is the last to hear of his own disgrace, he hugs himself on his superior advantages, exhibiting what Burke has called 'that fat stupidity and gross ignorance concerning what imports men most to know.' There is no man acquainted with the world who will say this picture is overcharged. And are they who sit for it, fit to be the only legislators of nations?

Necker used to say that it was necessary to pass through three states of life differing widely from each other, a state of inferiority, a state of equality, and a state of superiority. Whether this be strictly true or not, it may be observed that there can hardly be named a single king or noble that has stood out from the ranks of nobility or kingship, who has not been made by some circumstance in his life to mingle on an equality and so become acquainted with his fellow-men.

Evidence has been afforded in the case of Marvell, of a representative though poor, yet proof against corruption. From a work of his entitled '*A Seasonable Argument to persuade all the Grand Juries in England, to Petition for a New Parliament*\*,' is extracted the following curious evidence, which will be found to have a bearing on a different part of the question. The writer goes through the counties with their boroughs alphabetically; and in the following paragraph with which he concludes, the reader will find a brief explanation of the nature of his design.—

'The publisher begs pardon of those gentlemen here named, if he has, for want of better information, undervalued the price and merit of their voices, which he shall be ready upon their advertisement to amend; but more particularly he must beg the excuse of many more gentlemen, no less deserving, whom he hath omitted; not out of any malice, or for want of good will, but of timely notice; but in general, the House was, if they please to remember, this last session, by three

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\* Works, vol. ii, p. 555.

of their own members told, that there were several Papists, fifty out-laws, and *pensioners* without number: so that upon examination, they may arrive at a better knowledge amongst themselves, and do one another more right, than we (howsoever well affected) can possibly do without doors.'

The following are extracts from this most curious catalogue.

' BEDFORD.

' Sir Humphrey Winch, Baronet, hath from the court 500*l.* per annum salary; and was of the council of trade for plantations.

BERKSHIRE.

*Windsor.* Sir Thomas Higgon, Knight, hath a pension of 500*l.* per annum, and hath had 4000*l.* in gifts; married to the Earl of Bathes Sister.

*Wallingford.* Sir John Bennet, Knight of the Bath, has got of the poor indigent cavaliers money 26000*l.*, and otherwayes near 40000*l.* more.

BUCKINGHAMSHIRE.

*Chippin Wicham.* Sir Robert Sawyer, a lawyer of as ill reputation as his father, has had for his attendance this session 1000*l.*, and is promised (as he insinuates) to be attorney-general, and speaker of the House of Commons.

CORNWALL.

Sir Jonathan Trelawney, Baronet, one that is known to have sworn himself into 4000*l.* at least in his account of the prize office, contrroller to the Duke, and has got in gratuities to the value of 10000*l.* besides what he is promised for being an informer.

Henry Seymour, Esquire, of the bed-chamber, has the han-aper office, and is contrroller of the customs at London, has got 40000*l.* in dutchy leases, and other boons.

*Bossiney.* Robert Roberts, Esquire, victuals and protection in White-Hall, out of priviledge time, and 50*l.* a session.

*St. Michael.* Francis Lord Hawly, captain of his Majesties troop, gentleman of the bed-chamber to the Duke, and court buffoon; has got in boons, 20000*l.*

DEVONSHIRE.

Sir Copelston Bampfield, Baronet, much addicted to tippling, presented to the king by his pretended wife, Betty Roberts, the Pall Mall.

DORSETSHIRE.

*Weymouth.* Sir Winston Churchill, was a commissioner of the court of claims in Ireland, now one of the clerks of the green-cloth. He profered his own daughter to the Duke of York, and has got in boons 10000*l.* He has published in print that the king may raise money without his parliament.



## ESSEX.

*Harwich.* Thomas King, Esquire, a pensioner for 50*l.* a session, &c. meat and drink, and now and then a suite of clothes.'

This and several other similar cases show that corruption was not confined to the rich ; but the object here is only to prove that the rich *quâ* rich, are not a whit less liable to be bribed than the poor.

## ' HANTSHIRE.

' *Winchester.* Sir Robert Holmes, first an Irish livery boy, then a highwayman, now Bashaw of the Isle of Wight, got in boones, and by rapine 100000*l.* The cursed beginner of the two Dutch wars.

Laurence Hide, the elder, a pension of 200*l. per annum*, and a constant court dinner man.

*Southampton.* Sir Richard Ford, Knight, contriver of the two Dutch wars, for which he had 10000*l.*, and yet is scarce able to live.'

This last circumstance shows that wealth does not make such men independent, for their wants always outrun their means. The following is a case of the same kind.

' *Petersfield.* Thomas Neal, Esquire, now turned brewer since he has consumed a rich wives fortune, and his own estate ; he has a promise his son shall marry Moll Daveys's daughter, and to be made a Viscount, and maintained if his brewhouse fail. Formerly called Golden Neal, now, Brazen Groom Porter.

## HUNTINGDON.

*Town.* Sir John Cotton, a madman, who cut his own throat, and now cuts his countrys by his vote.

## KENT.

*Quinborough.* James Herbert, Esquire, is but fifteen years old, but son-in-law to the treasurer, and therefore of age to dispose of the peoples money.'

It were to be desired that pensions were always distributed on the principle of the one next following.—

' *Lancaster.* Richard Harrison, Esquire, a small pension proportionable to his understanding.

## LEICESTERSHIRE.

*Town.* Sir William Hartop, a pension of 200*l. per annum*, and promised to be clerk of the kitchen ; threatens to sue his town for his wages, because he hears they'll choose him no more.

## MIDDLESEX.

Sir Lancelot Lake, much in debt, has a promise that his elder brother's son shall not be naturalized, a notorious cuckold.

Sir Thomas Allen, whose understanding is as great as his honesty, a close embracer of rogues, had a boon of 1000*l.*

*Westminster.* Sir Philip Warwick, once secretary to Archbishop Laud, before that a poor singing-boy, got artificially from the treasurer Southampton, and the king, 40000*l.* now clerk of the signet; never lyes more than when he professes to speak the sincerity of his heart.

#### NORFOLK.

Christopher Ivy, Esquire, a prisoner in the King's Bench, an old decrepid letcher, has 50*l.* a session.

*Lynn Regis.* Robert Cook, Esquire, the treasurer's son-in-law, who by his privilege protects himself from the payment of the money (viz. 8000*l.*) that was spent at his election.

Robert Wright, Esquire, Pepis his pensioner, and has 40*s.* a day allowed him by the seamen, as their counsel, but uses them as he does the nation, viz. betr.\*

*Yarmouth.* Sir William Doyley, got 7000*l.* out of the Dutch prisoners allowance, and starved many of them to death, a pension of 500*l.* per annum; his son is a teller in the Exchequer.

*Thetford.* Sir Joseph Williamson, once a poor foot-boy, then a servitor, now principal secretary of state, and pensioner to the French king.

#### NORTHAMPTON.

*Town.* Henry Lord Obryon, by his wife's interest has got of secretary Williamson, 1500*l.* and the reversion of Cobham Park, and other estates that were in the crown, worth 13000*l.* per annum, his son married the treasurer's daughter.

*Higham Ferris.* Sir Lewis Palmer, a great trader in protections, and sells cheap; his father was attorney-general.

#### SHROPSHIRE.

Sir Francis Lawley, a pensioner, one of the horses in Madam Fontlett's coach.

#### SOMERSETSHIRE.

*Bath.* Sir William Basset, Henry Seymour's son-in-law, 1000*l.* given him by Chifford†; he has a promise of a place in the law act, always drunk when he can get money.

*Wells.* Maurice Lord Fitzharding, one of that family which had from the crown in boons and places 200000*l.* besides the unnatural honour given to the younger brother for pimping, which came afterwards to the father, and so to this lord. He's colonel of horse in Ireland.

*Taunton.* Sir William Portman, in hopes to be a lord, much priest ridden.

*Bridgwater.* Sir Edmond Windham, knight-marshal, in boons, 5000*l.* His wife was the king's nurse.

*Mynhead.* Thomas Windham, Esquire, bed-chamber-man to the king, as also equerry. He married a court ———. ‡

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\* Doubtless for betrays.

† It probably means Chiffinch, the restored man's head *proveditore*.

‡ So in the original.

It is unnecessary to proceed further with this catalogue. With a parliament composed in a great proportion of such worthies, Charles and his ministers were pretty sure of majorities for any measure they wished to carry, however pernicious to their country, however disgraceful to themselves. If Marvell was known to be the writer of this list, it is not surprising to be told that he died not without suspicion of poison.

Some people have (falsely, as appears from the foregoing catalogue) accused Sir Robert Walpole of introducing corruption and bribery into the House of Commons; but however much he may have improved the tactics of the system, it is evident that it had not to be introduced by him. It is the opinion of some, that political honesty has gone on declining in this country ever since the Restoration, until it has reached a point where it has ceased to be anything but a by-word and a mocking, and that not only to the political profligate, the legislative mountebank, and the court buffoon, but to a large majority of Englishmen. It may be very questionable whether political virtue has ever, to any extent, existed in this country at all. A few bright characters of patriotic statesmen, twinkle like distant stars through the surrounding mass of clouds and darkness that rests upon our history; but in the remainder there is nothing on which the eye of the philanthropist would delight to dwell, as calling up the recollection of deeds done for the sake of justice or human happiness.

The immense mass of business that comes before parliament renders it as impossible, as the publication of the proceedings and debates renders it needless, for members now to give their constituents a daily report of what has taken place in the House. In fact, the reporters ought to be paid as Andrew Marvell was, for they now do what he was paid for doing. It is difficult to conceive what else Mr. Dove means by Marvell's 'indefatigable diligence in the House,' as there is no evidence that he ever spoke there. But diligence of this kind, though praiseworthy, particularly in such times as those in which Marvell lived, does not belong to the highest order of qualities desirable in a member of Parliament. Whoever wishes to see an example of these, — an example of indefatigable diligence joined to talent and eloquence of the highest order, must turn to Pym and Vane rather than to Marvell. It would have been manifestly impossible for men like these, who were 'toiling in the general business of the empire from three of the clock in the morning to the evening, and from evening to midnight\*,' to write an

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\* Marshall's Funeral Sermon on Pym.

account of the debates and proceedings of the house daily to their constituents, or even to take no momentous step without their information and advice.

Nothing can be more meagre than the accounts left of Marvell; in truth there is little or nothing known of him, but what is gathered from the letters written by him, while attending parliament, to his constituents at Hull. From these therefore will be given a few extracts.

Marvell had been twice elected for Hull in one year, 1660. In April 1661, he acknowledges that honour done him the third time.

‘ I perceive by a Letter from Mr. Mayor, that you have again (as if it were grown a thing of course) made choice of me, now the third time, to serve you in Parliament, which as I cannot attribute to any thing but your constancy, so shall I, God willing, as in gratitude obliged, with no lesse constancy and vigour, continue to execute your commands, and study your service being,

Gentlemen, my very worthy Friends,

Your most affectionate friend and Servant,

ANDREW MARVELL.

*Westminster, April 6, 1661.*

To the Right Worshipfull Christopher Richardson, Mayor, and the Aldermen his brethren of Kingston upon Hull.’

Marvell really had cause to be grateful for their constancy; they never swerved from their support of a man who had neither riches, nor power, nor titles, nor even brilliant reputation. For Marvell could then have been but little known; he was but the clerk of the Latin clerk, at most the friend of ‘ one Milton, a blind man;’ and had in fact nothing to recommend him, but his unostentatious stern adherence to what he considered to be the line of his duty. Throughout the whole of Marvell’s parliamentary career, the electors are no less deserving of praise than the elected. The town of Hull by its conduct did itself immortal honour, and deserves to be remembered by posterity with its pure and noble-minded representative.

In the first parliament in which Marvell served, he and his colleague Mr. Ramsden, his ‘ partner ’ as he termed him, used to write jointly. But afterwards Colonel Gilby was elected in the room of Mr. Ramsden; and then, in consequence of some misunderstanding between him and Marvell, the latter wrote singly to his constituents. He has thus alluded to the difference between them.—

‘ Though perhaps we may sometimes differ in our advice concerning the way of proceeding, yet we have the same good ends in the general; and by this unlucky falling out, we shall be provoked to a greater emulation of serving you, and that particularly on this matter of the separation.’

‘ Gentlemen, I must beg your pardon for writing singly to you, for if I wanted my right hand, yet I would scribble to you with my left, rather than neglect your business.’—*June 1, 1661.*

A long vacancy occurs in Marvell’s correspondence after June 1661. He appears to have been in Holland for a considerable time, and why he left his place in the House, is not mentioned, further than it was on account of ‘ his own private concerns.’ Lord Bellasis, then High Steward of Hull, having requested the Corporation to proceed to the election of a new member, they wrote to Marvell, who immediately returned to England and resumed his seat.

About three months after his return, Marvell again left England as secretary to Lord Carlisle, who was appointed ambassador extraordinary to Russia, Sweden, and Denmark. Mr. Dove remarks, that by accepting this appointment, Marvell does not appear to have been then much at variance with the government, though by the manner of his expressing himself, he seems in a great measure to have been influenced by a friendship for Lord Carlisle.

The letter he wrote on leaving England is a specimen of the kindly feeling existing between him and his constituents.

‘ Gentlemen, my very worthy Friends,’

‘ Being this day taking barge for Gravesend, there to embark for Archangel, so to Moscow, thence for Sweden, and last of all for Denmark; all which I hope, by God’s blessing, to finish within twelve moneths time: I do hereby, with my last and seriousest thoughts, salute you, rendering you all hearty thanks for your great kindnesse and friendship to me upon all occasions, and ardently beseeching God to keep you all in his gracious protection, to your own honour, and the welfare and flourishing of your Corporation, to which I am and shall ever continue a most affectionate and devoted servant. I undertake this voyage with the order and good liking of his Majesty, and by leave given me from the House, and entered in the Journall; and having received moreover your approbation, I go therefore with more ease and satisfaction of mind, and augurate to myselfe the happier successe in all my proceedings. Your known prudence makes it unnecessary for me to leave my advice or counsell with you at parting, yet can I not forbear, out of the superabundance of my care and affection for you, to recommend to you a good correspondence with the garrison, so long as his Majesty shall think fit to continue it; unto which, and all your other concerns, as Colonell Gilby hath and will be always mainly

instrumentall, and do you all the right imaginable; so could I wish, as I do not doubt that you would upon any past or future occasion, confide much in his discretion, nor upon the extravagance of any military person, practice all that just rigour, which he will never deny you the use of; but that the consequences being prevented for the future, you will, upon reasonable satisfaction, slight any former misdemeanor. This I say to you with a very good intent, and I know will be no otherwise understood by you. And so renewing and redoubling my most cordiall thanks, my most earnest prayers, and my most true love and service to and for you all, I remain, as long as I live,

Gentlemen, my most worthy Friends,

Your most affectionate friend to serve you,

ANDREW MARVELL.

‘*London, July 20, 1663.*’

Marvell was absent on this embassy nearly two years. On his return he began again to correspond with his constituents almost every post.

The following illustration of the then existing ideas respecting commerce is from a letter to the Corporation of Hull in November 1666. The political economy of Marvell and his constituents is detestable; but they acted honestly according to the light of the age, and in opposition to the influence of a court, which if it had the better side on this point, took it from worse motives.

‘There is one Bill ordered to be brought in (perhaps you have heard of it) of a new nature: that all persons shall be buried in woolen for these next six or seven years. The reason propounded is, because a matter of an hundred thousand pounds a year of our own manufacture will be employed, and so much money kept at home from buying forain linen, till our trade of flax, &c, be grown up.’

The following also seem worth extracting.

‘*November 14, 1667.*—Really the businesse of the House hath been of late so earnest daily and so long, that I have not had the time and scarce vigour left me by night to write to you; and today, because I would not omit any longer, I lose my dinner to make sure of this letter.’—*Letter to Mayor and Aldermen of Hull.*

‘*April 14, 1670.*—The King, about ten o’clock, took boat, with Lauderdale only, and two ordinary attendants, and rowed awhile as towards the bridge, but soon turned back to the Parliament stairs, and so went up into the House of Lords, and took his seat. Almost all of them were amazed, but all seemed so; and the Duke of York especially was very much surprized. Being sat, he told them it was a privilege he claimed from his ancestors to be present at their deliberations. That therefore, they should not, for his coming, interrupt their debates, but proceed, and be covered. They did so.’

'After three or four days continuance, the Lords were very well used to the King's presence, and sent the Lord Steward, and Lord Chamberlain, to him, [to ask] when they might wait, as an House on him, to render their humble thanks for the honour he did them. The hour was appointed them, and they thanked him, and he took it well.'

'The King has ever since continued his session among them, and says it is better than going to a play.'—*Letter to William Ramsden, Esq.*

A sentiment similar to that contained in the following extract, has been reported as uttered by a peer of our own day.

'April 24, 1675.—The House of Commons having received a report from the Committee for drawing up the addresse concerning Duke Lauderdale were informed by them, that Dr. Burnet being examined whether he knew any thing of bringing over any army into any of his Majesty's dominions, told them, that discoursing of the danger of rigorous proceedings against the Presbyterians in Scotland, while his Majesty was engaged in a war with Holland, the Duke said he wished they would rebell; and in pursuit of that discourse said, he would then hire the Irish Papists to come over and *cut their throats*: but the Doctor replying, that sure he spoke in jest, the Duke answered, no, he said it in earnest, and therefore repeated the same words again.'—*To Mayor and Aldermen of Hull.*

The next is edifying.—

'The King having, upon pretence of the great preparations of his neighbours, demanded three hundred thousand pounds for his navy, (though in conclusion he hath not sent out any) and that the Parliament should pay his debts, which the ministers would never particularize to the House of Commons, our House gave several bills. You see how far things were stretched, though beyond reason, there being no satisfaction how those debts were contracted, and all men foreseeing that what was given would not be applied to discharge the debts, which I hear are at this day risen to four millions, but diverted as formerly. Nevertheless such was the number of the constant courtiers increased by the apostate patriots, who were bought off, for that turn, some at six, others ten, one at fifteen thousand pounds in money, besides what offices, lands, and reversions, to others, that it is a mercy they gave not away the whole land, and liberty, of England.'

'The Duke of Buckingham is again one hundred and forty thousand pounds in debt, and, by this prorogation, his creditors have time to tear all his lands in pieces. The House of Commons has run almost to the end of their line, and are grown extreme chargeable to the King, and odious to the people.'

'They have signed and sealed ten thousand pounds a year more to the Dutchess of Cleveland, who has likewise near ten thousand pounds a year out of the new farm of the country excise of Beer and Ale, five thousand pounds a year out of the Post Office, and, they say, the reversion of all the King's leases, the reversion of places all in the Custom House, the green wax, and, indeed, what not? All

promotions, spiritual and temporal, pass under her cognizance.'—*Letter to a friend in Persia. Aug. 9. 1671.*

What an exchange for the republic.

The next touches on the *wages* of Members.

'*March, 3, 1676-7.*—also Sir Harbottle Grimston, Master of the Rolls, moved for a Bill to be brought in, to indemnify all Countyes, Cities and Burrows for the *Wages due to their Members for the time past*, which was introduced by him upon very good reason, both because of the poverty of many people not being able to supply so long an arreare, especially new taxes now coming upon them, and also because Sir John Shaw, the Recorder of Colchester, *had sued the Town for his Wages*; severall other Members also having, it seems, threatened their Burrows to do the same, unless they *should chuse them* upon another Election to Parliament.'

'This day had been appointed for grievances; but it being grown near two o'clock, and the day being indeed extraordinary cold, to which the breaking of one of the House windows contributed, it was put off till next Tuesday.'—*To Mayor and Aldermen of Hull.*

The suing for wages was rather hard; it was burning the candle at both ends, to demand wages, and take bribes and pensions too.

The circumstance of the breaking of one of the House windows, deserves notice. It may be concluded from Marvell's mentioning the cold, that the wisdom of our ancestors had not attained to the advanced idea of warming the House. To this day, the anti-innovating dignitaries of Westminster resist all the intreaties of the parties most interested, to warm Westminster school; assigning as a reason, that it has never been warmed before.

In 1672, Marvell engaged in a controversy with Dr. Samuel Parker, afterwards nominated Bishop of Oxford by James II, one of those shining lights of whom the Church of England has produced so many, and who from time immemorial down to the present, have been such steady and consistent enemies of good government, and of the friends of good government. The following are a few of this conservative churchman's doctrines, published in 1670 in a book entitled '*Ecclesiastical Polity*'. 'Tis better to submit to the unreasonable impositions of Nero and Caligula, than to hazard the dissolution of the state.'—'Princes may, with less hazard, give liberty to men's vices than to their consciences.' Of the different sects then existing he held, 'that tenderness and indulgence to such men were to nourish vipers in our bowels, and the most sottish neglect of our own quiet and security.'

Mr. Dove enters into an account of the controversy with Parker. Marvell in his '*Rehearsal Transposed*' employed such



power of wit against Parker, that it is believed by his biographer to have had some share in producing his early death. The following is a passage of an anonymous letter sent to Marvell 'short enough,' observes Mr. Dove, 'to have been an epigram, could Parker have written one.'—'If thou darest to print any lie or libel against Dr. Parker, by the eternal God I will cut thy throat;'—a specimen of the language to which the ministers of Christ will sometimes descend against those they believe their adversaries. But Dr. Parker possessed more effectual means of hindering Marvell from printing, viz. Laud's restraining power—the power of licensing. Although the licenser of his own work on 'Ecclesiastical Polity,' he got the license for printing Marvell's first 'Rehearsal' recalled. One extract must be given from Marvell's work. Strange vicissitude of human favour and fortune! It relates to a man who has since become the 'foster-babe of Fame,' but whose name Marvell could only there indicate by the initials.

'J. M. was, and is, a man of great learning and sharpness of wit as any man. It was his misfortune, living in a tumultuous time, to be tossed on the wrong side, and he writ *flagrante bello* certain dangerous treatises. His books of *Divorce* I know not whether you may have use of; but those upon which you take him at advantage were of no other nature than that which I mentioned to you, writ by your own father; only with this difference, that your father's, which I have by me, was written with the same design, but with much less wit or judgement, for which there was no remedy: unless you will supply his judgment with his high court of justice. At his Majesties happy return, J. M. did partake, even as you yourself did for all your huffing, of his regal clemency, and has ever since expiated himself in a retired silence. It was after that, I well remember it, that being one day at his house, I there first met you and accidentally. Since that I have been scarce four or five times in your company, but, whether it were my foresight or my good fortune, I never contracted any friendship or confidence with you. But then it was, when you, as I told you, wandered up and down Moor-fields astrologizing upon the duration of his Majesties government, that you frequented J. M. incessantly and haunted his house day by day. What discourse you there used he is too generous to remember.'—*Rehearsal Transposed*, Works. Vol. ii. p. 497.

The following was the patriot's reward.

'Marvell had now rendered himself so obnoxious to the venal friends of a corrupt court, and to the heir presumptive, James, Duke of York, that he was beset on all sides by powerful enemies, who even proceeded so far as to menace his life. Hence he was obliged to use great caution, to appear seldom in public, and frequently to conceal the place of his abode; but all his care proved ineffectual to preserve him from their vengeance; for he died on the 16th of August, 1678, aged

58 years, not without strong suspicions, (as his constitution was entire and vigorous) of having suffered under the effect of poison.'—*Life, by Dove.* p. 65.

The admiration of Marvell is to be based, not on his intellectual, but his moral qualities. Neither as a philosopher nor as a poet, does Marvell belong to the first order of great minds. His intellectual merits are those of a wit and satirist; and though distinguished in that capacity, he could claim no particular notice beyond the crowds of wits and satirists who have blazed out their little hour and passed away. But Andrew Marvell possesses other claims to attention, other and higher demands on respectful and affectionate remembrance; and his name will not pass away. There is no man who worships political virtue, but must adore the memory of Marvell. And on contemplating him throughout the whole track of his blameless and singular career; never violating his word, nor swerving for one moment from what he considered the dictates of his conscience; supporting his simple and honourable poverty, (how glorious when compared with others wealth) with a constant and unrepining cheerfulness; he does indeed appear a man whose memory deserves to be worn 'in the heart's core, aye, in the heart of hearts.' It is something to have such a man to point to, in a country where political virtue has long been a byeword, a thing for priests and lawyers and 'lords and gentlemen' to mock at.

ART. VI.—*De la Statue de la reine Nantechild, et par occasion, des révolutions de l'art en France au moyen age.* Par M. Charles Magnin.—Paris. Au bureau de la Revue des Deux Mondes, rue des Beaux-Arts, No. 6. 8vo. pp. 32. 1832.

SOME years ago the Catholic bishop of Winchester, Dr. Milner, published a volume full of interesting details, in support of an opinion that Gothic architecture ought to be attributed to English invention. More recent inquirers have endeavoured to trace this beautiful style of building to a German parentage; while others look for its origin to the Arabians. Probably the truth lies somewhat wide of all these theories. It may be doubted whether the great branches of art in the middle ages had any other source than the religious feelings then predominant in various degrees in all parts of Europe. These feelings were modified by the progress of civilization; and their influence and decay are ingeniously developed in the Essay of which the title is prefixed to this article. The partial connexion of the

arts of Western Europe with the East, and even with the traditions of antiquity, is indisputable; but the writer's view seems to be equally reasonable and ingenious, that the great causes of change are to be sought in domestic events and popular opinions. His Essay was occasioned by the success of a young French architect, M. Ramée, who has lately produced a fine statue, cast upon one of the thirteenth century which is in the church of St. Denis. The theory which the Essay is written to maintain, may be stated almost in the author's words as follows.

M. Ramée has done a service to the arts in restoring a specimen of the beautiful sculpture of the thirteenth century at present so little and so inaccurately known. This specimen will convince the most sceptical, that a school of early sculpture exists in Europe. Although when detached from all that preceded and that followed, it can produce but a slight effect, still it makes a beginning that was much wanted, and that will soon be carried further. The statue is cast from one of Nantechild, a wife of Dagobert, king of France in the seventh century. The original is in stone, and placed upon the king's tomb on the left hand, at the entrance of the church. The expression of the statue is beautiful, but grave,—an expression deeply meditative and religious. The head is slightly inclined; the brow is contracted and careworn; the eyes are heavy with grief. The spirit of the queen seems to be holding anxious communion with the tomb below. A glance shows that this statue was not executed in the age of Dagobert. The date of a later Catholicism is perceptible in the ascetic character impressed upon the features, and in the emaciated form obviously subdued by a saintly spirit. The narrow robe drawn closer at the top than at the bottom, shows an approach to the reign of St. Louis. The flowing train and the light folds of the dress, indicate a recent transition from the ecclesiastical to the secular style, two distinct periods about to be described. These circumstances place the statue in the first half of the thirteenth century. The head presents no mark of being meant for a portrait; and there can be no doubt of its having been a pure creation of the artist, whose name unfortunately is unknown.

The same regularity which critics are beginning to discover in the progress of ancient art, took place among the moderns. In the middle ages, as in Asia, in Egypt, and in Greece, art began with religious subjects. In the particular instance of the middle ages, architecture led the way, and became, as it were, the parent of the whole family of fine arts. In France, the ecclesiastical period continued until about the reign of Philip August-

tus in the thirteenth century. The clergy possessed all the knowledge of the time. Entrusted with the duty of guiding the Catholic church, the bishops employed the fine arts as the most efficacious means of teaching religion to the people. A second is what may be denominated the secular period of the arts. It began in the thirteenth century, with the acquisition of new liberty by the commons. The fine arts then quitted the cloister; local and public corporations were rapidly established; secrets were divulged; tradition became valueless; and by the end of the fifteenth century, the revival of ancient learning, with its half-pagan associations, destroyed the few remaining links of connexion with the earlier religious founders of art.

To this secular period of lay corporations for the advancement of the arts, succeeded the establishment of academies for the same object; which began brilliantly under Francis I, were revived under Louis XIV, and prevailed with more or less fluctuation until the grand revolution in public taste in 1789.

When Christianity obtained supremacy in Gaul, the clergy took possession of the public buildings. If those buildings happened to prove insufficient, the old temples were accommodated to Christian uses. At this period, therefore, the improvement of the edifices already existing, not the construction of new ones, employed the architects. In the wars which arose with the Arians, numerous religious edifices were destroyed, and the new ones which it became necessary to build, constituted the architecture of the Merovingian race, of which some few specimens remain, exhibiting a strange mixture of Roman, barbarian, and ecclesiastical styles. The ruins of the Roman temples abounded in fragments of columns and sculpture which would naturally be used when materials were so much wanted; the northern conquerors, who had been accustomed to build even the habitations of their deities with wood alone, naturally introduced this substance also into extensive use; and the Christians were then too familiar with the ecclesiastical edifices of the East, to fail to borrow some of their parts, at least for mystical purposes.

The period in question, namely from Clovis to Philip Augustus, was essentially ecclesiastical; and all the architects mentioned by the annalists of the time, were priests. From the earliest days of Christianity, to build by religious rules was held one of the most important duties of the priesthood; and the religious acceptance which the word 'edifice' ultimately acquired, proves that architecture was considered as something like an attribute of sanctity. The method of arranging the various parts of churches, and of giving an exactly eastern direction to

the altars, was a mystery confided to the clergy alone. Each part had a symbolical meaning. The form of the cross indicated the crucifixion. The circular choir marked the place for the head of Christ; the little chapels round it, might signify the glory. The side aisles and transepts were the arms. The great doors were as it were the resting-places for the Redeemer's feet. The fact of all the Merovingian churches without exception, being built in the form of the cross, is proved by the numberless minute descriptions of them in Gregory of Tours. The proper form in which a church ought to be built was, as that Chronicler states, one of the earliest subjects of instruction to the pagan converts.

During this period the genius of Charlemagne, as remarkable for his love of the fine arts and of learning as for his military exploits, directed attention for a time to the models of architecture then exhibited in Italy by the Greek exiles. A masterpiece of the Greek style of building was erected at Aix-la-Chapelle, and the new Greek sculpture began to be introduced into all the Cathedrals. The impulse thus given to French taste did not long survive Charlemagne; and while the Germans and Italians continued to pursue the new career alone, the west of Europe lost the ground which had been gained. In the course of the tenth century too, an opinion generally prevailed, that the end of the world was coming; which checked all progress in the arts, in defiance of the wealth of their patrons the clergy. Upon the exposure of the false prophets, when the appointed time for the destruction of all had passed harmlessly by, the zeal of the Church revived in an unexampled degree. During about two centuries, this new zeal produced marvellous effects. It was then that Catholicism gained its noblest triumphs. The slavery of the poor was changed by it into the less severe condition of the serf. In architecture, the ecclesiastical spirit prevailed, more extensively than before, and that spirit reached its greatest influence towards the end of the twelfth century.

The previous dilapidation of churches, and increased riches, which enabled the clergy to rebuild them, cannot sufficiently account for the rage that sprang up for architecture throughout Europe in the eleventh century. To these two causes must be added the intensity of religious feeling, by which the mind of man was then actuated. This it was that multiplied pilgrimages, and led out the clergy, once at least in their lives, either across the Alps to our Lady at Loretto, or over the Pyrenees to St. Jago de Compostella, and the most zealous, over sea to Jerusalem. In this manner the pilgrims became familiar with Moorish, Italian, and Greek buildings; and some of the young

priests were sent to Constantinople to study the oriental style. Towards the end of the eleventh century, architecture became much improved in France. The elegant Byzantine columns replaced the heavy pillars of the Romans ; and buildings new and graceful, like everything produced by Greece, found their way westward, to adorn the vallies of Normandy and the banks of the Rhine. The lovers of a refined antiquity should hasten to visit their beautiful remains at the abbey of Vezelay and Tournus ; in the nave of St. Germain des Prés ; at the church of St. Trophimus at Arles ; at the great entrance of Coucy-le-Château ; and that of the abbey of St. Denis. They are hourly disappearing under the ravages of time and neglect. But it is only by personal inspection of these masterpieces, that an accurate notion can be found of the virgin beauty of the Greek style, with its slender shafts, its light round arches, its lofty arcades, and its ornaments of oriental flowers.

The sculpture was unequal to the architecture of the period. What has come down to us of the former, even of the middle of the twelfth century, has the stiff and constrained air, the cramped and lifeless character, observable in Egyptian statues. The tall figures of kings and saints stuck into the niches as into so many stone coffins, are evidence that the sculptors were compelled to copy servilely from appointed models. It was a point of faith to adhere in all respects to those models, in figure, in drapery, and in style. The same number of stiff folds in the robes ; the same number of locks in the stiffer hair ; the same positions to a dozen generations of kings, as at St. Denis, prove what restraints were then imposed upon genius. Towards the thirteenth century, specimens are to be seen of a more elevated character ; and it is a remarkable circumstance, that in familiar subjects, the bas-reliefs of this ecclesiastical period are not equally constrained. Yet the scenes of common life, intended for the instruction of the multitude attracted to the church porches, were derived from the same origin as the more important statues. The little figures of serfs, which like a monstrous kind of Caryatides, grin horribly under the weight of St. Denis, are all meant to be typical, as is proved by their being found in exactly the same attitudes and situations in every cathedral and church of that period.

At the close of the twelfth century, the exclusively ecclesiastical character of the fine arts, gave way to the pretensions of new classes of men ; and a new direction was given to every stone now hewn from the quarry in all parts of Europe. Saxon, German, and Frank, alike shared the inspiration of this fresh spirit. No appearance anywhere remained of the rounded arch,

heavy or light, Roman or Greek ; none of the elegant octagonal rotundas, none of the eastern cupolas, none of the terraced roofs, before so common. Henceforward the form of the cone, the broche, the spire, was impressed upon every building. Roofs and towers now became slender, sharp, and pyramidal. Doors, windows, ceilings, all took the ascending character. The pointed, so superior to the circular arch by its susceptibility of numerous combinations, everywhere replaced the semi-circular ; and during three centuries, established a degree of influence, only to be attributed to the equally extensive influence of some principle newly developed in the bosom of society. The change was sudden, and not borrowed from any external example. The pointed arch had indeed been before seen in the east, as it had not escaped the ingenuity of the Arabs and Persians, amongst their multitudinous architectural contrivances. But the uniform adoption of it by the three races, Saxon, German, and Frank, as the distinctive characteristics of their buildings, and that for three centuries, is very remarkable. It was caused by the revolution that had just taken place in society.

A radical change from the catholic, royal, and servile, had made the nations of Europe, royal, catholic, and municipal. A new family of mankind had arisen. The commons had come of age. The serfs translated into citizens, found themselves strong enough, and possessed of knowledge enough, to administer their own affairs. They had exacted a reckoning with kings and nobles ; and were not disposed to let the church freely off. The rich and idle monks, on their part, were little capable of resistance, and yielded at discretion to the poor and industrious commons. Some few laymen had before been admitted to a share in the works of art ; and architectural secrets were communicated to them voluntarily, or they soon found those secrets out. The ornaments of the buildings of this period uniformly proclaim the change. In the place of the acanthus and palm-leaf introduced from the east by the travelled priests and their followers, the enfranchised serfs used the familiar form of the oak-leaf, and of other native plants. The beautiful tracery and borders of the numerous cathedrals built after the twelfth century, were moulded after the trefoil, the parsley, and the strawberry ; and when the lavish splendour of architecture had attained its height in the fifteenth century, the common cabbage-leaf, crisped in its surface and rounded till it looked like a dolphin's head, was the prevailing form. The sentiment of devotion still influenced the architects, and the elevated character of the arch, pointing to Heaven, was derived from the still remaining mysticism of the age ; but the inferior parts of the buildings often indicate the predominance

of very different feelings, connected with the recent emancipation of the Frank, Saxon, and German serfs.

While the guidance of laymen was thus boldly impressing a national taste upon architecture, the same influence brought still greater improvements into sculpture, and entirely relieved it from the restraints to which it had before been subject. The religious character was preserved; but the peculiarities formerly characteristic of the sculpture of the cathedral, were abandoned for correct drawing, freedom of the limbs, and lively representations of person. The specimens still preserved are numerous, although little known. The great entrance of the cathedral at Rheims presents a solitary specimen of a collection of these fine statues of the thirteenth century, placed however almost out of sight. Until casts of these shall be made, that of queen Nantechild is almost the only accessible model of the period. It is most graceful in figure and drapery, and exhibits the thoughtful, religious feeling, with remarkable success. The hands are instinct with life, and although the robe and mantle leave only the hands and head bare, the shape of the body is distinctly perceived through the dress. The proportions are perfect, but the person is thin and worn down by meditation and prayer.

It must indeed never be forgotten, that the beauty represented in Christian sculpture, is very different from pagan beauty. The wide shoulders and rounded bosoms indicative of physical perfection, are not saintly attributes. The study of Greek and Roman statues alone, is not enough to ensure a just appreciation of the sculpture of the middle ages. In the first, form is everything; in the latter, thought is added to form; and the deep expression of thought is more striking in this statue of Nantechild, than even her very beautiful form.

During all the second period, the religious character was studiously preserved in all branches of the fine arts. The very gilding and painting with which the churches were profusely covered, had a symbolical meaning and a particular distribution, which the boldest artists could not venture to change. It was only after Wyclif, Huss, and Luther had shaken men's faith, that this uniformity was broken. Then it was that satire began to turn the old ornaments into a new direction. The seven capital sins, once a settled and serious exhibition in the sculpture of every cathedral, became at the dawn of the reformation, maliciously indecent. In the ecclesiastical period, the monkish builders had adopted the grotesque serf for the subject of their merry conceits. The reformation, supported by the peasantry, turned the tables, and exhibited the frailty of the monks



under ridiculous aspects upon the walls of every edifice whether religious or lay. Blind faith had disappeared, and with her the peculiarities which she had impressed on the productions of art.

The Essay of M. Magnin, from which these remarks are taken, announces the preparation of an extensive work upon the same subject. A writer well known in Paris, M. Vitet, is about to publish a 'History of Art,' founded upon numerous illustrations of the social revolutions of which the foregoing is a short sketch; and M. Magnin professes to have derived his materials from former publications of this author.

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ART. VII.—*Tables exhibiting the Prices of Wheat, from the Year 1100 to 1830; also the Prices of Beans, Barley, and Oats, from 1790 to 1830; together with sundry Statements relative to the Value of Money, Importation Duties, Day Labour, &c. &c. &c.* By Benjamin Badcock, Land Agent and Surveyor, Oxford.—London. Longman. fol. pp. 12. 1832.

**EVERYBODY** has heard of the story of the two combatants who lost their garments by the roguery of a bystander while they were intent upon the conflict.

This is the predicament of the landed interest. They contest the question of the corn-laws;—cry aloud of the distress—the ruin which the repeal would bring upon them; but overlook all the mitigation to be found in other measures which their opponents would be willing to concede. They are blind and will not see,—or desperate and will not be comforted. All evil which is or has been or may be, is ascribed by the sapience of the country gentlemen to the corn-laws repealed. They argue the question like men with one idea, they see only the silver side of the shield, while the champions of the community are looking upon its golden opposite.

The corn-laws are proscribed by all, upon whose decision the question ought to depend. Nobody but the landlord will contend that all the community should be doomed to spare diet that his rent may be unjustly increased.

The question of the corn-laws has been viewed as involving the problem of food or no food to the unemployed poor—the extension of commercial enterprise—and so forth; but after ascribing all due importance to the effect of the repeal on the physical condition of the people, it ought also to be regarded in its moral tendency. Its importance in this point of view is scarcely less remarkable.

Through the prevalence of that Mammon worship for which this country is conspicuously distinguished, the aristocracy

have made the laws and the fashions, moulded the vices, and formed the opinions of all the other orders of society.

The extravagance of this order has sanctioned the lavish expenditure of the government, and encouraged the same weakness in the private conduct of the people.

Exempted from the operation of the laws which the landed interest has formed or permitted to oppress and control others, they have created a perverted moral tone in society. The 'rule of right' has been evaded from a sense of its fullness of wrong.

Ignorant, as well as extravagant, they have fostered ignorance in their idolizing imitators ; and worse, they have endeavoured to control the progress of knowledge among those who stood forward in the career of improvement.

All monopolies, all wrongs, all bad laws, they have cherished and sustained, even though they contributed to pay part of the penalty ; and they took their indemnification by the robbery of the bread of other classes.

Men talk of the reform bill effecting all they desire to attain of the good and useful. It is an unreal mockery, if the power of the wealthy landholders be not clipped by depriving them of the means of living upon the public wealth.

The reform bill has been ascribed to the declaration of the Duke of Wellington. It was a mistake ; Sir Thomas Lethbridge, Sir Thomas Gooch and the country gentlemen preceded him. When they raised their voices against extravagance, which for twenty years they had sanctioned, then was the battle turned in favour of the reformers. In their pockets did they feel, and in the bitterness of their feeling exclaim against the former gods of their idolatry. Mad with the recoiling consequences of their own acts of petty legislative huckstering, they railed at the conduct of the government, as if the latter had been authors of their undoing. True it was, the two wrongful parties had bargained away the interests of the many ; the one, that their own partial, selfish, and mistaken interests might prevail ; the other, that it might purchase a further term of unquestioned, reckless extravagance. But had the country gentlemen been true to themselves, understanding what was not less their good than that of the community, the government had not dared, indeed had been unable, to persevere in its course of folly.

Let this lesson of experience profit the British nation.

In the landed interest lurks all the spirit of Toryism, and of the mongrel Whiggism, which is but another form of Toryism, more dangerous, because less open and more disguised.

The landed interest must always exercise great sway in

public affairs ; for that class alone have much leisure to meddle in them. The intelligence of the other classes is absorbed, if not exclusively, yet in a great degree, in the business of money-making. Through the press their voices may be heard, and occasionally re-echoed by representatives of those classes in the legislature. But still the men who have leisure for intrigue, from whose coteries the ministries are formed, and whose leisure finds no other occupation than to tattle on the politics of the day, to clog the steps of officials, and flutter from club to club,—are of the landed interest. Though in real importance a thousand degrees below the more intelligent and busy classes, they triumph from the importunity of their teasingness.

This is the class that thrives in the army and navy, and to whom sinecures are as the meat of the flesh-pots.

Its ignorance, just cunning enough to detect the decadence of its dignity in public estimation, rankles with the bitterest jealousy against the intelligence that confers the supremacy in public affairs on the other classes of society.

The press it hates with an unquenchable hatred. Look to the language of its organs, in which its most admired leaders write. In what taste ! in what temper ! How courteous and chivalric !

There can be no peace with the landed interest until the corn-laws are repealed.

Repealed, and no allies will be more faithful or more vigorous.

To this point, therefore, should the reformers direct their energy, in putting down the remainder of abuses. Let the corn-laws be once put down, and no Irishman ever wielded a shillelah with more energy and glee than will our country squires raise their arms and voices to put down all abuses, monopolies,—the other half, their own being taken away.

All England will ring with their clamour of indignation ; no class more virtuous ; their intellects keen and sagacious, as their pockets gape for the gains that they have lost. There will then be no lack of sturdy reformers.

This work of regeneration must be gone through ; the corn-laws must be repealed ; and the services of the good men and wise to whom it was given to know their day, rewarded by whatever boon their condition demands.

To this point will the following observations be addressed. A parley is desired with the occupants of the strong-hold of existing abuses. Their opponents muster strong ; are irresistible, and if so it could please the obstinate sticklers for the corn-laws, merciful. Is there aught which will make the capitulation

light? A bargain may be struck mutually advantageous. How can it be managed? What are the circumstances of the problem?

By what rule of right—natural or rational—men took possession as first occupants of the soil, is not an essential part of a practical question of instant and urgent bearing upon the general welfare.

Men took possession of the land. The policy of this country has secured by law that possession upon terms, some of which continue to be observed, others have grown obsolete with the changes of society that superseded the practices which prescribed those terms.

A population at first scarcely covering a corner of the land, produced more food than there were persons to consume it.

In time it becomes otherwise; and the population cannot find bread to eat in sufficient abundance.

The men who first took possession of the land thus state their case.

We, having taken all the soil to the exclusion of the rest of you,—having cultivated that soil, and received large rents which we have got accustomed to and cannot now dispense with,—consider it a hardship that you should buy your food where you could get it cheaper. We lay out all the money you pay to us at your shops, and we pay taxes; and we shall not be able to do either the one or the other if you do not pay our price.

To this case of the landed interest, the starving population reply, that though it be true that the landed interest lay out all the money they can get and more, yet the starvers cannot get from them in return as much corn as they want, or which comes to the same thing, cannot get it at the same price that they could feed themselves for elsewhere.

That the landed interest would give the corn if they could, and cannot,—is the very thing of which the starvers complain. Here are men dying for want of water; and the owners of certain wells say it is no fault of theirs that water cannot be had from them for less than sixpence a pint, and they would be glad if it could,—but one thing is certain, that men must not drink at springs and rivers, because that would be ruin to the well-owner.

That the landed interest cannot grow as much corn as people want and as cheap, is no fault of theirs; neither is it any reason why other people should go without what they want, when there is a way to get it. But three-fourths of the landed interest have no substantial stake in continuing the present state

of things, but the contrary ; and this it is they are to blame for not knowing and not acting on.

There is no use in trying to talk men over ; it's whiggery. There is no policy in holding out any ground or pretext to an adversary, that has not been as thoroughly sifted as could be done in that adversary's own committee. There is no denying that the landlords received and do receive an increase of pecuniary value through the corn-laws, and will receive less when they are abolished. There is no denying that the farmers and farmer's labourers had an increase of employment thereby, of the same kind that would accrue to printer's foremen and workmen in London if an Act should pass for confining printing to the metropolis ; and that they must have a diminution when the restriction is removed. It is true that the whole of them,—the landlords, the farmers, and labourers,—will share in the benefit of a reduced price of corn ; but it will be only a share. It would be the same feeble fraud which they now try to put off on the manufacturers, to tell them that their pecuniary gains would be equal to their losses. Do they think they have to do with men that will let themselves down by telling them what is not true ? And for all this, they have no interest, but the contrary.

This looks paradoxical, and yet is right. The solution is in a few words,—they beget children. Let them do, as some men have done for the kingdom of heaven's sake ; or let them obtain and preserve the right of having their children kept at the public expense ;—and then their increased receipts may be of increased use to them. But if they do neither of these,—then their ultimate loss by the impossibility of establishing their children in the world except out of the family estate, joined to the necessity for keeping the paupers that they make, eats up the apparent advantage, and leaves them poor rogues with twenty per cent more in their purses, and forty per cent more calls on their expenditure.

This is the case of the landlords. The farmers and farmer's labourers have no comfort, but that there are five of them where there might have been four, and the five are worse off than the four. It is the same thing that eats them out of house and harbour,—their children ; the impossibility the corn-laws have made of employing them anywhere else. Will the abolition of the corn-laws mend them ? Yes, as a bone-setter does, by making them worse first. The gradual removal of the corn-laws will make them something worse on one hand, and something better on the other ; and the worse must, for the time, be

something the greatest. And in this manner the thing must go on, till their highway robbery is entirely removed ; and after that, they may expect the evil to diminish and the good to increase, till at last they find themselves better than ever. There is no alternative but either this, or lying in the hole where they are.

But of the corn-laws it is not the present purpose to treat. In former numbers of this publication they have been discussed in detail, and it would be hardly possible to find a point of importance to the public, which has escaped comment. In all rational minds the fit impression of the magnitude of the political and economical evils which these odious laws have produced, cannot have failed to create the just apprehension of their selfish nature. The error especially to be guarded against, is the compassion which the landed interest may be able to excite by a representation of the consequences of a change of system upon their future fortunes. It will not be difficult to show that the proposed change would not be more beneficial to the community at large, than, with proper efforts on their part, it may be made conducive to the welfare of the landed interest. But in the first place it must be shown that the state of things which the landed interest have established on their own behalf, is infinitely more prejudicial to them than the corn-laws are productive of advantage.

It is then the object of the present paper, to indicate these sources of evil to the rural gentry ; and it is not without hope that some gleam of light may be cast upon them by the suggestions herein offered, that the task of disclosing such sources of evil has been entered upon.

With whatever effect these suggestions may be received in that quarter, there is no reason to doubt that they will have their effect upon readers of other classes.

The only public taxes to which the landed interest are liable, are the malt duty and the duty on law instruments.

The malt duty does not fall more on them than other people. In whatever degree it may finally fall on agricultural employers, it must fall in the same degree on the manufacturing.

The processes and forms prescribed by the law in relation to the preparation of malt and the collection of the duty are said to be very oppressive. Who made them so ? The landed interest.

The duties on the transfer of real property are of another kind, and should be instantly repealed, unless the government would sanction an impost upon the transfer of all property. As far however as this tax only contributes its share with other

property, it is fair; but it is bad in principle. A tax on transfers is a tax upon commerce, a tax upon distress. Few men part with property which is profitable; and sheer blindness could discover, that when a man in distress sells an estate he pays the duty, though nominally it is paid by the purchaser. It must not be forgotten too, that real property is free from the legacy duty and the probate stamp, which it is fair to set off against the other impost. On no other account can its continuance be justified. Let however the whole system of taxation be investigated with a view to placing the burthen on the parties whose means best enable them to bear it, and to the selection of the least oppressive methods of levying the amount.

The duties on mortgages form a tax of unmitigated evil. Besides the necessary expense of procuring the loan, and the cost of the necessary instruments, the law superadds a tax. This is in the most glaring shape a tax upon distress. The same men who have urged for the law of usury, that it kept the interest of money low, and was therefore beneficial to the landed interest, have sanctioned and continued a tax which not only adds a heavy per-centage to the cost of procuring a loan, but forbids the borrower to take advantage of the changes in the value of money. It is very common, in order to avoid the charge of transferring a mortgage, to continue to pay the higher rate of interest, when money may be had at a lower. If there is any class which more than another requires that money should be accessible at a low rate of interest, the land proprietors are that class. Yet in blind adherence to a system hurtful alike to themselves and others, have they overlooked these combined aids to their injury.

In a little while the film will be removed from their eyes, and both in this case and that of the law of usury, a sudden illumination may be expected to come upon the most oblique-visioned of the class. Both the repeal of the law of usury and the repeal of the taxes on mortgages, will be found to be the most apt and efficient remedies, for the most severe and difficult of remedy, of the causes of distress of the landed interest—viz., the settlement charges.

If they are enabled to borrow money at a low rate, these charges may be redeemed; and so the reduction in rents induced by the repeal of the corn-laws, be made to fall practically more equally on the whole revenue of the estate. Whereas if the owner be not so enabled, he will in many instances be ruined. The capital which is yearly accumulated by the frugality of that class of private capitalists, who from ignorance or fear of commercial speculation prefer as a more substantial investment

mortgages on real property, will probably increase as food becomes cheaper and more abundant; but though the capital increase, the interest will not diminish in value in the full proportion until the law of usury is repealed.

The registry established and the duties on mortgages repealed, it is more than probable that the landholder might, with the circumstance of the increased capital at his command as above, borrow at a rate which should enable him to pay off charges, and so bring them—low interest being substituted for fixed charges—to correspond with the reduced nominal money extent of his income.

The rate of interest in Scotland, which is three per cent, in some degree confirms this view.

The value of property and the cost and difficulty of exchanging it in commerce, are affected in a much higher degree by the state of the law of property, obsolete feudalisms, and barren technicalities, than even by the taxes on transfers. The whole law of real property requires revision; but so abstruse is this department of law, that it is in vain to expect that legislators as they have been, or laymen of any degree, should be so far conversant with it as to attempt to make amendments. What has been attempted has been received in ignorance of the effects; and with the exception of the registry bill, which threatens to tell how poor they are who have been accounted rich and have taken credit for their riches, has obtained no attention.

In the instance of the registry bill, the same reckless selfishness which has marked the conduct of the order in other cases, is distinguishable. Would that the landed interest could discover, how much they lose by the tyranny of the law which jeopardizes their possessions, how much they would gain by the very disclosures they dread to encounter. No greater slave exists than he who is doomed to endless pretences to appear the rich man he is not. No man more free, than he whose economy reduces his wants to the scale of his means.

Again, and it cannot be too often repeated, the landholders have created the existing evil; they must apply themselves to the task of removing it. If they reflect upon their peculiar situation, their conclusion will surely be that, regardless of abstract party prejudices, it is their interest to select for representatives men of sense and temper, who alive to the peril, have judgment enough to discern that matters will be marred not mended by conflict, and that the surest road out of the dilemma is to yield in good time, seeking compensation where it may be justly demanded, and no more.

Of the burthens which fall upon the landed interest, few can be instanced which fall upon them exclusively. Except tithes,



there are probably none which they could profess they do not share with other classes. And the answer to them on the point of tithes would be, that they might as well claim compensation for not receiving the rents of Spain or Holland. The tenth part of the produce was never theirs at all. Whose it is and what should be done with it, may be debateable or not. But the one thing certain, is that it was never theirs. At the same time it would demonstrate ignorance not to admit, that though it may have served to point a sentence at a county meeting, the landholders *have not* to any great and general extent committed themselves by advancing a claim to compensation on account of tithes.

For instance, the county rates and parochial burthens are borne alike by the inhabitants of the town and the inhabitants of the country; though it must be admitted that in populous places, especially in manufacturing districts, they fall more lightly upon the individual inhabitants, than in country parishes where the number of wealthy inhabitants is smaller in proportion to the size of the parish, or the extent of its pauper population. The parochial rates may therefore to a certain degree be placed on the credit side of the account of the landed interest.

The parochial rates consist of many charges, besides the legitimate one, the maintenance of the poor. By the present system of legislation, taxes are often collected under feigned names; whether to hide the burthen, that it may be borne without a murmur, or to prevent the inroads of parochial peculation, is not apparent; but, in point of fact, the poor-rates, commonly so called, include other charges. For instance under the reform bill, the charges of the overseers for their toils in working its clumsy machinery are to be paid out of, or mixed up with, the poor-rates; and so of other charges.

Of the parochial burthens, no landholder who has ever voted for a Tory has the slightest pretension to reasonable ground of complaint. *His* representatives supported the select vestry system. These burthens have flourished under the genial care of ignorance and oppression. By the open system may extravagance and peculation be checked. If a parish is too small to admit of a good appointment of select vestrymen, or too poor to admit of the employment of a parish functionary to act in the capacity of overseer, the expedient is simple. The next and the next parish may be united with it, until both these indispensable desiderata are attained.

But with the full control and judicious administration of the local burthens, the remedy is not complete. The poor-laws must be modified. They should be made to fall with more equality

upon the entire people. If it be found impolitic to institute a national tax and national control, from the inefficiency and dispersion of the motives to economy,—let the inhabitants of a county or a hundred bear the burthen. To limit the district for this purpose to a parish, whether it be small or large, rich or poor, populous or the contrary, and its poorer population moral or vicious, reckless or prudent, must in many cases work an injustice upon the proprietors of landed property, and subject their soil to the curse of barrenness. While these laws fall with comparative lightness on inhabitants of towns, in agricultural districts by the operation of the law of settlement they press with the severity of a perpetual burthen, from which there is no escape by any other means than by driving the starving poor to acts of rapine or violence, which may entitle them to the tender mercies of transportation. Forced emigration would afford similar relief; but the landholders may as well pay for their own transfer to foreign lands, as incur the cost of that remedy. The opponents of the corn-laws say, Banish protection; by cheapening food, encourage manufactures. These will draw off the labour that you need not, and therewith comes diminution of the poor-rates.

Do the rural gentry desire a reduction of burthens? Let them discard the game-laws; let them remove the incentives to crime; let them instruct the poorer classes in all that has been done or remains to be done, and is practicable in the shape of relief; let them take William Cobbett's advice at last, and adopt it as the only safe basis whereon to rest national peace and morality, and without which, knowledge is but matter for grumbling and discontent. 'Fill the bellies of the people.' This is homely advice, but no philosopher will feel disposed to laugh at it in the half-hour before dinner. If it is asked how,—Allow them to fill them for themselves. Muzzle not the mouth of the ox, but leave him to forage for himself, where heaven gives the means.

The landed interest have exempted themselves from the operation of the laws; and not an instance of such exemption can be adduced, which does not recoil upon them in the shape of multiplied evil. It is productive of evil in a like degree to themselves, and to others of the community with whom they have dealings; and perhaps no class of the community can be said to escape the baneful influence.

1. They are exempted from the bankrupt laws.
2. Their estates are exempted from the judgments which fall upon other debtors.
3. They are allowed to put their estates out of the reach of the just demands of their creditors, by the laws of marriage settlement.

In the case of the bankrupt laws, upon what plea should the owner of the landed estate be exempted? Does he not buy and sell? Does he not let out to hire? Is he not to all intents a trader? He is liable to the default of his tenants, in paying the rent at the stipulated periods, or to their entire failure. Surely he is as much a trader as a lodging-house keeper. Is the law good or bad? of sound or ill-judged policy? Be it what it may, all should alike be exempted from or subjected to its operation. The labourer is a trader; the professional man is a trader; no man on earth is not a trader in some sense; he buys or sells or lets out to hire, land, goods, money, or labour, and may be ruined by ten thousand forms of misfortune, which no prudence or skill or act of his own could avert.

But there are the insolvent laws. Yes, those just and equitable laws, where all penury is met by punishment, without distinction of whence it comes, from folly or from misfortune. Rogue or honest, as in the Magdalen hospital, the ordeal of crime and its consequences must be passed through to entitle the applicant to relief. Let all men of whatever class, be alike amenable to the bankrupt jurisdiction. If fraud or extravagance, or folly, where neither present nor prospective resources afforded a warrant for incurring the expense or the obligation, have marked the conduct of the debtor, let that fraud, extravagance, and folly be punished by imprisonment (if it be wise to involve the community in the punishment of the offender, by bringing upon it the charge of the maintenance of his family as well as of himself), by penalty, by disgrace, but above all, by the denial in his instance of the merciful relief of the law.

Let the law be what it may, no class should plead exemption. It is a curse upon it and not a blessing. The motives to prudence which are thus afforded to other classes, are denied to the exempted one; and if the motive be needed, the sure consequence of the exemption must be the peculiar recklessness and proportionate misery of that class.

Such is the character of the distress of the landed interest. They are distressed by a scale of expenditure to which they have become habituated during a period of high prices, but more distressed by debts of honour, incurred at the gambling table or on the turf, by debts incurred in the extravagant period of their minority, or when their future possessions were counted upon as expectations.

All these debts are heavier, on account of the special risk incurred. Every tradesman knows or feels, when he trusts a country gentleman, that his estate is locked up in settlement, conveyed to trustees, mortgaged for prior claims; that the debtor lives, and will continue to live, beyond his income, till the in-

cumbrances have swallowed up so large a share of the rental, that he can borrow no more, and cannot support credit by even the casual payments on account. He therefore charges a percentage on all he sells, which shall cover the probable losses. Sometimes the tradesman is so fortunate as to get a bond or mortgage; and then he recovers the whole, if he is wary enough to obtain the first warning of the state of his customer's means, and get a judgment before others take the alarm.

If the penalty visited the delinquents without inflicting suffering upon others, no other regret might be felt than that which must be experienced, from the observation of so much folly on the one hand, and so much knavery on the other. But the price imposed as an indemnity for such losses, falls upon those whose dealings are more exact, and it may be permitted to say, more honest, than the dealings of the spendthrift customer.

Again, by means of marriage settlements, a great deal of the property of the landed interest is placed out of the reach of the just claims of their creditors, and of the judicial decrees of the courts.

The property settled on the wives and children is exempted, and only the life interest of the husband is subject to such demands.

Primogeniture and entail have been talked of as evils; but in this busy commercial community, their effects are as nothing compared to the injurious consequences of this state of the law, which permits and encourages constant breaches of contract. Whatever may be thought of entails, it surely does not admit of a doubt, that the custom of locking up in settlement, property on the faith of which the spendthrift may incur obligation, from the creditors who have been deceived by the apparent extent of his wealth, in order that through his wife and children he may enjoy it in despite of the ruin of those whom he has defrauded, is indefensible and unjust. If all the property a man has on his marriage were made liable to the demands of his creditors, though settled in marriage, whether upon the wife or the children; the prudence which no sumptuary laws can enforce, might be found to have some influence.

The classes affected by such an amendment of the law, would perhaps murmur at the supposed hardship, judging of it according to the feelings which the prevalent customs in this respect have produced. The injustice of the murmur would however be at once apparent, if a comparison were instituted between their condition and that of the much larger section of society, who in all their domestic relations are subjected to the conse-

quences of the imprudence or misconduct of the father of the family.

This comparison however places the folly as well as injustice of the complaint and the exemption, in a point of view which the most tender-hearted and benevolent philanthropist would be apt to regard as specially disadvantageous to the exempted class. It cannot have escaped the observation of those who have had opportunities of mingling with various ranks of society, how much the condition of the middling and lower ranks is improved by the universal participation of all the members of a family in its misfortunes; the economy, the moderation, the endurance of distress, and conquering it; the intelligence, the moral tone, are all in a degree fruits of the sympathy which results from the common liability, and of that self-restraint which all are accustomed to practise, because they feel that they are not placed in a situation to defy or evade the law.

The tradesman tempts them not by unlimited credit; the money-lender will not lend to one who cannot give security for his monies, and therefore, except in the case of a small portion—composed of the swindling, the reckless, and the abandoned, who must exist everywhere in some degree,—the means of extravagance are not supplied. When once a limit is fixed, and the habits are trained to submit to it, the power of compressing wants and increasing means, is obtained, almost to an indefinite extent.

As one remedy for the evils above enumerated, the general registry will possibly be cited; but that measure cannot by possibility correct them, even though the landed interest should have the good sense to consent to its adoption. The general desire of tradesmen to accommodate in order to secure custom, will forbid in the first instance, the adoption of any plans of inquiry which would imply distrust; the check, if check be employed, should be made to act upon the customer. This remark applies especially to the proposed process of symbols, to be kept by the owner of the property registered. It is obvious that in such a case, the tradesman must apply to the customer for the symbols or the key to the search; which for the reason stated, he would be disinclined to do, and therefore would seek in preference any bye channels of inquiry, which, as now, might offer a chance of obtaining an imperfect notion of his customer's means.

Those mischiefs which are induced by the connivance or positive exemption of the law, have been indicated; there are many which follow from the bad customs of the class. Of this number is the peculiar structure of their marriage settlements. They appear to be framed for the express purpose of affording encou-

ragement to extravagance; and if it is so, no purpose has ever been served with more uniform success.

It is usually provided in these marriage settlements, after giving the husband his life interest, and settling the estates in the order of succession upon the children of the marriage, that, for the purpose of raising marriage portions for the daughters, or fortunes for the younger sons wherewith to settle them in life, money may be raised by mortgage.

This is an evident perversion of the order which a political economist would be disposed to recommend. The father begins life (let a favourable supposition be taken) with an unincumbered estate, and with comparatively few wants. Rich men, according to the laws of population, are said to produce many children. He expends all his fortune year by year; if his establishment be not upon a scale to exhaust his entire revenue, the expenses of a growing family conduce to that result. From school to college, and thence into the church or the army, the sons take their course; the daughters are married in due time. For twenty years and upwards the whole annual revenues of the estate have been dissipated; when the man grows old, and his habits disincline him to a reduction of his expenditure, his sons and his daughters require their respective fortunes, and the process of mortgaging, if haply it have not commenced before, begins.

The old man dies, and the eldest son comes into an estate, of which, as times go, he is more likely to become the steward for his family, than the owner. Whatever are the returns, the interest on the mortgages and other incumbrances must be paid.

But he is a happy man who has not also half a score of uncles and aunts quartered on the estate, besides his own immediate family.

A noble Lord, whose estate yielded not a long while ago ten thousand a year, out of which it was his painful duty to pay four thousand in settlement obligations, was compelled to reduce his rents twenty-five per cent; the settlement charges remained the same, and the reduction falls entirely upon his Lordship; his income of six thousand a year being reduced to three thousand five hundred. A man thus situated may be expected to be alarmed at the repeal of the corn laws. A reduction of another twenty-five per cent would reduce him to comparative poverty.

This is the consequence of following, without deviation, the wisdom of our ancestors. It was formerly the custom to draw up marriage settlements in the manner already stated; and as nobody but the lawyer is consulted as to the terms of these

instruments, it is likely to continue to be the established form till lawyers cease to be in love with precedent.

The prudent and obvious method which a sensible man would prescribe to one whose income was likely to receive no accession either by professional or commercial acquisition, would be, that the course of economy should be commenced at the outset of the career, before wants which self-control would not be likely afterwards to remove, had been engendered and confirmed by habit. If one-third or any other suitable portion of the income actually netted were set apart to form a fund for the provision of younger sons and daughters, selfish fathers would not have a motive to obstruct the advancement of their children from a dread of the privation which it would bring on themselves, and they would be able to transmit to their heirs an estate unimpaired. The lovers of primogeniture would probably have adopted so simple a method to preserve the dignity of their fortunes, if selfishness had not preferred to bestow what properly belonged to their dignity, upon their own indulgence. To those unfortunate persons who are already encumbered with riches which belong to others, so carefully provided for by this sagacious wisdom of ancestry which takes what it can get while it lasts, and leaves to posterity to find what it may,—this cure for their malady will hardly arrive in time. But it serves to explain the cause of a species of distress which more than any other embarrasses the class in question, in regard to the proposed settlement of the corn-laws; and it may help those who have estates yet unencumbered to fall upon a method which may secure them from being brought into a similar plight.

There is something peculiarly absurd in the argument which would urge, that a nation must be burthened with corn-laws, because the landed aristocracy have not had the genius to divide their legacies into rateable shares.

The landlords first raised their rents, by a law as palpably unjust as if the manufacturers had laid a tax upon home-grown corn; and then, either through ignorance or malice, they left their estates in such a way as accumulated on the residuary legatee the interest in defending the injustice. Is such a fact to stand for reason, why the injustice should remain?

The relief in the repeal of the laws of usury has been intimated; as well as that which may be found in the repeal of the duties on mortgages. They are perhaps the only remedies which can afford relief; *unless the legislature should think fit to determine, that those who have settlement claims shall be entitled to take only in a given proportion to the income of the*

*estate, taking the state of the income at the time the charge was created as the standard.* This is the real grievance of which the proprietors ought to complain. The country is not surely to be burthened to meet the unequal division of the property of the rich, in preference to sanctioning a more equal division on the footing of the terms of the original grant.

The settlement charges are the price paid for the privileges of primogeniture. The eldest son is permitted to enjoy the nominal whole of the estate on condition of paying a certain sum, or annual payment, to his younger brothers and sisters. Usually this arrangement left, or was intended to leave, the largest share to the elder brother; and considering all the risks and trouble which fall upon him, this is not unjust. If by a change in certain laws this relative proportion is altered, and the larger share given to the rest, contrary to the spirit of the implied bargain with the eldest son,—in common equity the proportion should be restored.

This developement of the sources of the sufferings which have been self-imposed by the owners of the soil, will perhaps be stigmatized by their class as levelling and radical. But their bitterness will rather attest the truth of the averments, than the contrary; and should excite the compassion which the benevolent feel for the distresses and compunctions of those who have blindly brought on their calamities by their own misconduct.

It is too late in the day for the class to raise the ancient bug-bear of ruin and danger to the state.

To the system of exclusion and protection all governments ancient or modern have owed the insecurity of their position. With the establishment of an order, privileges are created; these are the objects of contest; antagonist views and interests are raised. Concession and victory have been the watchwords of the contending parties; sympathy and community of interest have been unknown. To substitute these principles for the selfish peculiarities of orders, is the true anti-levelling principle; founded upon them, no order in the state can be or ever was insecure.

To enlist the wide-spread landed interest in the army of reformers is an important object. All the hostile petty tribes of the manufacturing, colonial, or shipping interests will be thenceforth neutralized. Each of these classes forms but a small portion of the whole body of the commercial interest; and being all rivals to each other, they have a certain interest in joining the general body of assailants, for the sake of defeating their immediate competitors. The sooner and with the more simultaneous-



ness the reform comes, the better for all interests. Reform in succession, will be like husbanding a ship's provisions by subjecting every man to a week's fast in turn. Each suffers the loss of his peculiar share at once, without obtaining the advantages of the reductions that might at the same time take place among his fellows. Simultaneous reform will on the contrary take with one hand and give with another, and scarcely any class will suffer, because each class will gain at the same time with its loss. In all probability all will be ultimately gainers. Paradoxical as this position may appear to those who are wedded to their own partial interests, it is nevertheless true. A mass of gains equal to what the advocates of monopoly are in the habit of bringing forward as the amount of losses that would arise from the removal of protections, is to be divided among the community in the aggregate; and a man's vocation must involve something peculiarly hostile to the general interest, if he does not finally come in for a share.

The landed interest must be prepared to take their position as traders in this nation of shopkeepers. Feudalism has fallen away before the inroads of commerce. It is fit and necessary that the conditions of society and the immunities of particular kinds of property, which were designed for the feudal state, should yield to the new influence.

The capital of the land-proprietor must in the end obey the laws which govern the profits of other capitals. Subject to the same vicissitudes of value, his enterprise must be encouraged, and his inclination to extravagance be checked, by the same regulating forces. His means may forbid the indulgences of a town life, but whatever his intelligence, he may find in the pursuits and pleasures of a country life, full scope for the developement of all that may conduce to his personal dignity. As of old, it may be expected that our gentry will return to their natural avocations, and for the loss of their huge profits, stolen, not earned, from their fellow-subjects, may find a recompense in the profits of their own labour. It is not difficult to foresee that this must be the result, or that all the smaller gentry will be driven to seek employment in trades or professions. It will be permitted to few to enjoy a position where profits can be earned without self-exertion. Already this is felt in most trades; land cannot, in a state of free competition, be free from the same wholesome and invigorating principle. The truth of this remark is known to all who are engaged in trade, and are not possessed of huge capitals; the returns to capital are so small, that it serves only as a help-mate to the personal labour of the capitalist.

Let the full operation of these changes be felt by the landed interest, and it will further become the most formidable antagonist to the existing system of law. It may seem strange to attach this consequence to the state of things imagined ; but the gentlemen who crowd the back benches of the Court of King's Bench, and feel the effects of a monopoly which throws all the labour of law into the hands of a few leading men, will comprehend the soundness of the deduction.

The first labour-market which those of the landed interest who are unfit for agricultural pursuits are likely to resort to, is the law. Its connexion with official appointment, the rank it holds in the prevalent notions of respectability, have already determined ill-provisioned younger sons to resort to it ; it is not trade, they flatter themselves, but honorary — professional. With what result this thronging to the law labour-market has been followed, the appearance of the said back rows of the Court of King's Bench in term time will determine.

If local courts were established not inferior in dignity to those at Westminster, whither all suitors should resort, without distinction of value of suit, whether one pound or five or ten, fifty, or five hundred, and the whole superintended by one sole presiding court of Appeal, the lawyers would be spread over the whole land, and all who know how trade has profited by distribution, will confess the inevitable result in the case of the law.

When the sources of emolument,—the army, navy, and official employments,—upon which the landed interest have depended, are closed to them, or confined to a narrower limit (which, by reform's help, they will be), the wants of the overstocked law-market will secure reforms, which the labours of the benevolent philosopher for half a century have been unable to accomplish.

The law labour-market filled, as soon it must be, by competition, other markets will be sought by those who pride themselves on their aristocracy.

Some will quit the land for other countries, there to become agriculturists. Instead of the East Indies, which formerly provided an outlet for the younger sons of great houses, the Canadas, New South Wales, and colonies yet unheard of, will draw off the overloaded population of the higher, as well as of the poorer classes. There they will raise food to exchange for those productions of the mother country, to which their habits in infancy have formed their tastes.

When they reflect on the system of exclusion of their ancestors, how will they deride the folly which for selfish purposes both checked the natural occupation of the starving people, who

would elsewhere have raised food, the universal currency with which to pay for other productions,—and, with the same ruthless policy, would deprive their starving fellows at home of the means of finding a market for those productions, that one class alone might live in luxury, while all around were destitute;—and so short-sighted, as all selfishness is and ever was, that they were content to bear the burden of a heavy contribution in poor's rate, to mitigate the mischief,—to sanction and support, with might and main, every abuse, such as tithes, which hurt them in a thousand degrees more than their fellow-countrymen, or as the public extravagance, which burthened them with continual exactions,—and above all, so to limit trade, commerce, and therewith professional employment, that their imprisoned shoots could find no spot or position where to obtain the means of subsistence.

A century hence, this selfish and self-destroying policy will be the wonder of posterity; and when fools talk of the wisdom of ancestry, as fools must ever exist, this monument of the wisdom of our day will be scornfully pointed at as the overwhelming proof of it.

In the catalogue of mischiefs which beset the condition of the landed interest, and are the fruits of their own imprudence, or may be averted by their own care, their system of education is not the least prominent.

It must not be laid to their charge that they neglect the proper methods of training up their children to the peculiar requisites of their future career. This seems to be the especial object of their care. Expense does not necessarily imply the acquisition of knowledge. Men with most bare means of subsistence, and in circumstances which offered the most powerful obstacles to the acquisition of knowledge, have acquired it even in a larger degree than their most favoured competitors. The expenditure of many hundreds a year, such as the custom of our universities has established among their students, is not demanded for that purpose. Many instances of exception to the ordinary extravagance, demonstrate the total absence of all such necessity. But the *rationale* of this seemingly unnecessary outlay, is found in the habits of life for which the aristocracy are designed; and it must be confessed, that the course of discipline is adapted in the most skilful manner to the end proposed.

As the whole community is interested in the welfare, physical and moral, of every class, it may, without impertinence, be inquired whether the exorbitant revenues which our aristocracy claim to be raised for them out of the industry of the community, are in any higher degree good for them, than beneficial to the public.

If it be found that the wealth thus relinquished by the rest of the society, injures the general body by introducing the taint of bad influences, there is the same reason for interference as in many cases, where the legislature, that is, the aristocracy, have interfered to control and regulate the habits of the other classes.

If in addition to this, it be found that it injures the particular class on whom the receipt of it is inflicted, the case further becomes one for private charity and individual humanity to set about removing.

All the intelligence of the country has for many years been alive to the bad moral influences of the universities. What knowledge they ensure, is comparatively worthless ; what habits they permit to thrive under their discipline, are often the seeds of all worthlessness. These universities have been fostered in their mischievous qualities by the mis-bestowed wealth of the rich. The expenses at the University rarely cover the whole cost. For years afterwards, a course of extravagance multiplies the evil, until perhaps a father or family is ruined, and the provision for brothers and sisters taken away. A life of penury is to be borne, as the penalty of a youth of extravagance ; and families are ruined by the folly of one worthless person, who but for the pernicious education of his class, might have been an ornament to society. This picture is not overcharged. Professional men everywhere will attest its accuracy, and moreover, can tell how those high-spirited men who began their career the cited models of honour and independence, have become mean-spirited, penurious, and ready, if not eager, to seize every advantage which the chicanery of the law, or the most abandoned agents, will help them to grasp.

Independently of the removal of evils, by the landlords self-created, advantages beyond all computation great are to be found in the general march of improvement, to which the landed interest have at all times been the most formidable obstacle. As they originally opposed the improvement of roads, because they contended that the monopoly of the market which some of them held would be destroyed, they would now, despite the advantages which experience has shown to be the result, withstand the introduction of rail-roads ; arguing that fewer horses will be used, and therefore less produce demanded for their consumption. To keep a livery stable is beggarly ; but *oats*—should have their way in parliament. Tethered by their exclusive interests, it is in vain to hope these men can comprehend the general interests of the whole community. Why has not the land resounded with the outcry of the indignation which

the rejection of the Birmingham Railway Bill by the Lords ought to have excited? Purely because whatever support was given to the measure, came chiefly from the fear of displeasing constituents, but the rejection was desired by the narrow sympathy of the men of the class. In another year, the rejection of such a measure by the Lords, ought to be met, and will be met, by the same spirit of determination that met the rejection of the Reform Bill.

In the neighbourhood of London, the land yields two crops of some sorts of produce, and the rent or landlord's share is increased proportionably. If the means of transit from one part of the kingdom to the other were facilitated by rail-roads, the same kind of benefit would be extended throughout the land; yet relatively, the inhabitants who have a vicinity to markets and towns, would have the same advantage as now. With the increase of the share of the remote district, would that of the nearer district increase. But there is a blindness which will not see; and how can it be expected that they should be able to calculate, whose schooling has gone little beyond counting the feet of a hexameter verse.

It is scarcely possible to conceive to what limits a nation possessing so large a body of ingenious, enterprising, and industrious men as our own, might be enabled to extend its improvements if the obstacles of exclusive interest were removed. The retrospect of a few short years has shown its progress in spite of them, and if the excluding classes could understand events, they would not fail to be reminded of the man who cut open his goose to find the golden eggs. For never man committed such folly as have the landed interest; hugging with fond embrace their own ugly children of evil, they have gone on year after year sanctioning lavish public expenditure, unjust taxation, resisting the amelioration of the laws of real property, defending the church and its offspring the tithes, aiding and abetting the monopolies of the Bank and East India Company, and, in short, protecting all whose exclusive spirit gave them a claim to fellow-feeling.

The bubble has burst, the golden eggs have vanished, and the rural gentry are beginning to doubt the stability of their position, and to turn upon their former friends.

The result will depend upon the firmness and unanimity and co-operation of Reformers. Attack this fortress of corruption and exclusion. Carry this, and the garrison will march out with you,—drums beating, colours flying,—to the battle against all other abuses. They are good fellows in the main, fierce enemies and hearty friends. Let us win them to our side, by beating them thoroughly.

ART. VIII.—*Question médico-légale sur l'isolement des aliénés.* Par M. Esquirol.—Paris. 8vo. pp. 83. 1832.

IN October last, M. Esquirol, a French physician, presented to the Institute a memoir upon the 'insulation' of persons afflicted with insanity, but not yet declared insane by the decision of any court of justice.

In 1819, a professional memoir of M. Esquirol, read at the academy of sciences in Paris, attracted much attention. He has since been actively engaged in the care and cure of insane persons; so that his testimony is produced after the additional experience of fifteen years. The present treatise is a brief statement of sentiments little varying from those of the author's early years.

The restraint of a man's free will, of his person, or property, says M. Esquirol, is so great an intrusion upon common right, that the neglect of all governments exactly to specify the cases in which an insane individual may be subjected to such restraint, and how it shall be exercised, is very surprising. Much has been done to guard courts from passing erroneous judgments in cases of insanity; but legislation has been almost exclusively directed towards preventing the insane from disturbing the public peace, and towards protecting their estates from dilapidation. The health of patients, and their personal freedom, have received little attention. Long before a judgment of insanity is sought by a family, or by the officers of justice, or declared by the tribunals, an individual is deprived of liberty, and sent to a mad-house, in order either to be placed out of the way of harm from his own violence, or that he may receive the benefit of medical care, which he would reject if at large. The laws have left a blank still remaining to be supplied for this period, and for the time that elapses from the first symptoms of madness being perceived, until the judgment of insanity is pronounced. Whether this defect in the laws has arisen from mere negligence, or from the extreme difficulty of devising suitable provision for the case, is a point of the first importance to determine.

The insulation of the insane, consists in withdrawing them from all their previous habits, from their usual residence, their family, friends, and servants, and in surrounding them with strangers; in entirely changing their mode of life. Its object is to give a new direction to the operations of their minds, and a fresh current to their feelings. It is the most decisive, and generally the most effectual way of curing mental disease.

The first point for consideration is, the effect of this upon the insane; the second, the laws upon the subject. If such treat-

ment be indispensable to the permanent cure of such patients, laws should be passed to authorize it. If medical art does not prescribe it in all cases, but only in some, the law should authorize it only under certain restrictions.

This is an important question; for in France alone there are more than *fifteen thousand* individuals deprived of their civil and political rights, and of their personal freedom, without express legal authority. On their behalf, it is good to inquire, what experience teaches as to the necessity and use of insulation.

The ancients appreciated the advantage of a special mode of treating mental disease. In their writings, are found excellent precepts in regard to the place of abode, and the moral and intellectual regimen proper for the insane. Among the moderns, Cullen insisted upon the necessity of insulating such patients, of separating them from relations and friends. Willis, so famous for his success in the first attack of George III, had the furniture of the king's rooms changed, the courtiers and other servants replaced by new attendants. He asserts that the insane who were brought from the continent for his advice, were more frequently cured than his countrymen, who did not travel. Pinel, in his celebrated treatise on insanity, which is his noblest title to the admiration and gratitude of mankind, assigns the principle of insulation as the foundation of every rational plan for curing mental disease. Indeed all the French, English, and German physicians who have devoted themselves exclusively to the study of madness, are unanimous upon the utility of the practice.

Facts support the soundness of these opinions. In large mad-houses, some patients are met with who recover their reason for the time they quit home, and relapse immediately upon returning. Abandoned to themselves, and resuming their old habits, they fall into excesses; they meet with vexations, and are tormented by what they see around them; they shrink from the duties, the restraints of ordinary life, and from the bustle of business. A thousand cares and sources of uneasiness overwhelm them; a thousand fancies, and a thousand various feelings, elevate or depress them, and bring on delirium.

M. Esquirol says, that he has seen at the Salpêtrière, several women, who could preserve their reason only in the hospital, and who begged earnestly to be received again, as a few days passed with their families threatened to produce relapses. Some of them returned in time to prevent the access of delirium; others delayed their return, and could not escape the calamity they anticipated with so much correctness.

The powers of sensibility in the insane, are misdirected. These unfortunate beings, have but irregular and consequently painful relations with the eternal world. Every thing wounds them, and every thing is hateful to them. In perpetual opposition with all about them, they quickly acquire a persuasion, that everything conspires to do them injury. Not comprehending what is said to them, unable to seize the reasonings addressed to them, they suspect that every one means to deceive them. They take amiss the most affectionate language, and the most discreet counsel. Address them in the frankest, kindest, manner, and they will mistake your language for irony, or gross provocation. In short, they take the tenderest attention almost for hostility. The regimen and restraint essential in their condition, and which must be enforced by every possible means, appear to them to be persecutions, irritating and insupportable in proportion to the degree in which they may be contradicted.

The heart of the insane man feeds on mistrust. He is agitated by whatever occurs. So great is his timidity, that he is alarmed at the approach of the most harmless of his fellow men. Hence springs his conviction, that all the world are bent upon vilifying and tormenting him; and this conviction consummates his moral ruin. This symptomatic spirit of distrust is observable even in the boldest maniacs. When increased by injudicious treatment, it increases with the progress of the malady. It may be distinguished by a peculiar expression, particularly obvious in those afflicted with melancholy, and with idiocy, when in this last case intelligence is not utterly obliterated.

The excess of mistrust is peculiar to weak minds. It characterises those whose understanding is but little developed. The husbandman is more suspicious than the inhabitant of the town; the old, than men in the prime of life; and beyond all comparison, the least suspicious are the men of genius, the learned, and the scientific; so true is it that cultivated minds and enlarged understandings acquire a moral superiority over ordinary men, whom therefore they need not fear.

From mistrust, the insane soon pass to dread or hate; and under the influence of these two passions, they repulse relatives and friends, and throw themselves into the arms of strangers, appealing to them for protection, and ready to abandon home and family under their guidance. With such feelings an affectionate son, whose whole happiness before lay in living with his mother, and in listening to his father's admonitions, will if kept at home, become persuaded that all were conspiring to disgust him with that home in order to get rid of him; he will sink into



the deepest despair, and rush upon self-destruction for relief. In a like case, an attached friend may flatter himself, that his persevering, personal care, will contribute to restore an insane companion to health. The very attentions prompted by friendship, will be taken by the patient as proof that his friend has joined the conspiracy against him.

In such cases nothing but insulation can lead to cure.

The necessity of separating maniacs from their friends and from home, is equally evident. They are extremely sensitive; all their physical and moral impressions irritate them; and the anger of delirium is furious madness. They abandon themselves to the most violent excesses. They impute to a spirit of oppression, the restraint to which they are necessarily subjected; and the dearest friends who take any share in preparing those restraints, are held by them as among their greatest enemies.

The insane are generally conscious of their state, and rarely lose the recollection of the past. They call to mind whatever occurred upon their being first attacked, their irregularities, their vehemence of language and conduct. Their feelings of remorse are strengthened by sight of the scenes in which those things took place, and of those who unhappily witnessed them. Many become self-accusers, they believe their friends condemn them. One will go frantic at the sight of his wife, whom he thinks he has ill-used. Another is in a phrenzy in the presence of the friend whose ruin he thinks he has caused. When the fit first came on, probably the powers of digestion were deranged and the palate out of order. Consequently food of all kind had an ill taste, and they suspected that those then about them meant to poison them. Ultimately, therefore, they are furious or alarmed at the very sight of their relatives.

The recollection of events which occurred before the insane were attacked, greatly influences them. In fact they are perpetually dwelling upon former circumstances; upon past scenes; their early studies; the object of their tender affections; and upon deceased friends. Hence they are deeply moved by similar circumstances when they happen to occur; and hence their hatred of those who may have injured them, is extremely strong, and even of persons who resemble their former persecutors. Having also a perception of the evil they thus cause, their disease is increased by witnessing the unhappiness of relatives. The tears which a mother, a wife, or a son, cannot always restrain, deeply affect the melancholic. Some have been known to betray increased irritation at the anxiety with which the dearest relatives laboured to alleviate their sufferings. 'Oh my mother how you teaze me! I shall never get better while I am near

you,' a melancholic patient used to answer to the questions of his parent, when she asked him how he was, and whether he had followed the directions of his physician.

Having proved how much the insane need insulation, it remains, continues M. Esquirol, to demonstrate its beneficial effects, and the inquiry will continue to show that a close connexion exists between the intellect and the feelings, a connexion never absolutely lost even in the insane. Everybody has experienced that indescribable sinking of the heart, which overcomes us when suddenly cut off from our accustomed occupations and what is dear to us. The same thing occurs to the insulated insane. Withdrawn from previous influences, they feel a sudden amazement which checks the delirium, and directs their intellect in the natural line suggested by the new circumstances. These new circumstances producing new ideas, break the vicious chain of ideas which characterizes their disease. The novelty of what is now before them, attracts, fixes, or excites their attention, which in turn rouses their understanding ; and if the illusions of the senses are not destroyed, the influence of them is at least suspended for a time. Being unacquainted with the persons with whom they are suddenly associated, not knowing what to think, to hope, or to fear, from the strangers with whom however they must now live, the poor patients endeavour to ascertain the character of their companions, in order to be on good terms with them. The first effect therefore of insulation is to render an insane person more calm, and sometimes reasonable ; and this effect continues as long as the new impressions last. To the observant physician too, these first moments of insulation are valuable ; it is there that in some cases cure is begun.

The privations which insulation imposes, give rise to moral phenomena most important in reference to the means of cure. The intensity of desire to see again an absent object of the affections, has been felt by all. The same feeling is observable in the insulated insane. The absence of those who, during the malady, had become indifferent or objects of dislike, awakens the old affections which had been enfeebled, extinguished, or perverted, and substitutes new desires for the society of the absent, in the place of the prejudices and distrusts engendered by disease. During insulation *emui* becomes an active passion which produces a beneficial reaction upon the thoughts and feelings of the insane. When *emui* is not too lasting, when it is not too profound, it awakens the usual wish to change an unpleasant situation, and gives a new and salutary activity to the intellectual and moral powers.

The insane are generally persuaded that their health is good. This induces them to reject all regimen. Some patients, influenced by a desire to torment their friends, do whatever will be injurious to themselves, regardless of the entreaties of those who wish them to be careful of their health. They consider medical advice as absurd, or designing. In such cases the members of a family or the domestics, a mother, a sister, or a wife, could not be expected to pursue the necessary course which strangers would adopt without hesitation.

Upon five grounds especially, the insulation of the insane is important. First, for their own safety, and for that of their families and the public; second, to withdraw them from the influence of the external circumstances which produced the madness; third, to overcome their resistance to the means of cure; fourth, to subject them to a suitable course of treatment; and fifth, to bring them back to their ordinary state of mind and conduct.

No doubt can exist upon the subject of absolute maniacs; but it has the appearance of hardship to take from the bosom of their families those who are subject only to partial madness. Experience however proves, that few are cured at home, but many more when removed. It is also objected that communication with patients similarly afflicted must contribute to create and fix bad habits in the insane; an objection that will be abandoned on reflecting upon the great want of sensibility in these patients to what is passing around them. Unquestionably insulation may in some cases prove injurious. No human contrivance is perfect. These imperfections however only suggest the necessity of discretion in its application, and experienced physicians will know how to forbid it when likely to be dangerous. A merely delirious patient must not be insulated; and when the tendency of a diseased mind is towards self-destruction, such a course might be fatal. In various other cases of insanity it would be equally improper. If the malady is partial, or temporary; if it is only directed to particular objects; if it is not attended with violence, or with sentiments of dislike to known friends; if it is unconnected with all domestic circumstances; if no domestic causes of irritation exist; if the fortune or life of the patient or of the family, will not be exposed to inconvenience; or finally, if he does not resist the means of cure, insulation may be useful, but is far from being indispensable. If the patient has preserved a great degree of intelligence, and is much attached to his family, a separation from them might be very injurious. There is nothing to hope from the insulation of idiots; but it is proper to

keep them safe from accidents, and to protect them from insult when at large, as well as to keep them out of the hands of designing people. Almost all poor insane persons ought to be removed from their families, whose distressed circumstances render care impossible. When love, jealousy, or inordinate pride have caused the disease, insulation is proper; and in all cases temporary trials of removal from home may prove beneficial.

It is hard to decide how long insulation should last. Relapses are unhappily frequent upon too sudden release. Indeed it is clear that the risk of danger is less in too prolonged, than in too short separation from friends. Some patients are found on recovery to dread the effort of returning home; but generally they are exceedingly anxious to go.

Experience shows that in all diseases the time of convalescence is more or less long; nevertheless the convalescent insane patient is often recklessly exposed to all kinds of imprudence, to irregularity in diet, to distressing scenes, before the nerves are completely strengthened. Those who are acquainted with the influence of external objects upon the mind, will readily understand the risk to which change of habits exposes the insane. The first visits received by them either from relatives or friends, always make a deep impression; which is sometimes fatal.

As on the one hand insulation is not proper for all who are afflicted with madness, so also different modes of insulation are proper for different cases. The insulation is incomplete which leaves the patient in his own house, separating him only from his family, friends, and servants; it is complete when he is placed alone in a stranger's house, and with strange attendants. The ordinary mode of insulation is that which is at the command of all fortunes, namely, to place the patient in an ordinary mad-house. Travelling with relations or friends, and still better if with strangers, is a sort of insulation remarkably successful in some cases, especially in cases of monomania and melancholy. M. Esquirol prolongs the time of insulation for the convalescent, by advising them to travel, which is the best means of confirming their cure.

The first effect of insulation being to put the patient under restraint, unquestionably the law ought to be resorted to in order to sanction so important an act, but not to pass a judgment of insanity in every case. A judgment would be more injurious than the discretionary power now exercised. In 1803 or 1804, it was directed in Paris, that no insane person should be received into a hospital before a legal judgment of insanity should have been passed upon his case. M. Esquirol

at the time addressed to the government the following objections to the law.

1. It is difficult on the first attack to distinguish between chronic insanity, and insanity occasioned by a temporary fever.

2. Immediate insulation is often essential to the safety of the patient, of his family, or of strangers.

3. Insulation alone has proved a certain cure in numerous cases, and sometimes a speedy application of it produces an immediate cure. It would therefore be wrong to substitute a tedious legal inquiry for invaluable summary treatment.

4. In cases of madness with lucid intervals, it would be exceedingly inconvenient to obtain a new judgment upon each recurrence of the disease.

5. Is a mother, a father, a husband, to be forced to a judgment of insanity in the case of a relative, when it is their interest to conceal the existence of the disease? Marriages, partnerships, or commercial engagements, are temporarily suspended by a transient fit which may be easily cured; they would be entirely dissolved by a judgment, if that should be necessary before medical treatment could be applied to the patient. A melancholic patient is quite peaceable, but the frightful spectacle of his disease would injure his children and friends. Can it then be wrong to separate him from them without a form of adjudication?

6. There are some insane persons so reasonable in appearance, that they must be watched long and very carefully to detect disease. They defend their conduct so ingeniously as almost to baffle the judges, and the trial of their cases would occupy the time that might be devoted to complete a cure.

7. By articles 490, 491 of the Code, only relations, and where there are no relations only the government, can place insane persons in confinement. But surely a son or a wife who should shrink from commencing legal proceedings against a father or a husband, ought not to be deprived of the power to treat the one or the other with proper medical care by means of insulation.

8. There is so general a repugnance to proceeding the length of a legal trial, that it may be feared the necessity of that step before insane persons could be subjected to medical treatment, would lead to much neglect, or at least to much delay in resorting to it.

With all this, no doubt exists of the necessity of some check upon the abuse of the power of relations. It is a well proved fact, that upon pretence of insanity persons in perfectly sound mind have been shut up. But it is right to consider whether such cases have been frequent, and whether no other means of pre-

venting their occurrence exists, except that of obtaining judgment of insanity in a court of justice.

These observations were addressed to the authorities in 1803 or 1804, and the proposed law was not passed. No measures have however been yet taken to regulate the treatment of the insane from the first appearance of disease until a formal judgment may be found necessary. A law for this purpose would guard the patient's health, as the existing law protects his fortune.

The author states that he had discussed the subject with several distinguished statesmen, who admitted the want of such a law; but they all shrank from encountering the difficulty of framing it. They feared that the interference of the legislature would impede the cure of the diseased, and violate domestic feelings. Nevertheless the confusion which now prevails as to the steps necessary to be taken in order to insulate the insane, the precautions in favour of persons falsely pretended to be insane, and the means of checking abuse in the management of mad-houses, makes it extremely desirable that the legislature should examine the subject. The condition of the criminal prisoner, has long been a subject of compassion; and surely an equal commiseration ought not to be refused to those who are subject to the deepest of human calamities. In France such a law is the more desirable, inasmuch as the measures now in force respecting the admission of patients into mad-houses, vary according to diversity of situation. In most of the towns of Germany the certificate of a physician in the public service is enough to warrant the reception of a patient. In England the certificates of two physicians are required, and in the case of the poor the requisition of the parish officers.

The objects of a new law for France on the insulation of the insane, should be the health and personal freedom of the patients; since their fortunes and the preservation of the public safety are already supposed to be provided for. In order not to impede cures, such a law must interfere with families in the least possible degree, that domestic privacy may not be violated, or the affections, or even the prejudices, of relations alarmed. It must adopt certain simple methods of insulation already in use, and extend them. Thus for example, one point should be, that no person affected by insanity in any degree should be confined except upon the certificate of two physicians. In each department the council of health should occasionally visit the insane, until a judgment of insanity is delivered by a competent court if found indispensable. The council of health should make a report of their visits to the President of the Tribunal of First Instance.

M. Esquirol ends his treatise somewhat abruptly. He would have added to its value, if he had made out all the provisions of the law which he so forcibly recommends. In the foregoing statement of his opinions, the cases are omitted by which his opinions are supported; many of which are exceedingly novel and curious.

ART. IX.—*Fauna Boreali-Americana, or the Zoology of the Northern Parts of British America; containing Descriptions of the Objects of Natural History collected on the late Northern Land Expeditions under the command of Captain Sir J. Frankland, R.N. Part II, The Birds.* By Wm. Swainson, Esq., F.R.S., &c. and J. Richardson, M.D., F.R.S., &c., Surgeon and Naturalist to the Expeditions. Published under the Authority of the Right Hon. the Secretary of State for Colonial Affairs.—London. Murray. 8vo. 1831.

2. *American Ornithology; or, the Natural History of the Birds of the United States.* By Alexander Wilson. With a Continuation, by C. L. Bonaparte, Prince of Musignano. The Illustrative Notes and Life of Wilson by Sir W. Jardine, Bart., F.R.S.E., &c.—London. Whittaker, Treacher, and Arnott. 8vo. Three vols. 1832.

3. *Ornithological Biography, or an Account of the Habits of the Birds of the United States of America; accompanied by Descriptions of the Objects represented in the Work entitled The Birds of America, and interspersed with Delineations of American Scenery and Manners.* By J. J. Audubon. F.R.S.S.L. & E. &c.—Edinburgh. A. Black. 8vo. 1831.

THESE are the days of Ornithology. Truly its face, as Haji Baba would say, has been whitened in the presence of the nation. Great individual merit in the authors, public favour, and ministerial patronage, combine to recommend it. The books at the head of the article are calculated to suit all complexions of students in ornithology. The first is principally addressed to that class which delights in classification, and in tracing the interminable genealogies of birds. Those too who love to steer their bark through the rocks and rapids of a barbarous nomenclature, to which an addition of learned uncouthness could scarcely be imparted by even the splendid genius of Humboldt, will not fail of considerable gratification; yet in a degree, it must be confessed, inferior when compared with that derived from some former systems.

But though Mr. Swainson's terminology is not as popular as it might have been, the objections to other schemes of classification are not in theory applicable to his system. Viewed

as natural arrangements, most of the others shocked propriety, and that love of order so pleasing when not urged with pedantic minuteness, by forcing into relation birds seen at a glance to belong to different classes ; while, as helps to the memory, they frustrated their professed object, and proved an intolerable encumbrance. The end which Mr. Swainson proposes is a definite and grand one ; and as it is rather the ultimate object of ornithology than the means of studying it, the minuteness it demands seems no more than, on his own principles, is proper. Whatever may be thought of its practicableness, there can be no doubt that if successful, it would unfold a noble and striking view of that part of creation. The proposal to exhibit in a descending series of nice gradations a vast scheme of 'circular' affinities,

Fold above fold, a surging maze,

where even every aberrant group should be reduced to its own fixed laws of irregularity, is what demands at least a fair and patient consideration from naturalists.

In estimating, however, the relative importance of this plan to the whole subject, there seems the same mistake, or at least neglect of the peculiar nature of this branch of natural history, which in other hands had infected with so many perplexities its nomenclature and arrangement. Without meaning to depreciate the value of such an exhibition of being, in one great continuous order, whether of lines or circles, it were well that the object and grounds of ornithology were always kept in view. This would tend to check those *fungi* of names and unnatural classifications which the best authors are labouring to remove from its trunk, and by suiting it to its obvious purposes, promote that general refinement and humanity which it was plainly intended to advance. In truth ornithology is essentially popular. It has no abstract principles on the one hand, nor has it, like botany, any direct or immediate use. Its chief end is to enlarge, sooth, and purify the mind, by giving nobler and juster notions of the great author of nature ; and, of course, any classification which is not a mere artificial help to the memory, is only a part of this. But as it is a branch of science eminently fitted to soften and refine the mind, its influence, which is powerful, lies much upon the surface. It affords a great deal of pleasure terminating in itself, or rather, without any direct result beyond that of disposing us to the reception of all noble, humane, and generous thoughts. Accordingly it addresses itself to all ages, sexes, and conditions. The eye and the ear are equally affected by it ; the savage and the scholar,



the child and the old man, alike admire the eagle, are delighted with the voice of the nightingale, and charmed with the brilliant plumage of the humming-bird. It was the same four thousand years ago. Men gaze now at the 'peacock and the ostrich,' as they did in the time of Job, and marvel at the migrations of the 'hawk.' For the greatest portion of the pleasure it communicates, no previous knowledge is requisite. Without any aid from classification, we are arrested by the appearance of the eagle in the sky, and admire the strength of his flight; the whole scene is animated by his presence, and the soul, as always happens from viewing the noble works of nature, unconsciously acquires a relish for everything that is great. Without any knowledge of the structure or arrangement of birds, the farmer, in the serene cool of the morning, or

'The deep twilight's purple charm,'

hears their concert ascend to heaven, and feels a true piety fall like the dew around him upon his heart. If to be conducted to the loftiest ideas by this branch, requires any beyond the rudest knowledge of system, then the greatest poets, who have drawn so many affecting images from it, are inferior in elevation of thought to every naturalist who can run through two or three hundred genera and species. But how immense a field of delight, instruction, and piety, lies in the simple description of the lives, habits, and migrations of Birds, and the most obvious parts of their wonderful structure, and what noble ideas may be received of the variety, extent, and beauty of the creation, with little or no help from system, is evident from the books that have been cited. To dwell at length on its humanizing influence is unnecessary. Wilson says, with his usual truth of observation, 'I cannot but think that an intercourse with those innocent little warblers is favourable to delicacy of feeling and sentiments of humanity; for I have observed the rudest and most savage softened into benevolence while contemplating the inoffensive manners of these interesting little creatures.' It may however be briefly observed, with what care as it were nature has surrounded the study, in addition to its own intrinsic recommendations, with so much of what is beautiful and noble. In the gloom, silence, and depth of the forest alone, how many elements of sublimity are there. And whether the ostrich be pursued on the boundless Pampas, the condor observed among the Andes, the eagle on the shores of the Mississippi, or the smaller species amidst the curtains of brilliant flowers that adorn a tropical forest, all the associations are grand, and when reflected, as they ought to be, by the descriptions of a good

ornithologist, communicate their colour to the feelings of the reader.

‘ Within the Arctic Circle the woods are silent during the bright light of noon day ; but towards midnight, when the sun travels near the horizon, and the shades of the forest are lengthened, the concert commences and continues till six or seven in the morning. Even in these remote regions, the mistakes of those naturalists who have asserted that the feathered tribes of America are devoid of harmony, might be fully disproved. Indeed the transition is so sudden, from the perfect repose, the death-like silence, of an Arctic winter, to the animated bustle of summer,—the trees spread their foliage with such agreeable accession of feathered songsters to swell the chorus,—their plumage as gay and unimpaired as when they enlivened the deep green forests of tropical climes,—that the return of a northern spring excites in the mind a deep feeling of the beauties of the season, a sense of the bounty and providence of the supreme being, which is cheaply purchased by the tedium of nine months of winter. The most verdant lawns and cultivated glades of Europe, the most beautiful productions of art, fail in producing that exhilaration and joyous buoyancy of mind which we have experienced in tracing the wilds of Arctic America, when their snowy covering has just been replaced by an infant, but vigorous vegetation. It is impossible for the traveller to refrain at such moments from joining his aspirations to the song which every creature around is pouring forth to the great Creator.’—*Fauna B. A.* p. 178.

It is not meant by the above remarks, to deny the uses of classification, which have already been admitted, but simply to keep before the view, that even the very best system is only a part, and that by no means the largest one, of the pleasure or utility to which a knowledge of birds contributes. Indeed it is fast finding its level. Some of the best recent works are giving to the whole subject the popular air that suits it. Nor has the nomenclature quite escaped. The French have, with inhuman common sense, begun to make it intelligible, and the example will probably be followed on this side the channel. It will not indeed be easy to dislodge an enemy ensconced behind such rocks as *Platyrhyncus Leucophaius*, *Milvago Ochrocephalus*, *Myiothera Melanothorax*, *Pipra Erythrocephala*, *Sarcoramphus Californianus*, *Coccygius Erythrophthalmus*; but the *tirailleurs* of our neighbours are enterprising, and though no doubt the Great Carolina Wren will cut a poor figure, ‘ shorn of his beams,’ when he has lost the title of *Troglodytes Ludovicianus*, as will the *Caprimulgus Vociferus* reduced to Whip-poor-Will,—the reader probably wishes them success. Mr. Vigors complains of this Gallic innovation, and attributes it to some dream of universal empire. But a sounder reason may be

found. It is hard to condemn a course which removes one of the most repulsive parts of ornithology, and thereby contributes to spread pleasure, knowledge, and refinement among thirty millions of people. The improvement of a nation is of more weight than the inconvenience which may be occasioned to a few learned foreigners; and if an acquaintance with so beautiful and noble a branch of creation, has, as few will doubt, a strong tendency to advance such improvement, every step towards rational nomenclature and order ought to be applauded.

The Fauna is as free from the evils of terminology, as perhaps could easily have been expected under a vicious system. A good deal also of popular matter, chiefly extracted, has been scattered through it, and the accompanying drawings are excellent. The application of any part of the public money to purposes of public utility and national civilization, demands acknowledgment.

The next is Wilson's work, in an enlarged and improved form, with well-executed drawings. Of Wilson, the poor Paisley weaver, pedlar, and American ornithologist, or of his book, to speak in praise were superfluous. At the moment of its appearance, it was stamped with universal approbation, nor is that opinion likely to be reversed. He touched nothing that he did not adorn. The most unpromising subject grows interesting under his hands. Some curious unnoticed habit, some striking incident connected with it, or some reflection of simple beauty, continually charms the reader. But what is most pleasing, is his true love of nature, and flowing from this, - a healthy kindliness of feeling which renders it impossible for any person to read his book, without conceiving a personal regard for himself. There are several very pleasing traits of disposition in these volumes. In one of his letters he says,

'One of my boys caught a mouse in school a few days ago, and directly marched up to me with his prisoner. I set about drawing it that same evening; and all the while the pantings of its little heart shewed it to be in the most extreme agonies of fear. I had intended to kill it, in order to fix it in the claws of a stuffed owl, but happening to spill a few drops of water near where it was tied, it lapped it up with such eagerness, and looked in my face with such an eye of supplicating terror, as perfectly overcame me. I immediately untied it, and restored it to life and liberty. The agonies of a prisoner at the stake, while the fire and instruments of torment are preparing, could not be more severe than the sufferings of that poor mouse, and insignificant as the object was, I felt at that moment the sweet sensations that mercy leaves on the mind when she triumphs over cruelty.'

In short, for accurate observation, clear and eloquent descrip-

tion, united to a true benevolence of feeling, he may perhaps be said to have been unrivalled, until Mr. Audubon appeared. This author has also sprung at once into popularity. He belongs to the same school as Wilson. Both reflect nature just as they saw her, without distorting her by theories, or oppressing and disfiguring her by savage terms. They have equal vividness of description and healthiness of tone; but Audubon seems to have more breadth, and Wilson more dignity of manner. A peculiar feature in Mr. Audubon's book is, that he has mingled with the accounts of birds several delightful sketches of the country and the people.

But the reader should have an opportunity of forming his own judgment on these points; and in selecting extracts, it is natural to turn first to the eagle\*. Here is Wilson's description of the Bald Eagle, the armorial emblem of the United States.

'This bird has been long known to naturalists, being common to both continents, and occasionally met with from a very high northern latitude, to the borders of the torrid zone, but chiefly in the vicinity of the sea, and along the shores and cliffs of our lakes and large rivers. Formed by nature for braving the severest cold; feeding equally on the produce of the sea, and of the land; possessing powers of flight capable of outstripping even the tempests themselves; unawed by anything but man; and from the ethereal heights to which he soars, looking abroad, at one glance, on an immeasurable expanse of forests, fields, lakes and ocean, deep below him, he appears indifferent to the little localities of change of seasons; as in a few minutes he can pass from summer to winter, from the lower to the higher regions of the atmosphere, the abode of eternal cold, and from thence descend at will to the torrid or the arctic regions of the earth. He is therefore found at all seasons in the countries he inhabits; but prefers such

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\* Some may be offended at this. 'A change has come over the spirit of the dream' in certain naturalists. They are above admiring the lion or the eagle. Thus a writer in the *Library of Entertaining Knowledge*, looks down on all who attribute superior magnanimity or courage to the lion; and at the same time quotes passages from Barrow and Pringle which confute himself. Another author, running into extremes, affirms that the eagle is not to be disliked for any of his habits, because they are natural ones; and yet he abuses the vulture for his, though they are probably just as natural in him as in the king of birds. These things are scarcely worth mentioning, but it is evident men like the one bird and dislike the other, because they cannot help it. And they will continue to do so, until their noses and eyes are altered. The author last alluded to, was right in the case of the vulture, because his sense of smelling was stronger than his philosophy. People in all ages, have agreed to admire the eagle, not for his killing weaker birds, but for the noble beauty of his form, the brightness of his eye, the strength of his flight, the courage with which he defends himself when wounded, and the proud obstinacy with which he resists all attempts at domestication.

places as have been mentioned above, from the great partiality he has for fish.'

'In procuring these he displays, in a very singular manner, the genius and energy of his character, which is fierce, contemplative, daring and tyrannical; attributes not exerted but on particular occasions; but when put forth, overpowering all opposition. Elevated on the high dead limb of some gigantic tree that commands a wide view of the neighbouring shore and ocean, he seems calmly to contemplate the motions of the various feathered tribes that pursue their busy avocations below; the snow-white Gulls slowly winnowing the air; the busy *Tringæ* coursing along the sands; trains of Ducks streaming over the surface; silent and watchful Cranes, intent and wading; clamorous Crows, and all the winged multitudes that subsist by the bounty of this vast liquid magazine of nature. High over all these hovers one, whose action instantly arrests all his attention. By his wide curvature of wing, and sudden suspension in air, he knows him to be the *Fish-Hawk*, settling over some devoted victim of the deep. His eye kindles at the sight, and balancing himself, with half-opened wings, on the branch, he watches the result. Down, rapid as an arrow from heaven, descends the distant object of his attention, the roar of its wings reaching the ear as it disappears in the deep, making the surge foam around. At this moment the eager looks of the Eagle are all ardour; and levelling his neck for flight, he sees the *Fish-Hawk* once more emerge, struggling with his prey, and mounting in the air with screams of exultation. These are the signal for our hero, who, launching into the air, instantly gives chase, and soon gains on the *Fish-Hawk*, each exerts his utmost to mount above the other, displaying in these rencontres the most elegant and sublime aerial evolutions. The unincumbered Eagle rapidly advances, and is just on the point of reaching his opponent, when with a sudden scream probably of despair and honest execration, the latter drops his fish; the Eagle poising himself for a moment, as if to take a more certain aim, descends like a whirlwind, snatches it in his grasp ere it reaches the water, and bears his ill-gotten booty silently away to the woods.'—*Wilson*. Vol. ii. p. 93.

To make a fair estimate of Mr. Audubon's description, the difficulty of touching the subject after so admirable a picture must be borne in mind.

'To give you, kind reader, some idea of the nature of this bird, permit me to place you on the Mississippi, on which you may float gently along, while approaching winter brings millions of water-fowl on whistling wings, from the countries of the north, to seek a milder climate in which to sojourn for a season. The Eagle is seen perched, in an erect attitude, on the highest summit of the tallest tree by the margin of the broad stream. His glistening but stern eye looks over the vast expanse. He listens attentively to every sound that comes to his quick ear from afar, glancing now and then on the earth beneath, lest even the light tread of the fawn may pass unheard. His mate is

perched on the opposite side, and should all be tranquil and silent, warns him by a cry to continue patient. At this well known call, the male partly opens his broad wings, inclines his body a little downwards, and answers to her voice in tones not unlike the laugh of a maniac. The next moment, he resumes his erect attitude, and again all around is silent. Ducks of many species, the Teal, the Widgeon, the Mallard and others, are seen passing with great rapidity, and following the course of the current; but the Eagle heeds them not: they are at that time beneath his attention. The next moment, however, the wild trumpet-like sound of a yet distant but approaching Swan is heard. A shriek from the female Eagle comes across the stream,—for, kind reader, she is fully as alert as her mate. The latter suddenly shakes the whole of his body, and with a few touches of his bill, aided by the action of his cuticular muscles, arranges his plumage in an instant. The snow-white bird is now in sight: her long neck is stretched forward, her eye is on the watch, vigilant as that of her enemy; her large wings seem with difficulty to support the weight of her body, although they flap incessantly. So irksome do her exertions seem, that her very legs are spread beneath her tail, to aid her in her flight. She approaches, however. The Eagle has marked her for his prey. As the Swan is passing the dreaded pair, starts from his perch, in full preparation for the chase, the male bird, with an awful scream, that to the Swan's ear brings more terror than the report of the large duck-gun.'

'Now is the moment to witness the display of the Eagle's powers. He glides through the air like a falling star, and, like a flash of lightning, comes upon the timorous quarry, which now, in agony and despair, seeks, by various manœuvres, to elude the grasp of his cruel talons. It mounts, doubles, and willingly would plunge into the stream, were it not prevented by the Eagle, which, long possessed of the knowledge that by such a stratagem the Swan might escape him, forces it to remain in the air by attempting to strike it with his talons from beneath. The hope of escape is soon given up by the Swan. It has already become much weakened, and its strength fails at the sight of the courage and swiftness of its antagonist. Its last gasp is about to escape, when the ferocious Eagle strikes with his talons the under side of its wing, and with unresisted power forces the bird to fall in a slanting direction upon the nearest shore.'—*Audubon*. p. 160.

But let Franklin's character of the bald eagle be heard, and his preference of the turkey as the national blazon.

'For my own part I wish the bald eagle had not been chosen as the representative of our country; he is a bird of bad moral character; he does not get his living honestly; you may have seen him perched on some dead tree, where too lazy to fish for himself he watches the labours of the fishing-hawk, and when that diligent bird has at length taken a fish, and is bearing it to his nest for the support of his mate and young ones, the bald eagle pursues and takes it from him. With all this injustice, he is never in good case, but like those among men

who live by sharpening and robbing, he is generally poor and often very lousy. Besides he is a rank coward; the little king-bird not bigger than a sparrow, attacks him boldly and drives him out of the district. He is therefore by no means a proper emblem for the brave and honest Cincinnati of America, who have driven all the king-birds from our country; though exactly fit for that order of knights whom the French call *chevaliers d'industrie*. I am on this account not displeased, that the figure is not known as the bald eagle, but looks more like a turkey. For in truth the turkey is, in comparison, a much more respectable bird, and withal a true original native of America. Eagles have been found in all countries, but the turkey was peculiar to ours. He is besides (though a little vain and silly 'tis true, but not the worse emblem for that) a bird of courage, and would not hesitate to attack a grenadier of the British guards, who should presume to invade his farm yard with a red coat on.'

As the drawing of a bird possesses a greater interest when it is represented in some of its usual haunts, it is with much propriety that Mr. Audubon has given sketches of the most striking parts of American scenery. A flood on the Mississippi is an occasion of great rejoicing to the eagle and other birds of prey, and there is accordingly a description of that magnificent 'feature.'

'It will easily be imagined what a wonderful spectacle must present itself to the eye of the traveller, who for the first time views the enormous mass of waters, collected from the vast central regions of our continent, booming along, turbid and swollen to overflowing, in the broad channels of the Mississippi and Ohio, the latter of which has a course of more than a thousand miles, and the former of several thousands.'

'To give you some idea of a *Booming Flood* of these gigantic streams, it is necessary to state the causes which give rise to it. These are, the sudden melting of the snows on the mountains, and heavy rains continued for several weeks. When it happens that, during a severe winter, the Alleghany Mountains have been covered with snow to the depth of several feet, and the accumulated mass has remained unmelted for a length of time, the materials of a flood are thus prepared. It now and then happens that the winter is hurried off by a sudden increase of temperature, when the accumulated snow melts away simultaneously over the whole country, and the south-easterly wind which then usually blows, brings along with it a continued fall of heavy rain, which, mingling with the dissolving snow, deluges the alluvial portions of the western country, filling up the rivulets, ravines, creeks and small rivers. These delivering their waters to the great streams, cause the latter not merely to rise to a surprising height, but to overflow their banks, wherever the land is low. On such occasions, the Ohio itself presents a splendid, and at the same time an appalling spectacle; but when its waters mingle with those of the Mississippi,

then, kind reader, is the time to view an American flood in all its astonishing magnificence.'

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'There the overflow is astonishing; for no sooner has the water reached the upper part of the banks, than it rushes out and overspreads the whole of the neighbouring swamps, presenting an ocean overgrown with stupendous forest trees.'

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'The river itself rolling its swollen waters along, presents a spectacle of the most imposing nature. Although no large vessel, unless propelled by steam, can now make its way against the current, it is seen covered by boats, laden with produce, which running out from all the smaller streams, float silently towards the City of New Orleans, their owners meanwhile not very well assured of finding a landing-place even there. The water is covered with yellow foam and pumice, the latter having floated from the Rocky Mountains of the north-west. The eddies are larger and more powerful than ever. Here and there tracts of forest are observed undermined, the trees gradually giving way, and falling into the stream. Cattle, horses, bears and deer, are seen at times attempting to swim across the impetuous mass of foaming and boiling water; whilst here and there a Vulture or an Eagle is observed perched on a bloated carcass, tearing it up in pieces, as regardless of the flood, as on former occasions it would have been of the numerous *sawyers* and *planters*, with which the surface of the river is covered, when the water is low. Even the steamer is frequently distressed. The numberless trees and logs that float along break its paddles and retard its progress.'

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'Unlike the mountain-torrents and small rivers of other parts of the world, the Mississippi rises but slowly during these floods, continuing for several weeks to increase at the rate of about an inch in the day. When at its height, it undergoes little fluctuation for some days, and after this subsides as slowly as it rose. The usual duration of a flood is from four to six weeks, although, on some occasions, it is protracted to two months.'

'Every one knows how largely the idea of floods and cataclysms enters into the speculations of the geologist. If the streamlets of the European Continent afford illustrations of the formation of strata, how much more must the Mississippi, with its ever-shifting sand-banks, its crumbling shores, its enormous masses of drift timber, the source of future beds of coal, its extensive and varied alluvial deposits, and its mighty mass of waters rolling sullenly along, like the flood of eternity!'—*Audubon*. p. 155.

The following lively description of the Mocking-bird is from Wilson.

'The ease, elegance and rapidity of his movements, the animation of his eye, and the intelligence he displays in listening and laying up lessons from almost every species of the feathered creation within his



hearing, are really surprising, and mark the peculiarity of his genius. To these qualities we may add that of a voice full, strong, and musical, and capable of almost every modulation, from the clear mellow tones of the Wood Thrush to the savage scream of the Bald Eagle. In measure and accent, he faithfully follows his originals. In force and sweetness of expression, he greatly improves upon them. In his native groves, mounted on the top of a tall bush or half-grown tree, in the dawn of dewy morning, while the woods are already vocal with a multitude of warblers, his admirable song rises pre-eminent over every competitor. The ear can listen to *his* music alone, to which that of all the others seems a mere accompaniment. Neither is this strain altogether imitative. His own native notes, which are easily distinguishable by such as are well acquainted with those of our various song birds, are bold and full, and varied seemingly beyond all limits. They consist of short expressions of two, three, or at the most five or six syllables; generally interspersed with imitations, and all of them uttered with great emphasis and rapidity; and continued, with undiminished ardour, for half an hour, or an hour, at a time.'

'In his domesticated state, when he commences his career of song, it is impossible to stand by uninterested. He whistles for the dog; Cæsar starts up, wags his tail, and runs to meet his master. He squeaks out like a hurt chicken, and the hen hurries about with hanging wings, and bristled feathers, clucking to protect its injured brood.—The barking of the dog, the mewing of the cat, the creaking of a passing wheelbarrow, follow, with great truth and rapidity. He repeats the tune taught him by his master, though of considerable length, fully and faithfully. He runs over the quiverings of the Canary, and the clear whistlings of the Virginia Nightingale, or Red-bird, with such superior execution and effect, that the mortified songsters feel their own inferiority, and become altogether silent; while he seems to triumph in their defeat by redoubling his exertions.'

'This excessive fondness for variety, however, in the opinion of some, injures his song. His elevated imitations of the Brown Thrush are frequently interrupted by the crowing of cocks; and the warblings of the Blue-bird, which he exquisitely manages, are mingled with the screaming of swallows, or the cackling of hens; amidst the simple melody of the Robin, we are suddenly surprised by the shrill reiterations of the Whip-poor-will; while the notes of the Killdeer, Blue Jay, Martin, Baltimore, and twenty others, succeed, with such imposing reality, that we look round for the originals, and discover, with astonishment, that the sole performer in this singular concert is the admirable bird now before us.'

The comparative merits of the mocking-bird and the nightingale, have long been a *verata quæstio*. Wilson having never heard the latter, quotes authorities, and reasons on the subject. Mr. Audubon declares roundly for the mocking-bird; and Mr. Griffith seems to think that the matter really admits of no dispute,—it being all hollow for the nightingale. It is not

hard to see that the question will never be settled, between the naturalists, poets, and ladies of both continents.

Perhaps however no species of birds is calculated to impress the imagination with stronger ideas of the magnificence of the feathered creation, than the insignificant one of the pigeon, multiplied to such an amazing extent as it is in America. It would be one of the last kinds in which to look for sublimity, and yet what an idea of grandeur and beauty is it not capable of communicating! How great must be that power in whose hands weakness itself swells into such an object of wonder!

'In passing over the Barrens a few miles beyond Hardensburgh, I observed the pigeons flying from north-east to south-west, in greater numbers than I thought I had ever seen them before, and feeling an inclination to count the flocks that might pass within the reach of my eye in one hour, I dismounted, seated myself on an eminence, and began to mark with my pencil, making a dot for every flock that passed. In a short time finding the task which I had undertaken impracticable, as the birds poured in in countless multitudes, I rose, and counting the dots then put down, found that 163 had been made in twenty-one minutes. I travelled on, and still met more the farther I proceeded. The air was literally filled with Pigeons; the light of noon-day was obscured as by an eclipse; the dung fell in spots, not unlike melted flakes of snow; and the continued buzz of wings had a tendency to lull my senses to repose.'

'Whilst waiting for dinner at Young's inn, at the confluence of Salt River with the Ohio, I saw, at my leisure, immense legions still going by, with a front reaching far beyond the Ohio on the west, and the beech-wood forests directly on the east of me. Not a single bird alighted; for not a nut or acorn was that year to be seen in the neighbourhood. They consequently flew so high, that different trials to reach them with a capital rifle proved ineffectual; nor did the reports disturb them in the least. I cannot describe to you the extreme beauty of their aerial evolutions, when a Hawk chanced to press upon the rear of a flock. At once, like a torrent, and with a noise like thunder, they rushed into a compact mass, pressing upon each other towards the centre. In these almost solid masses, they darted forward in undulating and angular lines, descended and swept close over the earth with inconceivable velocity, mounted perpendicularly so as to resemble a vast column, and, when high, were seen wheeling and twisting within their continued lines, which then resembled the coils of a gigantic serpent.'

'Before sunset I reached Louisville, distant from Hardensburgh, 55 miles. The Pigeons were still passing in undiminished numbers, and continued to do so for three days in succession.'

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'It is extremely interesting to see flock after flock performing exactly the same evolutions which had been traced as it were in the

air by a preceding flock. Thus, should a Hawk have charged on a group at a certain spot, the angles, curves, and undulations that have been described by the birds, in their efforts to escape from the dreaded talons of the plunderer, are undeviatingly followed by the next group that comes up. Should the bystander happen to witness one of these affrays, and, struck with the rapidity and elegance of the motions exhibited, feel desirous of seeing them repeated, his wishes will be gratified if he only remain in the place until the next group comes up.'

'It may not, perhaps, be out of place to attempt an estimate of the number of Pigeons contained in one of those mighty flocks, and of the quantity of food daily consumed by its members. The inquiry will tend to show the astonishing bounty of the great Author of Nature in providing for the wants of his creatures. Let us take a column of one mile in breadth, which is far below the average size, and suppose it passing over us without interruption for three hours, at the rate mentioned above of one mile in the minute. This will give us a parallelogram of 180 miles by 1, covering 180 square miles. Allowing two pigeons to the square yard, we have 1,115,136,000 pigeons in one flock. As every pigeon daily consumes fully half a pint of food, the quantity necessary for supplying this vast multitude must be 8,712,000 bushels per day.'

'As soon as the Pigeons discover a sufficiency of food to entice them to alight, they fly round in circles, reviewing the country below. During their evolutions, on such occasions, the dense mass which they form exhibits a beautiful appearance, as it changes its direction, now displaying a glistening sheet of azure, when the backs of the birds come simultaneously into view, and anon, suddenly presenting a mass of rich deep purple.'

These passages are fully corroborated by Wilson's lively account. But it is not to be imagined that the pleasure of witnessing such sights has not its alloy. It is not all plain-sailing with the naturalist in the woods.

'—a pig of lead

May hurt, God knows, the soundest head,'

and the lover of nature may be sometimes taken aback when he sees her in the shape of 'immense solitary pine savannahs, through which the road winds among stagnant ponds, swarming with alligators; dark sluggish creeks, of the colour of brandy, over which are thrown high wooden bridges, without railings, and so crazy and rotten as not only to alarm one's horse, but also the rider, and to make it a matter of thanksgiving to both when they get fairly over, without going through enormous cypress swamps which to a stranger have a striking desolate, and ruinous appearance.'

The great heron is a picturesque looking bird, but he has a

villainous taste in the choice of his habitation, a cedar swamp, which Wilson sketches.

'A front of tall and perfectly straight trunks, rising to the height of fifty or sixty feet without a limb, and crowded in every direction, their tops so closely woven together as to shut out the day, spreading the gloom of a perpetual twilight below. On a nearer approach they are found to rise out of the water, which, from the impregnation of the fallen leaves and roots of the cedars, is of the colour of brandy. Amidst this bottom of congregated springs, the ruins of the former forest lie piled in every state of confusion. The roots, prostrate logs, and in many places the water, are covered with green mantling moss, while an undergrowth of laurel, fifteen or twenty feet high, intersects every opening so completely, as to render a passage through laborious and harassing beyond description; at every step you either sink to the knees, clamber over fallen timber, squeeze yourself through between the stubborn laurels, or plunge to the middle in ponds made by the up-rooting of large trees, and which the green moss concealed from observation. In calm weather the silence of death reigns in these dreary regions; a few interrupted rays of light shoot across the gloom; and unless for the occasional hollow screams of the Herons, and the melancholy chirping of one or two species of small birds, all is silence, solitude and desolation.'—Vol. 3. p. 57.

Let the reader now turn to Audubon, and observe the result of such studies upon the outward and inward man.

'Returning as I then was from a tedious journey, and possessing little more than some drawings of rare birds and plants, I reached the tavern at Niagara Falls in such plight, as might have deterred many an individual from obtruding himself upon a circle of well-clad and perhaps well-bred society. Months had passed since the last of my linen had been taken from my body, and used to clean that useful companion, my gun. I was in fact covered just like one of the poorer classes of Indians, and was rendered even more disagreeable to the eye of civilized man, by not having, like them, plucked my beard, or trimmed my hair in any way. Had Hogarth been living, and there when I arrived, he could not have found a fitter subject for a Robinson Crusoe. My beard covered my neck in front, my hair fell much lower at my back, the leather dress which I wore had for months stood in need of repair, a large knife hung at my side, a rusty tin box containing my drawings and colours, and wrapped up in a worn-out blanket that had served me for a bed, was buckled to my shoulders. To every one I must have seemed immersed in the depths of poverty, perhaps despair. Nevertheless, as I cared little about my appearance during those happy rambles, I pushed into the sitting-room, unstrapped my little burden, and asked how soon breakfast would be ready.'

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I breakfasted amid a crowd of strangers who gazed and laughed at me, paid my bill, rambled about and admired the Falls for a while, saw

several young gentlemen *sketching on cards* the mighty mass of foaming waters, and walked to Buffalo, where I purchased new apparel and sheared my beard. I then enjoyed civilized life as much as, a month before, I had enjoyed the wildest solitudes and the darkest recesses of mountain and forest.'—*Audubon*. p. 362.

The following extract, which paints some of the privations and pleasures ornithologists are heir to, it is impossible notwithstanding its length, to omit. It is worth twenty such books as Mrs. Trollope indites; and he ought not to excite envy, who is untouched by the picture of kindness, generosity, and affection it presents. Mr. Audubon, his son, and guide, had lost their way.

'The rain fell in torrents; the thunder bellowed; the lightning blazed. It was now evening, but the storm had brought perfect night, black and dismal. Our cart had no cover. Cold and wet, we sat silent and melancholy, with no better expectation than that of passing the night under the little shelter the cart could afford us.'

At length, they reach a small cabin, a tall fine-looking young man receives them at the door, and puts his young wife and their negro servants into motion to give them a welcome.

'For my part, kind reader, knowing my countrymen as I do, I was not much struck at all this; but my son, who had scarcely reached the age of fourteen, drew near to me, and observed how pleasant it was to have met with such good people.—The young wife was already stirring with so much liveliness, that to have doubted for a moment that all she did was not a pleasure to her would have been impossible.—The woodsman remarked that it was a pity we had not chanced to come that day three weeks; "for," said he, "it was our wedding-day, and father gave us a good house-warming, and you might have fared better; but, however, if you can eat bacon and eggs, and a broiled chicken, you shall have that. I have no whisky in the house, but father has some capital cider, and I'll go over and bring a keg of it." I asked how far off his father lived. "Only three miles, Sir, and I'll be back before Eliza has cooked your supper." Off he went accordingly, and the next moment the galloping of his horse was heard. The rain fell in torrents, and now I also became struck with the kindness of our host.'

'To all appearance, the united ages of the pair under whose roof we had found shelter did not exceed two score. Their means seemed barely sufficient to render them comfortable, but the generosity of their young hearts had no limits. The cabin was new. The logs of which it was formed were all of the tulip-tree, and were nicely pared. Every part was beautifully clean. Even the coarse slabs of wood that formed the floor looked as if newly washed and dried. Sundry gowns and petticoats of substantial homespun hung from the logs that formed one of the sides of the cabin, while the other was covered with articles of male attire. A large spinning-wheel, with rolls of wool and cotton,

occupied one corner. In another was a small cupboard, containing the little stock of new dishes, cups, plates, and tin pans. The table was small also, but quite new, and as bright as polished walnut could be. The only bed that I saw was of domestic manufacture, and the counterpane proved how expert the young wife was at spinning and weaving. A fine rifle ornamented the chimney-piece. The fireplace was of such dimensions that it looked as if it had been purposely constructed for holding the numerous progeny expected to result from the happy union.'

'The black boy was engaged in grinding some coffee. Bread was prepared by the fair hands of the bride, and placed on a flat board in front of the fire. The bacon and eggs already murmured and spluttered in the frying-pan, and a pair of chickens puffed and swelled on a gridiron over the embers, in front of the hearth. The cloth was laid, and every thing arranged, when the clattering of hoofs announced the return of the husband. In he came, bearing a two-gallon keg of cider. His eyes sparkled with pleasure as he said, "Only think, Eliza; father wanted to rob us of the strangers, and was for coming here to ask them to his own house, just as if we could not give them enough ourselves; but here's the drink—Come gentlemen, sit down, and help yourselves."

'The wife now resumed her spinning, and the husband filled a jug with the sparkling cider, and, seated by the blazing fire, was drying his clothes. The happiness he enjoyed beamed from his eye, as at my request he proceeded to give us an account of his affairs and prospects, which he did in the following words:—"I will be twenty-two next Christmas day," said our host; "My father came from Virginia when young, and settled on the large tract of land where he yet lives, and where with hard working he has done well. There were nine children of us. Most of them are married and settled in the neighbourhood. The old man has divided his lands among some of us, and bought others for the rest. The land where I am he gave me two years ago, and a finer piece is not easily to be found. I have cleared a couple of fields, and planted an orchard. Father gave me a stock of cattle, some hogs, and four horses, with two Negro boys. I camped here for most of the time when clearing and planting, and when about to marry the young woman you see at the wheel, father helped me in raising this hut. My wife, as luck would have it, had a Negro also, and we have begun the world as well off as most folks, and, the Lord willing, may—but, gentlemen, you don't eat; do help yourselves."

'Supper over, we all neared the fire, and engaged in conversation. At length our kind host addressed his wife as follows:—"Eliza, the gentlemen would like to lie down, I guess. What sort of bed can you fix for them?" Eliza looked up with a smile, and said: "Why, Willy, we will divide the bedding, and arrange half on the floor, on which we can sleep very well, and the gentlemen will have the best we can spare them." To this arrangement I immediately objected, and proposed lying on a blanket by the fire, but neither Willy nor Eliza

would listen. So they arranged a part of their bedding on the floor, on which, after some debate, we at length settled.'—*Audubon*, p. 384.

The next morning the strangers are detained for breakfast, and then shown to the high road by their good-natured host, Mr. Speed.

Even among birds, corruption though swallowed, is not certain of digestion. It may be read with interest, how the vulture is pursued by the eagle and compelled to disgorge his booty.

'Near the city of Natches on the Mississippi, many vultures were engaged in devouring the body and entrails of a dead horse, when a white-headed eagle accidentally passing by, the vultures all took wing, one among the rest with a portion nearly swallowed, and the remaining part about a yard in length dangling in the air. The eagle instantly marked him and gave chase. The poor vulture tried in vain to disgorge, [*consenting, it would appear, to give up his vested interest*], when the eagle coming up, seized the loose end of the gut and dragged the bird along for twenty or thirty yards, much against its will, until both fell to the ground, when the eagle struck the vulture, and in a few moments killed him, after which he swallowed the delicious morsel.'—*Audubon*, p. 163.

Observe moreover, the similarity to conservative tactic in the following trait. There is nothing new under the sun; and Delaware might stand for Middlesex.

'A man in the state of Delaware, a few years since, observing some Turkey-buzzards regaling themselves upon the carcass of a horse, which was in a highly putrid state, conceived the design of making a captive of one, to take home for the amusement of his children. He cautiously approached, and springing upon the unsuspecting group, grasped a fine plump fellow in his arms, and was bearing off his prize in triumph; when lo! the indignant Vulture disgorged such a torrent of filth in the face of our hero, that it produced all the effects of the most powerful emetic, and for ever cured him of his inclination for Turkey-buzzards.'—*Wilson*, vol. iii. 238.

Neither are birds without their political unions and a sort of press. The fish-hawks unite to chase the bald eagle from their haunts. The little birds adopt a system of exposure to guard against the depredations of their foe the owl. On these occasions, the blue jay takes the lead.

'Of all birds he is the most bitter enemy to the Owl. No sooner has he discovered the retreat of one of these, than he summons the whole feathered fraternity to his assistance, who surround the glimmering *solitaire*, and attack him from all sides, raising such a shout as may be heard, in a still day, more than half a mile off. When in my hunting excursions I have passed near this scene of tumult, I imagined to myself that I heard the insulting party venting their respective charges with all the virulency of a Billingsgate mob; the owl,

meanwhile, returning every compliment with a broad goggling stare. The war becomes louder and louder, and the owl at length forced to betake himself to flight, is followed by the whole train of his persecutors, until driven beyond the boundaries of their jurisdiction.'—*Wilson*, vol. i. p. 5.

Extracts as lively and instructive as any quoted, might continue to be given. Pages might be yet filled from *Wilson*, and from Mr. Audubon's notices of the people and the scenery. Enough however has been done to enable the reader to form an opinion of the pleasure he may expect from these books. The sense of their merit will not be the less when it is considered, that they must contribute to produce still kindlier feelings towards a people so nearly allied to us by blood, and with whom it is our interest to cherish every affectionate relation.

ART. X.—*Practical Rules, for producing Harmonic Notes on the Violin, with a Theoretical Explanation of the manner in which Musical Notes, Natural and Harmonic, are produced by Vibrating Strings.* Composed and Arranged by an Amateur.—Bury St. Edmund's, Oct. 1831. London; Cramer, Addison, and Beale, 201, Regent Street. Music folio, pp. 13.

'THE exquisite manner in which Paganini has executed such varied passages on the Violin by means of Harmonics,' has stirred up the dry bones of the practical musicians to desire to know something of the *rationale* of their art. The 'Amateur' therefore is evidently to be thanked, who puts himself forward as the agent for dispersing information; and all observations on his work must be considered as directed by the wish to advance the accomplishment of his design.

After a Preface commencing with the words quoted in the last paragraph, the 'Amateur' proceeds to 'Practical Rules for producing Harmonic Notes,' interspersed with examples, in the shape of well-known airs with a line of accompaniment in harmonic notes; and then proceeds to 'an Account of the Theory of the Vibrations of Musical Strings explaining the production of Harmonic Notes on any Stringed Instrument.' The query upon which is, whether the 'Theory' had not better have preceded, as being the natural and practically efficient key to the execution of the 'Rules.'

The whole theory or principle of finding and producing the harmonic notes is in reality very simple, and such as might be communicated to any intelligent child in two or three short



lessons. If the author of the 'Political Register' had been born and bred a professional musician, (as among the possible freaks of fortune why should he not?), he would have set the hope of his family before him, and said,

'My dear little Son,'

'You are to get your bread by playing on the violin. It will therefore be exceedingly useful to you to know all that can be known about the harmonic notes; by which means you may not only get your bread, but be able to secure its being well buttered also. A violin-player is *worth* a great deal more, when he knows all about the harmonic notes; and in fact, since the appearance of Paganini, the chances are, that a player who does not know it, will be worth nothing at all.'

'Do you know what an *aliquot part* is? I am sure you do not. If you have a cake or an apple, and divide it equally among your companions, whether they be *two, three, four*, or any other number; then the thing is said to be divided into aliquot parts,—"*aliquot*" being a word in the old Latin language meaning "some certain number or other," and implying here that the thing is divided into equal parts of "some certain number or other." But if you were to divide it among the same so that their shares should not be all alike,—or if you were to give each an equal piece, but there should be a piece left after all which was not equal to one of the pieces you had given away, but was greater or less,—then the thing would be divided into parts, but not into aliquot parts. Now then, my dear little son, you know what is meant by dividing a string into aliquot parts.'

'Tell me now, how you would begin to show me the different places in which a string can be divided into *aliquot parts*. You would first show me the middle point, which divides it into *two* equal parts. Then you would divide the string, with your eye or with a pair of compasses, into *three* equal parts, and show me the two points of division between them. Next you would divide it in the same way into *four* equal parts, and show me the three points of division. And so on, for *five, six, seven, eight*, and as many more as you liked to continue. These then, you would say,—both those I have made and those I might make if I liked,—are the points that divide the string into aliquot parts. And if you pleased, you might mark them by writing under each point of division the figure which shows how many equal parts the string is divided into,—as for instance a 2 under the point where the string is divided into two, a 3 under each of the points which divide it into three; and so on. And indeed it will be better that you should do this; for then you cannot help observing, that sometimes more figures than one will fall on

the same place,—as for instance when the string is divided into four, one of the marks 4 will fall on the same place as the division into 2 ; when it is divided into six, one of the marks 6 will fall on the same place that was previously marked 2, and two more on places that were marked 3 ; and so on. All of which will be wanted another time.’

‘ Now if you touch the string gently with the finger at the distance of any aliquot part from the bridge, (mind I said *from the bridge*, not at *any* of the divisions into aliquot parts, but at the distance of one of them *from the bridge*\*), and at the same time pull the string or draw the bow across between this point and the bridge, you will see a curious thing. The string will divide itself into all the aliquot parts of which the point touched by the finger makes one,—into two, or into three, or into four, as the case may be,—and every one of them will move by itself, as if it was a little string held fast at the two ends ; the sound produced being the same that would be made, by pressing the string down to the neck at the point touched, in the common way. If the divisions are few, as two or three, this may be seen distinctly enough by the eye. But where this is not the case, it may be shown to be the fact by laying a little bit of paper on the string while it is sounded ; and if this is laid on any of the points of division into aliquot parts, whether on the one nearest the bridge or any of its fellows, it will lie still and not be thrown off, but if it is laid anywhere else, it will be thrown off directly, which shows, that the points of division are at rest, and the others are not.’

‘ If you want to know how or why this curious thing takes place, I will tell you as nearly as I can ; but remember I do not pledge myself that this is the reason, but only that I think it very likely to be the reason, and this principally because I know no other way in which it can be brought about. And this way is, that when one portion of the string is moving in one direction, as for instance from me towards you, the next portion of the string is moving at the same time in the contrary direction, or from you to me ; and so with the other portions, whatever their number may be. In this manner it seems possible that the points of division should be kept at rest, and in any other manner it seems to be not possible ; and therefore, since the fact is before us that the points of division remain at rest, I conclude that it is in this way it takes place. This is what the *feelosofers* would call a syllogism. And because this sort of balance can only be

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\* A writer in a weekly paper has attacked the statement on this point in a preceding Article (on *Gardiner's Music of Nature*, No. XXXIV for Oct. 1832. p. 369, Note) ; manifestly not taking time to understand what was said.

kept up by the portions of the string moving backwards and forwards (which the same sort of people call *vibrating*) in equal times or with equal quickness, and this again cannot take place unless the moving portions of the string are of equal length,—it follows that this sort of motion in parts or portions of the string, can only take place when those parts or portions are of equal length which seems to be the reason why the experiment will only answer when the point touched is one that divides the string into *aliquot parts*.’

‘ But this is not all ; for there is a more curious thing still. And that is, that if you touch the string at *any other* of the points of division into aliquot parts, (by which I mean any other than the point of division nearest to the bridge), the string will divide itself in the self-same way,—always with the exception (now mind the exception) of the cases in which the point touched falls in with a point in some simpler mode of division that has gone before. For instance, you remember observing, that when the string was divided into four equal parts, one of the points marked 4 fell on the same place as the division into 2. Touching the string therefore in this place, must make the same sound it did before ; which is a different sound from that which it makes when touched at the other two points of division into 4. And in like manner in other cases. But when this agreement with some simpler mode of division does not interfere, all the points of division on being touched produce the same sound. For example, if the division be into five equal parts, inasmuch as none of these will coincide with any of the simpler modes of division, there must be four points in the string, any one of which being touched will produce the same harmonic sound.’

‘ But if you want to know how and why this still more curious thing takes place, I can only tell you in a roundabout sort of way as before. If you divide the string, for example, into five equal parts, and touch any of the four points of division you chuse,—you check and finally prevent the continuance of any motion at the point touched, though at the same time it would appear that the touching (which to make the experiment answer, must be very light) is not enough to hinder the *shaking*, or as the learned people call it the *vibration*, given at one end, from being communicated past the point of touch. If instead of touching the string lightly, you were to lay hold of it with a pair of pincers, then the experiment would fail altogether ; the reason of which may be concluded to be, because the motion is prevented from being at all communicated beyond the point laid hold of. In fact the art,—for there is an art in everything, from scraping the grains off a cob of Indian corn to

sounding a musical string, whatever the difference in importance and dignity of the two things may be,—appears to consist in touching the string in such a manner, and with such a degree of pressure, as shall allow the motion given by pulling or bowing, to be communicated past the finger, and yet shall check and finally prevent the continuance of all motion, or as it was called before *vibration*, that is not consistent with the point which is touched remaining at rest. Now if you consider carefully, you will see that the only way in which motion can go on and this point remain at rest, is by the string's dividing itself into the five equal portions, the movements of which shall balance each other as before described. It does not indeed follow, that because the motion could go on in no other way, it must necessarily go on in this; but we have the evidence of fact that it *does* go on in this; and the knowledge of the reasons why it could not go on in any other, is at all events very useful to make us remember what the effect is that is produced, and how.'

'The next thing is to be able to tell what all the sounds thus produced are. Now you remember that when you were a very little boy, I showed you, that if you stop a string by pressing it down hard in the middle you produce its *Octave*; where the two sounds (of the original string and its half) are such sounds as are produced by a man and a child when they sing the same tune together, but in very different pitches of voice;—that if instead of shortening the string in this manner by the half, you shorten it by a third part, you produce the sound which musicians have called the *Fifth*; if you shorten it by a fourth part you produce the *Fourth*; if by the fifth part, the *Major Third*; if by the sixth part, the *Minor Third*; with a great deal more which it is not necessary to mention now;—and I told you too, that the intervals from one of these sounds to another were not the same, or such as to allow of beginning on any you please and making the others serve in the places they happen to fall in, which is attempted to be done by what is called *Temperament*, a thing that you as a violin-player should hold in as much scorn, as an invitation to cut-off your two legs, for the sake of trying how pleasant it is to hop on wooden ones. If then you want to know what sound any of the harmonics really is, you have only to do this;—Double the distance from the bridge to the nearest of the points of division into aliquot parts, over and over, till you get to some length that when pressed down in the common way makes a note which you know, as the *Octave*, the *Fifth*, &c.; and then the harmonic will be this note, only raised by as many octaves as there have been doublings. For example, if you

touch the thickest or G string of the violin so as to bring out the harmonic at one fifth of its length from the bridge, and want to know what note this is,—doubling this length once makes two-fifths of the whole string, and doubling it again makes four-fifths, and four-fifths pressed down in the common way make the *Major Third* or B; therefore the harmonic produced is B two octaves higher than the B on the thickest string, or the same sound as the first B on the thinnest or E string. And in like manner in other cases.'

'The examination of all the different possible harmonic notes might evidently be carried a long way; and it would be very useful to do it if you were intended for a trumpeter, for all the notes on the Trumpet or French Horn are harmonic notes. But for playing on the violin, as much as is given above appears to be sufficient. It will enable you to trace all the principal harmonic sounds, and in fact all that on the violin are of any practical use; for though there is no absolute end of the number of harmonic notes, inasmuch as you may divide the string into a hundred parts if you please, and then into a hundred-and-one,—yet after the division into five or into six, the sounds on the violin become so feeble as to be of no use except as matters of experiment and curiosity. And it will have this further good effect, that it will make you cease to marvel and to wonder, at finding the harmonic sounds on the same string grow sometimes deeper and sometimes shriller, as you move your finger from the bridge towards the head,—as if there was some mystery in it that anybody could not learn in half an hour when they set about it properly.'

'Suppose now you could stop some tune (as for instance "God save the King") on one string of the violin as for example the fourth, with your first or second finger, and at the same time always touch the stopped string gently with the little finger of the same hand at one quarter of the way to the bridge so as to bring out the harmonic note;—is it not plain that you would play the tune, only in the Double Octave, or two octaves higher than if played by the simple stopping on the fourth string? There is no doubt that this is very hard, especially for a little boy; it is almost as bad as playing on two violins at once. But still the thing can be done. And if instead of touching with the little finger at the *quarter* of the way to the bridge, you should touch at the third, the fifth, or the sixth of the way, you would bring out notes that were not Double Octaves to the sound that would be made by simply pressing down the first finger, but other sounds, which you have it in your power to calculate; all of which might by possibility be very useful, but the other was

mentioned as being the simplest. If you asked me what is the use of playing anything in Double Octaves in this manner, or in any other of the harmonic notes,—I should answer, First, because these harmonic notes have a very fine and pure sound,—they do not squall like the sounds made by pressing the strings to the finger-board very near the bridge;—Secondly, because it is much easier to make the sounds in tune in this manner, than by trying to make them by stopping near the bridge,—for where the string is so short, the smallest error in the stopping becomes sensible in proportion;—Thirdly because, (as it is not necessary to be always playing in harmonics), they may be mixed up with the common notes of the violin, and save an immensity of trouble in jumping from one end of the instrument to the other to find the high notes. Look, for instance, at an old-fashioned fiddler playing on the second string, and wanting (suppose) A *in alto*; and see what a leap he will make to find it on the first string, and what a horrible screech he will bring out after all, when he might produce the note in the most perfect tune and tone by only touching the second open string that he is on already, harmonically at a fourth of the way from the head to the bridge, or at the same place that he would stop D on the second string.

In some such way as this, it is conceived it would be very practicable to instil a *theory* of the harmonic notes, which should be highly useful as a stepping-stone to the *practice*. After this, the first proceeding would seem to be, to show the pupil how he may play any tune in the harmonic Double Octaves, to wit by always touching harmonically at the quarter of the way to the bridge;—next how he may play it in the Octave to the Fifth, by touching at a third of the way to the bridge (in which, if his fingers are too short for application in the commonest position of the hand, he must practise in one of the positions nearer to the bridge);—after this, if chosen, to play in the Double Octave to the Major Third, by touching at a fifth part of the way; and subsequently, to go from one of these kinds of harmonics to another, in any manner that may be deemed calculated either for practice or effect.

The author, in his 'Practical Rules,' writes a note (as for instance the lowest G on the violin), and then a note (as low C) above it, in the manner used for representing a chord; his meaning being that the string is to be touched harmonically in the place which would stop the C, and thereby produce [not C, but ] Double Octave G; and in the same way for the A, B, &c. in succession. It would appear to be simpler, to indicate once for all, that the desired notes are to be produced by touching the string always

at the *fourth part* of the way from the first finger to the bridge ; for this is the real principle on which the thing is done, and the introducing the C at all is only an incumbrance. Instead therefore of writing C in the manner of a chord, a better way would have been to write the Double Octave G, or as the music-masters call it 'G above the lines,' and in the same manner for the A, B, &c. that follow ; adding some expression common to all,—as for instance the simple one of drawing a slanting straight line that should lie always *one-fourth* of the way from the lower set of notes towards the upper,—to indicate that the upper set of notes are to be made out of the lower, by always touching harmonically at *one-fourth* of the way to the bridge. And in like manner in other cases. Everything must have a beginning ; and there can be no doubt that by the perseverance of different professors, babes and sucklings will in a short time talk of the harmonic notes, as familiarly as of their playthings.

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ART. XI.—*Reflections upon Tithes, with a Plan for a General Commutation of the same.* By George Henry Law, D.D. F.R.S. & F.A.S. Lord Bishop of Bath and Wells.—London ; Rodwell, Rivington. 8vo. pp. 27. Oct. 1832.

**A** Reverend Father in God has come in with a flag of truce on the subject of the Tithes. Let him be treated with the best of everything ; that he may go away with a favourable impression of the strength and good-humour of the side he came to parley with.

'That Tithes, are at present an objectionable, and impolitic mode of provision for the Clergy, is a fact, very generally acknowledged,—and deplored.'

Good. There is hope for the Church ; if she has been brought to deplore.

'It is due however to the cause of truth, and justice, to observe, that this circumstance has been in no degree occasioned, by the Ministers of our Established Church, but, on the contrary, is by none more deeply regretted, than it is by them.'

Not quite so certain. But a missive must not be sifted too hardly ; he naturally speaks for moderate men like himself. Nevertheless there are recollections, of those but for whose raging, the Church might have been at this moment enjoying herself in Wright's or Dessin's hotel, instead of being half channel over in the very worst of weather.

'The present system has been alleged to be unfair, inasmuch as the amount of the value of Tithes is far greater now, than it was, at the time of their first institution. Since that period the produce has much increased from the increased expense and labour of cultivation. According, therefore, to the industry and capital expended on the soil, is the sum now received by the owner of the Tithes :—a mode of payment which, as it has formed the ground of animadversion, the Ministers of our Church would naturally rejoice at seeing altered.'

'Hence, the demand of Tithe must have very frequently put a stop to the increasing improvement of the soil. The public, consequently, as well as the proprietors are losers by the system.'—p. 5.

It is pleasing, to receive these admissions from the hostile side;—at least to those who in their hearts seek only justice and ensue it. This comes of political economy, and fighting out the question with stout old mathematics, turning neither to the right nor to the left for any man's interest or any man's desires. When the Bishop of London appealed to radical organs in the House of Lords and Lord King intimated his assent,—it was clear that on the point of Tithes the game was finished, and that there wanted nothing but well-meaning commissioners from the two sides to meet, and settle the whole to mutual advantage\*.

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\* Since so much has been gained on this point by the union consequent on standing upon mathematical truth, it is grief to see a valuable Northern ally bringing forward at this time the somewhat *arrièrè* doctrine of Tithes being paid by the consumer in the price of corn.

The observations on the extracts from Professor Senior (Tait's Ed. Mag. No. IX, p. 316), appear founded on not distinguishing between a *partial* diminution of prices (calculated elsewhere as amounting to fourpence a quarter, and arising out of the accidental fact of there being a small belt of inferior land that was kept out of cultivation by the tithe), and a diminution to the amount produced by deducting the value of the whole tithe. It is easy to confound these together; and it appears they *have* been confounded.

What Mr. Senior has stated is, that if Tithes were removed tomorrow, there would be a fall of prices to a certain amount (say, for distinctness, fourpence a quarter); but that this fall would only be temporary, and those who expected the consequence to be that corn should thenceforward to all time be fourpence cheaper, would be disappointed. He has not said that it would not be a good, as a dinner is a good; but he has said that it is only one dinner however good, and that a man will not go in the strength of that meat for ever. If he has endeavoured unduly to depreciate the importance of one dinner, he is wrong; but it is suspected the fact exists principally in the imagination of the commentator.

The conclusion that if Tithes were removed, their value would be deducted from the price of corn, may be traced altogether to defective and 'pre-posterous' notions of the cause of price. The price of an article has no connexion whatever with the cost of production, except so far as the producers themselves operate upon the price by bringing a greater or less quantity into the market. If a man should bring corn into the market and



'An act for facilitating a "*Composition*" for Tithes, and of a nature somewhat similar to that above-mentioned [Bishop Tomline's plan of a Corn-Rent], was brought into Parliament, during the last Session, by our most Rev. Metropolitan. By this measure it was intended to be enacted, that an Incumbent, "with the consent of the owners of two third parts in value of the Land subject to Tithes," should appoint Commissioners, and make agreements for a Composition Money, to be charged for any term, "which did not exceed twenty-

declare with perfect truth that every grain of it had cost him sixpence to produce by some unheard-of process, he would not thereby persuade anybody to give him a penny more per quarter than the price of vulgar corn. If a man should find a vein of gold as easily dug as coal, he would not get a penny less per ounce than for the gold which is brought with great labour from Peru, as long as he did not pull down prices by sensibly increasing the quantity in the market. The wants of men and the necessity of dividing the existing stock, are what create prices; and the producer, instead of creating prices, cuts them down by always bringing into the market the largest quantity that will increase his individual gains.

If tithes were abolished tomorrow and rent also, it could not cause a given quantity of corn to sell for less in the market than before; and therefore the only consequence would be, that the tenant would be rent and tithe-owner, and put both contentedly into his pocket. But the opponent will probably say, that the fact of his pocketing these increased sums, would enable and induce him to grow more corn. And here is the error. The corn grown *now*, is precisely the maximum quantity which it is anybody's interest to grow; and this maximum will not be altered (except by the fourpenny matter so often mentioned) by swallowing up both rent and tithe-owner in the tenant. To ask him to grow more, would be to ask him to grow an increased quantity of corn for a less total return; and that he will not do. The mistake is in thinking, that because the tenant is to have more money, he will grow more corn. And its foundation lies, in the want of clear ideas of what it is that stops the increase of corn where it does, under the existing system. If the tenant should find some morning, that his landlord had died and left him the estate, or a lay tithe-owner the tithe, would he set about growing more corn on the land in consequence? Not a grain; except the quantity christened '*fourpenny*.' And the same answer may be made to the plea, that though the remission of tithe on one farm might enable the owner of the land to add to his rent, the remission on *all farms* would not. It would not be anybody's interest to grow a grain more corn than before;—*excepting the 'fourpenny.'*

The argument from the price of corn in a new country, is only, as before, a mistaking of the rise of price consequent on the operation of tithe upon the land kept out of cultivation by it, for a rise equal to the value of the tithe on the whole land which then or at any future time becomes exposed to its operation.

By '*ultra-Malthusianism*' and '*Malthusianism run mad*,' is supposed to be meant the disposition to disparage certain advantages on the ground of their being temporary; as if human life was not made up of the accumulation of such. This tendency has been commented on in the case of one of the authors mentioned in the Article from Edinburgh (West. Rev. No. XXXII, p. 29); and is not known to be attributable to any of the others.

one years." But this Bill for *Composition*, appears to be in one, and that a most important point, far less eligible, than the Bill for *Commutation*. By the latter Tithes are commuted, and without any prospective alteration. By *Composition* the ascertainment of the value of the Tithes, would be an evil continually recurring. Thus would all those feelings be kept alive, which form the ground of dissention between the Clergyman and his Parishioners, and tend to diminish his means of doing good among them.—p. 9.

And thus also, which is as important as the other, would be virtually secured the continuance of that pressure upon agriculture, which it is one of the first objects of a Commutation of Tithes to remove. All struggles for prospective valuations, are struggles for indirectly preserving the right of condemning a belt of inferior land to sterility, and preventing the application of a portion of culture to the rest. It is very agreeable, therefore, to find the present *parlementaire* distinctly giving up this point.

Corn-Rents and temporary commutations being thus disposed of, the author proceeds

‘to propose that mode of remuneration for the Clergy, which, after a long and anxious consideration of the subject, appears to himself to be the most secure, the most unvarying, and, in every point of view, the least objectionable plan, for a general Commutation of Tithes. And this is—by a *Commutation in Land*: the arguments for, and against which, he will now proceed to consider.’

‘In the first place, then, an allotment of land in lieu of Tithes, would at once put an end to all those adverse interests and feelings, which so frequently occasion a collision between the Clergyman and his flock. Whether the rent be paid to the Clergyman, or to any other Proprietor, can make no sort of difference to the parishioners: except, indeed, that terms, somewhat more moderate, might be expected, and would probably be obtained, in the one case, rather than in the other. Experience, we think, without any charge of partiality, would bear us out in this assertion.’

‘In the next place, Land, in a great degree, regulates the price of all things else. According to the amount of land possessed by any one, is the relative place which he maintains in the ranks of society. Ages, after ages, may roll away; whilst the Lord of the soil still continues to retain his pristine influence and station. Thus, the proprietor of the Church Allotment also, would, amidst all the changes of time and circumstances, be equally enabled to preserve his relative condition in the Community, and to throw around his family all those means of respectability, those proprieties of appearance, which the due upholding of the Clerical character so obviously requires. The parishioners moreover would look up with increased respect to a Clerical Proprietor of the soil, who lived among, and had the means of letting land, and dispensing favours to them.

Thus, might industry be rewarded, and merit brought forward. Thus might the preacher of the Gospel illustrate, by his life, the precepts he delivers; and prove himself to be, both in word and deed—a Father to his People.'

'That a change of such national magnitude and importance, could not be accomplished without very considerable difficulties and objections, is what every one at all conversant with statistical subjects must be naturally led to expect. The obstacles however which present themselves, are by no means insurmountable. One, among others, which has been most strongly urged, is, the throwing so large a quantity of land into *mortmain*. But a greater degree of weight has been given to this objection, than what, in fairness of reasoning, it is justly entitled to. The main, indeed the sole object of the Legislature on this point should be, to provide, that the earth be rendered as productive, as, in its nature, it is capable of being made. The intention of the Mortmain Act was, to prevent the Clergy from availing themselves of the superstitious feelings of the people, and thus too much augmenting the revenues and power of the Church. This principle however, would in no degree be infringed upon, by the adoption of the proposed plan. Neither can any fair argument be raised, against land being vested in the hands of Churchmen, which might not, with equal weight be advanced, against its being accumulated in the hands of any lay proprietors.'—p. 10.

It is possible that in a stage of society where the division into landlord and farmer was less distinct than at present, loss and evil might arise from land accumulating in the hands of parties who were likely to cultivate it carelessly or imperfectly. But since the improvements given to the invention of tenants, it may be suspected that the outcry about *mortmain* is a tinkling cymbal. The Fellows of a College, for example, may not be as keen landlords as devised the Board of Agriculture. But what follows, but that their tenants have the benefit? It would be found on inquiry, that a college farm is a thing quite worth handing from father to son; which does away with the possible objection, that tenants not looked after will exhaust the land. A landlord may exhaust the land, if he likes; and why should such a tenant do it any more than a landlord? Before, therefore, it can be shown that *mortmain* of this kind causes any general damage, it must be proved that the tenants of the mortmain are to be inferior in knowledge and conduct to other managers of land.

'Another objection has been brought forward, from the supposed difficulty of procuring a sufficient quantity of land in each parish, in exchange for the Tithe. That in some parishes this obstacle would exist, there can be no doubt. The fact however is, that the want of land has never yet formed any bar to a Commutation, whenever this mode has been agreed upon by the legislature. Where however, land

cannot immediately be procured, the amount of the sale of Tithes might, in the mean time, be invested in the funds, and the interest of the same paid, by his Majesty's Commissioners, to each Parochial Minister.'

'Neither is it at all necessary, that the land to be purchased should be confined to the parish itself. One thing only appears to be requisite, that a sufficient quantity of Glebe be procured, for the convenience and cultivation of the Parochial Incumbent. The main purchase might, without much inconvenience, be situated at some little distance from the parish.'

'The real value of the Tithes would, we doubt not, amount to a sum, far exceeding the computation at which they are generally estimated. But nothing unreasonable would, we have just grounds to believe, be expected by the Clergy. With much greater pleasure would they receive a smaller remuneration, cheerfully paid, rather than a much larger amount, advanced unwillingly, and with discontent.'—p. 13.

'In the last place, it may be objected that the proposed Commutation will not be acceded to by the Proprietors of land. The answer, however, is clear and conclusive. The Proprietors of estates will be determined in their acceptance or rejection of the terms proposed, by motives of self-interest, and by those alone. Now the amount which they would yearly save, by the non-payment of Tithes, would certainly exceed in value the annual rent of that proportion of their estates, which they might deem it advisable to sell, for the redemption of their Tithes. On this point, therefore, independently of all other considerations, there can be little doubt as to the ultimate decision of the Land Proprietors.'—p. 21.

This appears to be a correct abstract of the Bishop's proposal. It may be considered as identical, as far as it goes, with Professor Senior's; though that contains further details on the mode in which the management of such lands might be advantageously conducted\*.

All this seems perfectly fair and well-meant; and ought to be met in a similar spirit. There is no fraud visible in it, above, below, nor between the folds. In this way there is no doubt that the economical as well as the moral evils arising from the peculiar form in which the provision for the Church is levied, might be done away and leave a surplus of pecuniary profit to be divided among the parties concerned. On a rough estimate, 25,000*l.* a year has been stated as what the landlords and the church might divide between them if they could agree; and 475,000*l.* a year among the consumers besides, till they take it out in population†. Without standing on the exact

\* See Westminster Review, No. XXXII for April 1832, p. 412, Art. *Improvement of Condition of the Clergy*.

† See Art. *Improvement of Condition of the Clergy*, Westminster Review, No. XXXII for April 1832, p. 405.

amount, it is clear there are advantages of both these kinds to be made upon the spot. And the idea of refusing to accede to a proposed abatement of an acknowledged evil, on pretence of at some future time being enabled to effect the removal of a greater,—is one to be utterly scouted, or at all events turned over to that extremest *coda* of Radicalism, which is always found wriggling in every direction where it should not. The test of a good Reformer, is that he is one that will reform when he may. If the opposite side gains by getting rid of its *τὰ σαθρὰ* or rotten parts, *he* gains by the tendency which one reformation carried, has to make footing for another; and the mean resultant, is the public good from the point conceded.

The same advantages might be obtained by vesting the commutation-money in other ways than land; as for instance in the funds. But the truth is, that the fundholders want propping and not weakening, and would not at this moment think themselves strengthened, by having the Church put into the same boat.

After the symptoms that have appeared, the commutation of Tithes may be considered as a thing settled. Within a year or two, the landlords will be sending a deputation to state their sufferings from the Corn Laws; and in a little more, it is probable the West-Indians will be twitting the government with the tardiness of its measures for relieving them from the existence of Slavery. *Così fan tutti*; and the inference from it is, that it is time to be prepared with a system of moderation and fair-dealing, and bring that kind of spirit to the fore, with which a failing side can decently negotiate. There is often one victory in the field, and another after. As for the sackers, the clean work makers, the 'booty and beauty' men, if such there be, they must be kept in their quarters by those that know how to handle them. Besides, are they not all our brothers, and those whom God has given to be bound up with us in one compact of good or evil fortune. Beat them, when it is necessary for the common welfare; but do not beat them and eat them afterwards.

ART. XII.—*Letters on Commercial and Financial Policy.* By Colonel Torrens.—Bolton Chronicle.—Globe, Oct. 8, 15, 22, 29;—Nov. 6.

**T**HESE are a series of papers addressed to the electors and inhabitants of Bolton, on 'the means of relieving the distress of the people, and of giving a renewed impulse to the prosperity of the country;' weighty objects in whatever manner pursued, and glorious if well. And for further explanation the question is stated to be, 'How can the Reform Bill be made to work well

for the people? What measures should the reformed parliament adopt, in order to remove the pressure upon industry, to raise the wages of labour, and to increase the profits of trade?

‘There are two, and only two ways in which the comforts of the great body of the people can be increased. They are, the reduction of taxation and the improvement of trade. I propose to consider both. On the present occasion, however, I shall confine myself to a simple statement of those principles of commercial policy, by the adoption of which trade may be improved. The proofs and illustrations of these principles, together with my views upon the most effectual mode of relieving industry from the pressure of taxation, I shall reserve for subsequent communications.’

‘Improvement of trade implies that more goods can be sold, at prices more remunerating. But is it practicable, by any legislative enactment, to extend demand and to enhance prices? I contend that it is. I am prepared to prove that the *quantity* and the *value* of British goods vended in foreign markets will increase or diminish as our commercial policy is regulated upon correct or upon erroneous principles. What then are the principles of commercial policy on the adoption of which the prosperity of the country depends? They are simply these. To *lower the duties of customs upon the importation of goods produced in countries which consent to receive British goods upon terms equally favourable*; and to *prohibit, or to lay heavy duties upon, the importation of goods produced in countries which prohibit or lay heavy duties upon British goods.*’—Letter I.

This is a statement of the proposition in debate, that cannot be mistaken. It is not a representation that it might be politic to hold out the offer of a reduction of duties on foreign goods as an inducement to the foreigner to reduce his duties on English, and so endeavour to work upon his selfish feelings to persuade him to consent to increase the common good at two ends instead of one; but it is a representation that there is a loss incurred through our merchants trading freely with such foreign countries as in the existing state of the laws of foreign countries they would fix upon, and that this loss may be prevented by our own government’s laying a fine upon the act of trading with such countries as in its wisdom it shall specify. The object, public gain; the means, preventing our merchants from selling and buying in certain places where they know by experiment they make a *more* gainful market, and forcing them to sell and buy in places where they know by experiment they make a *less*.

‘The facts formerly asserted and now to be established are—That the errors of the government, in departing from the fundamental principles of commercial policy, have deprived the country of the advantages which our manufacturing superiority would otherwise have secured; have lowered the value of British goods in foreign markets;

and mainly contributed to produce the distressing fall which has been experienced in prices, in profits, and in wages. I proceed in the first place to prove the principles.'

'Portugal receives British goods in payment for her wines; and, consequently, the greater the quantity of Portuguese wine consumed in the British market, the greater the demand for British goods in the Portuguese markets. France prohibits British fabrics; and, therefore, increasing the quantity of French wine consumed in England does not extend the demand for British goods in France, but causes a larger amount in the precious metals to be sent from this to that country. To increase the consumption of Portuguese wines, is to increase the consumption of British manufactures; to increase the consumption of French wines, is to diminish the supply of gold, and to occasion a general fall in prices. It must, therefore, be the obvious policy of this country to cause the wines of Portugal to be consumed in preference to those of France, by laying light duties upon the former, and by imposing upon the latter the highest scale of duties which the intervention of the smuggler will admit.'—*Letter II.*

The inference from so much might be, that the argument was intended to be rested on a currency fallacy; and to that in the end it appears to return, though it diverges by the way. In any other light, to diminish the quantity of gold at home because it is the interest of traders to send it abroad rather than keep it at home,—in other words, because it is worth more abroad than it is at home,—is not a source of impoverishment but of wealth, as much as it would be in the case of coffee, or of any other foreign produce. It would be very absurd to talk of prohibiting a trade to Russia in Mocha coffee, by way of penning up coffee at home, and thereby enriching the nation through serving the interest of coffee-drinkers. And the reason is, that it will either penn up nothing, or nothing that will not be bought for more than it is worth. Either coffee will be imported in quantity increased by the amount of the export, within an insensible difference either in quantity or price; or if there is a small increase of price, and a small falling short of this quantity, it will only be in consequence of the fact that more is got on the whole by the new state of things than by the old. But if it was urged that gold was in different circumstances from coffee, inasmuch as it is the common medium of exchange, —then this would be a currency fallacy. Nobody, except old debtors, has any interest against a fall of prices arising from an increase in the value of gold; and this interest is balanced in the aggregate, by the counter interest of the creditors. And, what is important to be added, the variation is exceedingly small upon the whole, and no greater than must take place in coffee or any other named thing, through the ordinary course of commercial

speculations. Not an atom of any mentionable substance can be sent out of the country, without proportionally raising the value of what remains; the inference therefore ought to be, that not an atom of any mentionable substance should be allowed to go out of the country. On the wages of labour too, an effect is produced by diminishing the quantity of gold and raising its value; which is *in favour of* the working classes, on the ground that the odds are that their wages do not fall in nominal amount as fast as the intrinsic value rises,—in the same manner that a depreciation in the value of money is *against* them. Trade therefore is to be stopped, and the loss of its substantial profits incurred, lest an insensible fluctuation, which in the aggregate amounts to nothing, should take place in the value of such pre-arranged bargains as are expressed in gold. Exactly the same reason might be urged, for preventing the fluctuations that might take place in the value of bargains made for coffee.

But, as was stated, this does not seem to be further insisted on in this place; though there is a return to it in the end.

“No!” say the ultra advocates of free trade, “the foreign demand for British goods is increased by the consumption of French wines full as much as by the consumption of those of Portugal; because, as France will not give us her wines for nothing, when we import a greater quantity of them, we must export a greater quantity of our fabrics in order to purchase the greater quantity of gold required by France in payment.”

‘On the correctness or incorrectness of this doctrine of the ultra free traders, the whole question of reciprocity turns. It will, therefore, be necessary to bestow upon it the most careful examination.’

‘To make the question clear and distinct, let us suppose, in the first instance, that in our commercial intercourse with Portugal the imports of wine, and the exports of cloth, each amount to a million sterling; and let us assume that, subsequently, our trade with Portugal is suspended, and that, in consequence, we import an additional quantity of French wine to the amount of a million sterling, and send the cloth, which had formerly paid for the Portuguese wine, to South America, in order to purchase a million sterling in the precious metals with which to purchase the French wine.’

‘The question now to be determined is this:—Will the cloth which was worth a million sterling when sent to Portugal to pay for wine, continue to be worth a million sterling when sent to South America to purchase an additional quantity of gold? If the cloth, when sent to South America for this purpose, continues to be worth a million sterling, we must admit that it makes no difference, with respect to the extent of the demand for British goods in the foreign market, whether we import wine from Portugal in exchange for British goods, or from France in exchange for gold purchased with British goods. But if, on the other hand, it shall appear that, when the cloth is sent to South



America to purchase additional supplies of the precious metals, it ceases to be worth the million sterling which it was worth when sent to Portugal to pay for wine, then it will become self-evident that the doctrine of the ultra free traders is erroneous, and that the principles of commercial policy which I have propounded are correct.'—*Letter II.*

Now the possibility of the answer being favourable to the querist, depends entirely on the supposition that the merchants will voluntarily send the cloth to South America instead of Portugal, when *less is finally to be had by sending it to South America*. Upon the assumption of this, is founded the whole possibility of the interference of the government being of any use. If it be true that more is to be had by sending the cloth to Portugal, what occasion is there for the interference of the government? unless it can be satisfactorily proved, that the merchants have an innate substantial propensity to prefer the smaller gain to the greater. If it is *not* true, then the interference of government is directed only to force merchants to take the smaller gain instead of the greater, and as the schoolmen say, *cadit questio*. See therefore whether it is at all proved in the sequel, that merchants *have* such a propensity as described.

'When England exchanged cloth with Portugal for wine, the consumers in South America took off as great a quantity of British cloth as they were able and willing to purchase at the then existing prices. What can now render them able and willing to purchase a greater quantity? Nothing but a reduction of price. The South American market having been previously supplied with British goods to the full extent of the demand, an additional supply is introduced, and a declension of price is the necessary consequence; thus, then, it appears, with the fullest evidence, that by ceasing to purchase wine from Portugal with cloth, and pressing an additional supply of goods upon the South American market in order to procure gold to pay for the wines of France—it appears, I say, with the fullest evidence, that by this alteration in the course of foreign trade, the produce of any given quantity of British labour is made to command a less quantity of gold; the value of gold, in relation to all home-made commodities, is raised, or in other words, the price of British goods is reduced.'—*Letter III.*

The weakness in this, is in taking for granted without a shadow of proof, and contrary to all the experience of Christian men on such points, that the merchants *will go to South America* with their cloth at all, if the result is to be that they are to get less for it in the end than they might have got by taking it to Portugal. It is like saying, 'For heaven's sake fine a man for going to sell his goods on the Surrey side; for if not, he will go and sell for sixpence, what he might have got a

shilling for in Westminster.' The whole inference that the merchants will go to South America and lose, is based on the unproved assumption that they will go to South America if they are to lose by it. And conversely, the whole inference that a gain is to be made by preventing the merchants from sending their cloth to South America, and forcing them by a fine to send it to Portugal instead, is founded on the parallel assumption, that the merchants cannot see though the government can, that they are sending cloth to South America at a loss, through mere stupidity in not sending it to Portugal without force, or in spite of force, instead.

If a man was to make these two assumptions without the question being involved in the mystical phrases of 'reciprocity' and 'free trade,' it is not too much to predicate of him, that as the Chinese quaintly said to the '*Koutou*' embassy, 'his success would be small.' Till it is pointed out by what delusion or infirmity the merchants are practically to mistake the greater gain for the less and the less for the greater, there appears no substantial reason why the inference so simple and cogent from this source, is to give way to any collection of arguments of greater surface and inferior concentration.

'The ultra advocates of freedom of trade may, and I believe do, contend, "that in purchasing French wine with gold, instead of Portuguese wine with cloth, it is not necessary to press an extra supply of British goods upon the countries of the miners in order to obtain an additional amount of the precious metals. The process by which England obtains the means of purchasing French wines may be as follows :—The gold and silver obtained by France in payment for wine cannot continue to accumulate there—it will raise prices in the French markets, will there check export and encourage import, and then pass off to some other country, say Germany, in payment for the foreign goods for which it creates an additional demand. As Germany thus receives the gold and silver paid by England to France for wines, in Germany prices will rise, export will be checked, and import will be encouraged ; and in Germany, therefore, England will find an extended foreign demand, and will receive back again from thence, in payment for the increased quantity of goods exported, the specie drawn from her by France."—*Letter III.*

It is not known who the advocates are that advanced this. What has been advanced is conceived to have been the much more powerful representation, that all zeal in the government to prevent the merchants from purchasing French wine with cloth through the intervention of gold, instead of Portuguese wine with cloth directly, to their hurt,—is like the zeal of the serving-man who carried his mistress's ducks through the water

by the necks for fear of drowning, and choked them in the passage.

The way referred to in the sequel, by which the increase of wealth is to be produced from the proposed prohibition, is through this country's being the *entrepôt* of the precious metals. The merchants therefore are to come and say to the government, 'We have looked into our books, and diligently examined all the items, and beg to state that by carrying out cloth to South America we can make a profit, and pay our debts, and give our manufacturers wages, and continue them in employment, and all go on thriving together; and by carrying cloth to Portugal we cannot make our own again, and must leave our debts unsettled, and turn off our workmen because we cannot pay them any longer, and all go into the gazette in a body,—or if it is not so bad as this, there is at all events an approach to it, and we pledge our character for knowing a sixpence from a shilling, to the fact that we and all that depend upon us down to the boy that holds a candle, are (errors excepted, and so far as we are judges of the matter,) vastly better off by taking the cloth to South America than to Portugal; and we beg leave to assure your Honourable Board, that if we did not think so, we would beg in all humility to be allowed to go to Portugal instead. We know that by going to South America we shall bring down the price of gold with reference to cloth; but we assure you upon our honours, that we will not send a yard of cloth to South America, longer than the gold we get for it can be turned into French wine that will sell for more than the wine we should get for our cloth in Portugal. We are sensible of the kind intentions of the government; but we entreat it to believe, that on this point we are quite able to take care of ourselves.'

And the government is to reply, 'Gentlemen, neither you nor the boy that holds the candle, know anything of the matter. You are in utter ignorance that this country is the *entrepôt* of the precious metals, and that consequently all your statement that you gain more by one trade than the other, is a mistake. You *do not* gain more. You are not the men who can tell whether you gain more or not. You were labouring under a delusion, when you thought you were gaining more; and your inability to calculate the effects of the country being the *entrepôt* of the precious metals, was the cause of the deception. Go over your books again and apply the correction for being the *entrepôt* of the precious metals; and you will find that when you were in the gazette, you were out of it;—that when you thought you were selling with advantage in South America, that

country was really not in a state to give you any profit; —that though your books are finally loaded with more pounds than would have been procured from Portugal, pounds from South America are not as good as pounds from Portugal, and we have set out with showing you the reasons, why they should not be and cannot be.' It is in this way that the Board of Trade is desired to battle with the merchants.

But perhaps all this is beside the mark, and the intention of the author was to state, that without entering into the partial question of whether the trade is of more or less advantage to the individuals engaged in it, there is a more subtle reason why it is hurtful in the main, and that this effect is to be brought about by a diminution in the value of gold. If so, as intimated before, it appears to resolve itself into a currency fallacy. At the same time it is necessary to avow, that the data have not been found sufficient for framing a clear idea of the nature of the argument intended. The statement of it has not the precision of those that have preceded; it is dispersed over too much space, and must be presented in a compressed form before it will be efficacious with the general. The nearest that has been arrived at, is a suspicion that it amounts to representing, that the willingness of the French to take gold, is a proof that they want gold and would give a great deal for it, and *therefore it is politic* to lay a duty of 20 per cent by way of checking the trade that would bring down the value of our gold in France. In other words, that because gold would buy us a great deal in France, we are to take care that nothing is bought with it, because that would bring down the state of things, in which gold would buy us a great deal in France. What else is intended by 'a new and unfavourable distribution of the metals and a consequent fall of prices,' which the 'one-eyed' ultra advocates of free trade cannot enter into,—and 'maintaining a comparatively high scale of prices,'—is positively not understood. But of what use can it be to any of us, that a sovereign in England will buy no more than a half-napoleon in France,—if we are to prohibit ourselves from the advantage of carrying the sovereign to France and bringing back twice as much as could be bought with it here. If the conjectural explanation is right, it would be curious to see how a similar exhortation would sound in the ears of the trader when applied to other cases. 'Gentlemen of the Leeds Cloth Hall, your cloth is in prodigious request in France, the French would give you almost anything you liked to ask; reflect then, Gentlemen of the Leeds Cloth Hall, how important it is to keep up this state of things, and how infallibly it would be destroyed if the government should allow cloth to go to France, with-

out imposing a 20 per cent duty on the French goods that must be imported in return.'

If this is not the argument, the true one shall be applied to as soon as known; but the matter for the present is obscure.

**ART. XIII.**—*An Investigation of the Currents of the Atlantic Ocean, and of those which prevail between the Indian Ocean and the Atlantic.* By the late Major James Rennell, F.R.S. With an Atlas.—London. Rivington. 8vo. pp. 359. 1832.

**T**HE courses of oceanic currents were very imperfectly understood till within a few years past; but since the labourers in the field of science have increased, the subject has engaged a considerable share of public attention, and the results have proved highly advantageous towards perfecting this important branch of the science of Hydrography. Among those who stand prominent for their diligence and assiduity in endeavouring to penetrate the laws by which the waters of the great deep are governed, the names of Rennell and of Humboldt are the most conspicuous. Both have been eminently successful, and their labours have received the reward of public approbation; but although they have done much, much remains to be effected, before Hydrography can number among its acquisitions a perfect system of oceanic currents.

The book under consideration is the produce of twenty years patient attention of the author, whose perseverance and industry in collecting the data on which it is founded, evince the ardour of his mind, and prove how fitted he was by nature to grapple with a subject barren from neglect, and obscured by error. The materials of this posthumous work, however, do not exhibit that lucid arrangement which marks the former productions of this great geographer. The facts elucidating some of the subjects, instead of being kept together, are interspersed, and the reasonings often broken off and resumed under other heads in different parts of the volume. It is singular, but nevertheless true, that this want of clearness has originated in an attempt to place a very difficult subject in so clear a point of view, that the mind of the reader should be able to grasp it with as little trouble and difficulty as its nature would admit. To effect this purpose, the first chapter is divided into two sections, the first of which contains 'General Observations on Winds and Currents;' the second, 'a General View of the

System of Currents in the Atlantic;' in which, from the great similarity of the matter, much repetition takes place, each current being twice described, besides the more general and detailed account given of it in the body of the work; added to which, many important facts, in the form of notes, are scattered throughout the pages, and under heads to which they do not immediately belong. To investigate the currents of the ocean and delineate their peculiarities, confers a most important benefit on the navigator, as it enables him to avoid the dangers incidental to their force, and to turn them to his advantage; every attempt, therefore, to define their limits, describe their courses, and settle their velocities, must call forth the gratitude of the seaman, and the applause of the philosopher.

On glancing over the Index chart prefixed to the work, a variety of currents present themselves under different appellations, the greater part of which may be referred to one motive power. This power is given, by Major Rennell, to the South-Atlantic current; of which he says—

'There is a real stream off the Cape of Good Hope, which is a portion of the well-known *Lagullas Current*, a current which as described hereafter, makes its way into the South Atlantic, round the Cape and the Bank of Lagullas, and thence proceeds along the western coast of South Africa to the Equator. This is, in effect, the first of the *Stream Currents* meant to be noticed in this list (the *first link* of the stupendous *chain* before us;) and which, by the aid of adjunct waters, collected in its progress, becomes the *prime mover* in the great machine.'—p. 20.

The primary motive power must probably be sought in the natural causes which give to the equatorial waters a tendency to move from East to West; a portion of which water being driven in the form of a current round the Cape of Good Hope, flows along the western coast of Africa as far as the equatorial line, where its force is turned by the North African or Guinea current, which terminates in the Bight of Benin. It then crosses the Atlantic, flowing on each side of the equator, passes between the West-Indian islands into the Caribbean sea, and enters the Gulf of Mexico, through the channel of Yucatan, and after completing the circuit of the Gulf, escapes with extraordinary velocity, through the strait of Florida, and again crossing the Atlantic, terminates off the western side of the Azores. This stream of current, so imposing and magnificent in its continuity, to the entire line of which the term 'gulf-stream,' though often employed is certainly inapplicable, is divided by Major Rennell according to the changes of direction which it takes in its course, into the denominations of the South-Atlantic

current, the Equatorial current, and the Gulf-stream; confining the latter term, with propriety, to that portion alone which issues out of the Gulf of Mexico, through the strait of Florida.

The author distinguishes currents into two kinds, which, though very different from each other, are almost always confounded together.

'The one *drift* or *drift current*, is the mere effect of a *constant* or *very prevalent* wind on the surface-water; impelling it to leeward until it meets with some obstacle which occasions an accumulation, and consequent *stream* of current. It matters not whether the obstacle be *land, banks, or a stream of current already formed.*'

'The other, of course, is the *stream* current, formed of the accumulated waters of the *drift* current. This may be of any *bulk, or depth, or velocity*; but the other is shallow, and at a mean, perhaps, of no more than half a mile per hour, when the wind is constant and a good breeze.'—p. 21.

It may be remembered, that an account of the great Lagullas current was the first work by Major Rennell, in which were exhibited those talents and attainments that shine so conspicuously through his after productions. Since that period, however, many experiments and observations, by means of the thermometer, have been made on the course of this important stream, particularly in 1819 and 1820, by Captains Hamilton and Alsager, and Dr. Davy. Their researches have led to very important results, as will be seen by the following extract, and by a reference to Chart 3, where the courses and temperatures are accurately laid down.

Major Rennell says—

'the observations of the current and temperature made in two years, 1819, 1820, by the Captains Hamilton, Alsager, and Wilson, have given some new ideas relative to the course of this stream.'

'It was formerly thought, by most persons, that the entire body of the Lagullas stream passed round or over the bank to the westward, into the Southern Atlantic; but it now appears evident that the *greater part returns back into the Indian Ocean*, towards the opposite quarter from whence it came; merging into the well-known easterly current that issues from the South-Atlantic, and passes to the southward of the Bank of Lagullas and string of the Lagullas current, in its way round the bank from the Indian Ocean; both occasioning great eddies and irregularities near their respective borders.'—p. 98.

This is a most important correction for hydrographical knowledge,—a great truth that will materially assist the judgment in accounting for the turbulence to which this part of the ocean is so frequently subjected; and it is hoped that the eminent success attendant on these experiments will induce all who may have the opportunity of increasing this branch of

knowledge, not to let it pass by. The importance of such observations, in determining the course and breadth of currents, and the facility with which they can be made, are forcibly expressed in a periodical work of great utility\*, where it is noted that such experiments need not interfere with the ordinary duties of a seaman, because, 'as they can be best made during calms, so it is precisely at the time when there is little work to be done on board.'

The most important aid however towards a perfect understanding of currents, has been derived from the invention of the chronometer, now about half a century ago. Previous to this time, no means deserving of confidence were known for ascertaining their direction and velocity; for although the differences in northing and southing, between the dead-reckonings and observations, might be pointed out by the observations of latitude, yet the error of longitude, or of easting and westing, would of course error detection altogether.

That portion of the Lagullas stream which does not return into the Indian ocean, passes round the Lagullas bank and enters the Southern Atlantic, when it takes a north-westerly direction, and merges in the general or drift-current of the ocean. Its influence is felt almost as far as 26° South, and the momentum which it communicates to the waters, added to the influence of the southerly wind, gives rise to the South-Atlantic current, which taking a northerly and north-westerly direction, flows along the entire coast of Southern Africa, from the Cape of Good Hope to the Equator. On reaching the Equator, its course is turned by the Guinea current, a powerful stream from the Northern Atlantic, which runs along the whole coast of Guinea from Sierra Leone to the Bight of Benin. The South-Atlantic current thus opposed turns to the westward, when following the system of Major Rennell, 'it becomes by degrees the head of a still more powerful stream, under the name of the Equatorial current.'

The Equatorial current, which forms a complete bar across the Atlantic, between the Brasil and Guinea coasts, is a far greater nuisance to seamen than any other stream of current in the Atlantic. It is also the longest, the broadest, and the most powerful stream in this sea; and if the conjecture of the author be correct, it is also the most remarkable, on account of its sending off two large branches, in opposite directions, at the same time pursuing its original course between them. 'The length of course of this remarkable stream,' says Major Rennell,

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\* Nautical Magazine, vol. i. p. 182.



p. 22. 'reckoning from the Bight of Biafra to the Antillas or West-Indian Isles, is roundly about 4000 geographic or nautic miles ; but even reckoned only to the N. E. promontory of South America (Cape St. Roque), it is about 2500.'

With regard to the velocity of this current, it may be remarked, that it is considerably affected by the south-west wind which blows across the Ethiopian sea, and attains its greatest velocity in the months of May, June, July, and August. 'The examples,' says the author, p. 130, 'vary among themselves in point of rate, as may be supposed, exceedingly; they rise in very many instances, to 45 and 50, occasionally to 60 miles in twenty-four hours, but perhaps the mean may be taken at about 28.' This small mean shows the great irregularities which take place in the velocity of the current, and which arise from the greater or less power of the wind upon the surface, and the quantity of drift-water added by the force of the wind; but after all it must be admitted, that from the great discrepancies that are shown by the data of rates to occur in the same parts of the stream [see Chart 1], its velocity and direction are not at present strictly reducible to system. To pursue the author's description of this current, as respects the branches into which it divides itself,—

'At the aforesaid middle point between the two continents, and precisely at the equator, the stream now considerably widened sends off a very large branch to the *north-west*, and into the middle of the North-Atlantic; whilst the main stream turns to the W.S.W.; pointing to the promontory of Cape St. Roque; and, when it approaches that cape, it subdivides; the largest part passing by the north of the Cape, towards the West-Indies; the other southward, along the eastern coast of Brasil; and is felt, in degrees, all the way to Cape Horn.'

'The *main* stream, after passing Cape St. Roque, although divested of two such great masses of water, is still a great and powerful stream, now receiving supplies from the N. E. trade on the right, as before from the S. E. trade on the left, and widening out to an indefinite extent, whilst its rate of motion is from three miles to one mile an hour.'

'This is the *second* and longest link of the chain, when the Gulf-stream (hereafter described) terminates at the *Azores*.'—p. 23.

The next portion of the ocean which occupies the author's attention, is the Caribbean or Colombian sea, of which he remarks,—

'One is doubtful whether to regard this sea, wholly as a *stream of current*, or as a *sea in motion*; for such is its description, rather than a stream of current. The southern part of it is, in effect, a continuation of the *Equatorial stream*, which enters the Caribbean, through

the passages between the Islands in the chain of the Caribbees (or Antillas) ; and it may be observed that the streams through the channels between Dominica and the continent, to the south, are very much stronger than those on the opposite side. But the general motion of this sea is vastly more gentle than that of the Equatorial stream. This may be called the *THIRD link of the chain of currents* ; and may be reckoned to be more than 1600 miles in extent.'—p. 23.

There can be little doubt that the main branch of the equatorial stream, after sending off its detached branches, enters the Caribbean sea, through the various passages between the different islands from Trinidad to Martinique ; but so great is the bulk of water which enters into this sea, that Major Rennell appears sensible that it must be furnished from some other source than this branch of the equatorial current. He therefore attributes it 'to the operation of the north-east trade wind on that part of the Atlantic lying generally to the westward of Cape St. Roque.' But there is no ground for supposing that the water to the westward of Cape St. Roque, is any other than a part of the equatorial stream ; for the great body of the current, after it has sent off a branch to the north-west, is arrested in its progress by the coast of South America, which it encounters at Cape St. Roque, and the consequence is, that it subdivides again ; the new branch taking the direction of the impeding object, flows along the coast of Brasil, its influence being felt as far as Cape Horn. So, on the same principle, that portion which Major Rennell calls the main stream of the current, and which passes on towards the Caribbean sea, would take the direction of the northern coast of Brasil. There is no cause why it should not follow the direction of the coast,—certainly none why it should flow at a great distance from it, and therefore a large body of water to the west of the course of the current, and not partaking of its motion, must be visionary or at least systematic. From the observations of Captains Deacon and Rodd, as well as from those of Baron Humboldt in his 'Personal Narrative,' and Tofiño in the 'Derrotero delas Antillas,' it is proved that a general movement of the waters of the western part of the Atlantic takes place towards the West-Indian Islands, or in other words, that the well-known general motion of the waters of the ocean, from east to west, is evident in this part of the ocean ; the truth therefore appears to be, that although a marked stream of current, across the Atlantic, on the line of the equator, (the second link of Major Rennell's chain,) was necessary for perfecting a system of currents, still, in reality, no such current exists, in this part, separate from, and independent of the general one caused by the influence of the north-east trade

winds. On a reference to Chart 2, or to the Index Map prefixed to the volume, it will become evident, from the positions and bearings of the West-Indian Islands, that the waters of the oceanic current are driven into the Caribbean sea, between the islands from Cuba to Porto Rico, in a direction from north to south; subject, of course, to such deviations in the passage, as arise from the form and direction of the land opposed to their progress; while from Porto Rico to Trinidad, the direction is from east to west; and as the lines of current between the latter group are strong, and meet the others at right angles, an agitation must necessarily be the result, and will account for that action of the water which induced the author to consider this portion as a sea in motion.

The next link in the author's chain of currents, is the Mexican Gulf; which he says,—

‘may be regarded as the *reservoir* of the GULF-STREAM; since it keeps up, at all times, a *head of water* for the supply of the stream. It is commonly supposed that it must have a great degree of elevation above the Atlantic Ocean; which seems requisite, in order to produce such a phenomenon as it produces: but the cause of this elevation has been very differently accounted for. In the discussion of this subject, at large, I have endeavoured to clear it from some of its difficulties.’

‘I shall only mention, in this place, that it appears probable, that the N. E. trade-wind forces a great quantity of water from the *Atlantic*, into the Sea of *Mexico*, through the *Caribbean* sea; and which it could not readily escape from through the narrow Strait of *Florida*.’

‘The water passes with a gentle current, from the *Caribbean* into the *Mexican* Sea, through the channel of *Yucatan*; and may be considered as making a tour of the gulf or sea, by the left (or S. W.,) passing by *Vera Cruz* and the mouth of the *Missisipi* river; and finally, completing it opposite to the Channel of *Yucatan* and the west end of *Cuba*, which separates that channel from the outlet of the Strait of *Florida*.’  
—p. 24.

The force of the main current from the Atlantic, is broken in passing through the comparatively narrow channels between the West-Indian Islands, and may rather be compared to water making its way by oozing, than by flowing unimpeded; by which means the level of this sea is raised considerably and gradually. The force of the stream being thus broken, the water flows onward with decreased momentum towards the channel of Yucatan, which lies opposite to those channels between the West-Indian Islands through which it passed with the greatest force and velocity, and enters the gulf of Mexico. The consequence is that the level of the Mexican Gulf is also greatly raised, although the fact has at times been doubted. But when

it is remembered that a large body of water like that of the Caribbean sea, is constantly urged forward by a moving power of vast force and magnitude, like the current in the Atlantic, and that the reservoir which receives and bounds its onward course, is comparatively small, it must be admitted that a rise of level must be the natural result of such a state of things. Thus pent up in a small space, without the power of returning in any portion through the channel by which it entered, the water naturally seeks some other channel through which it may escape, and consequently, after being driven or rather whirled round the circumference of the bay, flows out through the strait of Florida with a velocity proportionate to its own bulk, the narrowness of the channel of escape, and the motive power by which it is impelled; and the current thus formed, constitutes the well-known flow of water denominated the Gulf-stream.

The channel of Yucatan, between Cape Catoche and Cape Antonio, terminates the chain of currents westward. The Mexican sea is well laid down in Chart 2.

'The FLORIDA, or GULF-STREAM is still a continuation of the same stream, or *series of streams*, with the one we set out with: (viz.) the *South-Atlantic*.'

'This article is by far the most curious, as well as the most intricate, of any that are likely to be presented to the reader: and the investigation of it may possibly serve to explain some difficulties, which may have occurred to him, in his former method of considering the subject. For, it appears to the author, that the changes observable in its path and volume can no otherwise be understood, or accounted for, than by considering it in the nature of an *immense river*, descending from a higher level into a *plain*: that river at all times filling its bed, and being subject to frequent and very great *floods*.'—p. 26, and *Charts 2 and 5, the latter of which is an enlarged view of its course*.

No stream of current has engaged such marked attention as this, and when its importance to navigation, its vast length, its ample and varying breadth, the immense quantity of sea-weed that marks its progress, and the extraordinarily high temperature of its water are considered, the preference will not be surprising. When the course of the stream is stated to be three thousand geographic miles, some idea may be formed of the force with which it issues through the strait of Florida; a force so great as to be destructive to the land in that quarter. On the north side of Delaware bay, the encroachments of the sea averaged nine feet a year, from observations made between 1804 and 1820\*, and at Sullivan's Island on the north side of the entrance

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\* Lyell's Geology, vol. 1. p. 291.

to the harbour of Charlestown, in South Carolina, the sea carried away a quarter of a mile of land in three years\*; which destructive power arises from the narrowness of the strait, and the great volume of water that passes through it. A note at page 257, illustrates this fact by the following calculation. 'As the narrowest part of the Strait of Florida is thirty-six nautic miles in breadth, and the annual mean velocity about seventy-three miles per day, a surface of 2628 square miles of gulf-water will be poured into the Atlantic every day, or about two-thirds of a square equatorial degree.'

One of the greatest difficulties relating to this current, consists in gaining an accurate knowledge of its breadth, for although the stream is marked by a high degree of temperature, still the presence of warm water does not always prove the presence of the stream itself, and it is this circumstance that induces Major Rennell to view it as a river subject to overflowings. By observations made in 1820, the whole body of warm water, constituting the 'proper gulf-stream,' was confined to a width of 140 miles, and Captain Pell, in crossing it at the same place in 1815, found it of the same width, by observations on the current itself, and not on the warm water, that is, not by means of the thermometer; this therefore is a strong corroboration, and may almost be held as conclusive of its natural breadth. 'But it cannot be readily supposed,' says Major Rennell, 'that when the breadth of the warm water increases suddenly, as from 186 to 240 miles, in the course of ten days, and again decreases from 248 to 186 in about a week, that the *body of the stream* accommodates itself to those changes;' he therefore concludes, 'that the changes ought rather to be regarded as offsets or temporary overflowings.'—p. 230.

The warmth of the gulf-stream was first noticed in England by Sir Charles Blagden, in the *Philosophical Transactions*, vol. lxxi, p. 334. It had however been previously discovered by Dr. Franklin. The doctor had some time before discovered the coldness of the sea over banks†; and it was in the course of these inquiries, that he discovered the warm nature of the gulf-stream. The sum of the observations on the tempe-

\* Hoff Geschichte, &c. vol. 1. p. 96.

† May not an observation of this kind have a tendency to decide the question whether the globe may not be *pierced*, or have a junction of the waters of the ocean through its central parts? If banks cause cold, the water over such junction ought to be comparatively warm. Sea water is apparently as cheap a material, as any of which the interior of the globe could be composed; and if the existence of such a junction should ever be established, it would point to some remarkable inferences in Geology. —Editor.

ature, which are very numerous, are thus condensed by the author. 'This expanse of warm water extends, *at times*, in length, from the thirtieth to the seventy-fifth degree of west longitude; and in breadth, at the east end, from the thirty-third or thirty-fourth to the forty-fifth degree of latitude, and at the west end to between 160 and 170 miles,' being 2700 miles in length from east to west, and on a mean more than 400 miles in breadth from north to south, an area of warm water more extensive than the Mediterranean sea. 'This body contains besides the Gulf-stream itself, its *counter currents*, *offsets*, or *overflowings*, and *deposits*. The stream itself may possibly not occupy one half of the space.'—p. 259. Such a vast body of warm water has, as might be expected, an influence on the climate, which is wet, squally, and unsettled within its course; and it becomes needful to warn the seaman to steer as wide of its limits as he can. The remarks of Sir Philip Broke are important, recommending those who have no reason for navigating in this stream in the winter season, always to avoid it, because 'the sea which prevails there is unusually heavy and irregular. Between the latitudes of 38° and 40°, longitudes 56° and 64°, I have known cruisers thrown out of their reckoning nine degrees of longitude in ten or eleven days, by this current.' (p. 181). Another important subject connected with this stream, is its counter currents, which as they affect the course of the voyages between Europe and America, have received great attention on the part of Major Rennell, and their details, as far as the facts which he obtained warranted, are laid down with great care on the charts. His opinion concerning the origin of these important streams, appears to be, that 'they are the most prominent when they emanate from streams that run beyond the limits of the trade-winds and their *drift* currents, as the Gulf-stream of Florida, to the northward of the parallel of 30°. For if a stream, within the trade-wind, runs *contrary* to the *drift* current, this latter will of course be a *counter current* to the other: and if *with* the *drift*, one merges in the other.'—p. 65.

The detail of this current is carried out to great length, and the author has availed himself of the researches and observations of many gentlemen of acknowledged eminence in the walks of science, among whom Captains Beaufort and Sabine, and Dr. Franklin, are conspicuous for the value or the extent of their data. Sir Philip Broke's description of the gulf-stream in the winter season, and far into the Atlantic, has furnished the author with many valuable facts, which are used with his accustomed felicity, in explanations that can be fully appreciated only by a reference to the book itself and the Charts that accompany it.

It would not however be right to quit this part of the subject, without noticing what is said of the *Fucus Natans* or gulf-weed, that remarkable accompaniment of the stream mentioned by Columbus and every other navigator from his day to the present.

‘Its place of origin does not appear to be settled, but a great portion of it, at least, is brought out of the Mexican Sea by the stream. Captain Livingston, in his way from New Orleans to the strait of Florida, saw the sea full of it; and every one that has navigated the Gulf-stream has remarked the weed in it, or along its borders.’

‘But there are different statements respecting this particular;—accordingly, some have said that little or no weed is seen in the stream; but only on the edges of it, or in the bordering sea; but Sir Philip Broke and Baron Humboldt say that the stream contains a great deal. Sir Philip says, “We were always surrounded with Gulf-weed.”—p. 183.

It is the opinion of Humboldt, that the weed is produced in large beds at the bottom of the ocean, and that from these beds it is detached in a ripened state, and collects in large masses on the surface of that part of the Atlantic called the *Sargasso*, or *Weedy sea*. One of the beds is supposed to lie between latitudes  $25^{\circ}$  and  $36^{\circ}$  N., longitudes  $30^{\circ}$  to  $32^{\circ}$  W. from Greenwich; and the other between latitudes  $22^{\circ}$  and  $26^{\circ}$  N., longitudes  $70^{\circ}$  to  $72^{\circ}$  W. Sir Hans Sloane, in his history of Jamaica, quotes many authorities for the weed being found on the shores of the Cape Verde and Canary Islands, on those of St. Domingo and Jamaica, and is of opinion that it grows among the Cape Verde and Canary Islands, as well as among those of the West Indies, and that it is carried to sea by means of winds and currents. The subject has also been treated of at some length in Vol. i. p. 175 of the *Nautical Magazine*, where the latter opinion is preferred to that of Humboldt; but on mature consideration of the subject, the opinion of the Baron appears to account better for the accumulation of such vast masses, than that of the historian of Jamaica. With regard to the entire course of this magnificent stream of current water, it is only possible to give the reader a faint outline of it; for to do justice to the immense collection of facts assembled for its illustration, the judgment displayed in their arrangement, and the great beauty and accuracy with which they are delineated on the charts, is impossible. But as the preceding facts are incomplete without some idea of its lengthened progress, the following account it is hoped may set the matter in a clearer point of view than it presents without such aid.

The stream ranges along the coast of North America, in a north-easterly direction, as far as Cape Hatteras, where it is

turned off shore by the adjacent banks of Nantucket which turn it to the eastward, and finally points between E. by N. and E.N.E. through the Atlantic, until its northern edge touches the parallel of  $44^{\circ}30'$  N. in longitude  $43^{\circ}$  W. or about midway between New York and Cape Finisterre. Here it begins to turn to the southward of East, and gradually round to South, and the westward of South by the time it reaches the Azores. After the banks of Nantucket have turned it to the eastward, the stream spreads to a vast breadth, the southern part deviating to the eastward of south, and the northern running decisively to the northward of east, preserving its former course. It is the northern part that is best known to the author, and for the details of which he is so much indebted to the experiments of Captain Beaufort and Dr. Franklin. At Cape Hatteras its breadth is 75 miles; between the Bermudas and Halifax, in February 1820, from 140 to 150 miles, and in May following, it was no less than 340, which are the two extremes out of eight experiments. Its rate of motion has been noted as high as 120 miles per day, after passing the narrows of the strait; 48 to 60, at 1100 miles below its issue out of the gulf of Mexico, and 30 off the Azores, or after a course of 3000 miles. Its temperature in the gulf of Mexico is about  $86^{\circ}$  of Fahrenheit, or  $7^{\circ}$  higher than the Atlantic;  $81^{\circ}$  after running 1100 miles;  $76^{\circ}$  to  $79^{\circ}$ , after running 3000 miles; and at the Azores, it is  $74^{\circ}$ . The head of the mass of sea-weed is situated in the part where the stream turns to the south and begins to lose its force, and extends southward to latitude  $20^{\circ}$  N. It is narrow at the beginning, but spreads out to  $6^{\circ}$  or  $7^{\circ}$  of longitude, and is most compact between latitudes  $21^{\circ}$  and  $37^{\circ}$  N., so that this deposit, which Columbus named the Sargasso sea, extends 960 miles from north to south.

The remaining currents described by Major Rennell, and which complete his system, are the Arctic current; the North-Atlantic current; the North-African or Guinea current; the north-west branch of the Equatorial stream; the Brasil, or south-west branch of the Equatorial stream; and the Connecting current, or that which connects the Southern Atlantic with the Pacific and Indian Oceans. The Arctic current joins the Gulf-stream, not, as was erroneously supposed by the navigators to Newfoundland and New England, in lat.  $41^{\circ}$  N. long.  $49^{\circ}$  W., but somewhere about lat.  $44^{\circ}$  N. and between the longitudes of  $44^{\circ}$  and  $47^{\circ}$  W., on the east end of the grand bank of Newfoundland. The currents of this region are not well understood.

‘It is only known that, at times, a current runs to the south-west along the eastern coast of Old Greenland; and another to the eastward of south, along the coast of Labrador; and thence along the east side of



Newfoundland, (detaching a branch through the Strait of *Belle Isle*,) and finally approaching the Gulf-stream.'—p. 243.

The solution of the question, whether these streams pass the parallel of Newfoundland in a separate state, or form a junction previously, is a desideratum in hydrography. The details of this current are from the observations of Admiral Sir Thomas Duckworth, Captains Beaufort and Parry, and Colonel Williams.

A Note in the Appendix by Mr. Purdy the editor, contains also some good matter in illustration. The North-Atlantic current is to the northward of the Gulf-stream, in the line between America and Europe, ranging between Labrador and Newfoundland on one side, and the British Islands and France on the other. It has a slow motion to the eastward arising from the prevalence of the westerly winds,—so slow as to be scarcely perceptible; but from the number of floating substances thrown purposely into it by way of experiment, its direction has been established with great certainty. The bottles, cylinders, and other floats, if thrown in to the north of lat. 44°, arrive at some point between the Orkneys and Cape Finisterre; and those thrown to the south of 44°, commonly in the West-Indian seas. The results of numerous experiments are detailed at p. 353 of the Appendix.

'This *drift* current eastward must, of necessity, produce an accumulation of water in the eastern part of this sea; and which the Arctic waters must have a tendency to increase: and the consequence of the accumulations must be, the running off of the superincumbent waters towards the south and south-east; since these waters themselves flow from the west and north, and the eastern quarter is shut up by land.'—p. 53.

From which reasoning it is concluded, that this flow of superincumbent water is the origin of the powerful stream which ranges along the coast of Guinea to the Bight of Biafra at all times, and in some seasons to five degrees south of the Equator. The conjecture concerning the origin of the African current is ingenious; and so is the next, which ascribes to this motion of the sea, the birth of the current which circulates round the Bay of Biscay, and sometimes places ships in danger in the parallel of the Scilly Islands, and which is known by the name of 'Rennell's current,' it having been first explained by the author.

The North-African current arises from the above-named overflowing of the waters of the Northern Atlantic; to which must be added an influx from the Arctic sea, and an occasional one from the extension of the northern branch of the Gulf-stream. It is a stream of great magnitude expanding itself from the coast

of Africa to the western side of the Azores, or nearly so; its breadth and velocity varying with the quantity of Arctic water received, and the duration and force of the westerly winds. The singular course of the Rennell current is thus described.

‘At the very commencement of this current it presents a very curious and interesting phenomenon. *It sends out a branch* to the S.E., which passes into the southern part of the Bay of Biscay; and, after coasting the northern shore of Spain, turns to the north and N.W. along the coast of France; and, shooting across the mouths of the English and Irish channels, bends round to the west, and thence through all the intermediate points to the south-east; and, falling again into the original current, performs a complete rotation between Spain, France, and the Atlantic at large. It is the outer or N.E. side of this vortex which, by a kind of centrifugal motion, flies off to the N.W. and across the two Channels, and forms the current which so often places ships in danger near Scilly.’—p. 34.

Through the medium of the North-African current, the waste water in the Mediterranean, caused by the increased heat\* and greater evaporation of that inland sea, is constantly supplied; the currents, from every quarter, pointing towards the strait’s mouth, as to the pipe of a funnel, of which the reservoir is the circular space between the Capes of St. Vincent and Cantin. During the summer months when the evaporation from the Mediterranean is greatest, this simultaneous motion of the waters to a fixed point, is powerfully felt to a great distance in the Atlantic. Captain Smyth describes the current setting into the Mediterranean, as being three miles and a half wide in the centre, flowing at the rate of from three to six miles an hour to the eastward, bordered by two lateral currents, each being about two miles and a half broad, and flowing at about the same rate as the central stream. The lateral currents ebb and flow with the tide, setting alternately into the Mediterranean and the Atlantic †.

So numerous are the directions of the various streams which compose Major Rennell’s systematic one denominated the North-African, that the chance of reducing the anomalies which they present under the laws of a system, is quite hopeless, with the limited knowledge possessed at the present time. Take the following example, which will give a full and fair view of the difficulties.—

‘As far then as *Madeira* and the *Canary Islands* to the southward, and

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\* It has been ascertained by experiment that the water of the Mediterranean is 5° or 6° of Fahrenheit warmer than that of the Atlantic between the same parallels of latitude.

† Smyth’s Sicily.

to an indefinite point, westward, in the ocean, the currents are known to *set* obliquely towards the coast of Africa: that is, to the S.S.E., or S.E., on the westward of a line drawn from Cape St. Vincent to Tenerife; but, on the eastward of that line, that is, on the side towards the coast, it *sets* nearer east. Again, from the Canary Islands to the Cape Verde Islands, taking a line from one to the other, the current on the *west* of it, and to an indefinite distance, westward, runs to the westward, or S.W., according to the course of the trade-wind; but to the *east* of it, or towards the shore, it is not much to the south of east, and *pointing nearly towards the land*, until we arrive in the neighbourhood of Cape Blanco. This being a prominent point, whence the coast trends to the N.E. towards the Strait, on the one hand, and southward to Cape Verde, on the other, it divides the *inner* stream of current; for here it changes its direction with that of the line of coast, running somewhat to the west of south, and identifying itself with the outer stream.—p. 293.

This view of a portion of the anomalies with which the entire line of this current abounds, will be sufficient to establish the asserted necessity of waiting for further information.

The north-west branch of the Equatorial current separates from the main stream, in about longitude  $23^{\circ}$ W., and running N.W. by N. terminates in the Sargasso sea. It is smaller and weaker than the other Equatorial streams; flows at the rate of about one mile per hour, and at its separation from the main stream is from 180 to 200 miles in breadth, which increases afterwards to 300. Its influence may generally be traced as far as  $20^{\circ}$  N. and sometimes as far as  $25^{\circ}$ , and may be made beneficial to ships bound to America direct, as far as the former parallel. The space between the western border of this current and the opposite coast of America, is nearly 1000 miles; its course therefore is too distant from the land to be affected by tides. There now only remain the Brasil and the Connecting currents, to complete the view of that systematic arrangement or division of the numerous streams which Major Rennell has adopted. The former or Brasil current is of inconsiderable breadth till it arrives in lat.  $16^{\circ}$  or  $17^{\circ}$  S., where its direction is to the S.W. at a distance of 280 miles from the shore, gradually declining to S.S.W. to Cape Frio; at which point its velocity is 30 miles per day, at 200 miles from the coast. Here the land falls back to W.S.W.; the consequence of which is, that the current is thrown further off shore, and, 'as generally happens in such changes of direction of the coast, a counter current in the Bay, runs to the N.E. within Cape Frio.' In  $30^{\circ}$  and  $32^{\circ}$  S. it runs more westerly at the rate of from 15 to 20 miles a day, and is found at 250 miles from the coast, extending to the north of the river Plata. At this point

a circumstance of great interest occurs, in the passage of the river across and over the oceanic current. The Plata current runs at the rate of about one mile an hour, and appears to be more than 300 miles wide at the distance of 600 geographic miles from its outfall; the Brasil current re-appears, and continues as far as Staten Land. A similar instance of currents crossing each other occurs in the easterly current along the southern coast of Australia, which in Bass's Strait totally disappears, giving way to a regular tide, but appears again in great strength at some distance from the strait to the eastward. Of these two instances, the latter, both waters being oceanic, is the most curious, their specific gravity being the same or nearly so, whereas in the former, the water of the outfall, having a large proportion of fresh or river water, is lighter than that of the oceanic current, which may in some measure account for the phenomenon, although it does not furnish a perfect solution.

The cross current of the Plata is chiefly given on the authority of Captain Beaufort, but also from Lord Anson, and Captain Krusenstern.

On quoting Lord Anson's authority, Major Rennell says,

'Having mentioned Admiral Lord Anson, I ought not to omit a circumstance, exculpatory of that highly distinguished officer, in a case where he was wrongfully blamed. And this I do, because it is probable that the truth is known to very few persons.'

'After the elegant and interesting narrative of the voyage had been considered, it was remarked by some professional men, that it contained little or no nautical information, that could be useful to future navigators.'

'But, in fact, a *second* volume, containing the nautical parts, was in preparation, but had not kept pace with the other (which the reader may perhaps easily account for, as well as for the exclusion of the supposed *dull* matter, from the narrative). Mean time Colonel Robins, the author, was appointed Engineer General to the East India Company, and sailed for India, taking the MS. with him, under the idea that it required correction, or examination; but very contrary to Lord Anson's wishes. The Colonel lived but a short time in his new situation; and after his death not a vestige of the MS. could be found.'—p. 12.

The Connecting current of the Southern Atlantic with the Pacific and Indian oceans, Major Rennell thinks originates from two sources; one 'a portion of the *drift* water from the S. E. trade, detaching itself from the Brasil current; and the other the *drift* water of the prevalent westerly winds beyond the trades.' (p. 42). This hypothesis is no doubt good to a considerable extent; and accounts for a large portion of the conflicting motion which takes

place in this part of the ocean, a part so imperfectly known, 'that, generally, between 30 and 40 degrees of [South] latitude, and longitudes 25° and 40° W. is nearly a blank in the chart.' The agitated state of the sea is still further accounted for, if the idea of the author be correct that this current and the Lagullas stream 'jostle each other' in their courses, with so much force, that a large portion of each is turned back. And there really appears to be good ground for the supposition; for the course of the latter may be traced by means of its temperature, which also gives a good clue to discover the path of its opponent. It is believed that there are many currents in this part of the ocean not yet defined, and which bid defiance to system, at least to one founded on any known principles respecting oceanic currents. The one named at p. 139, as traced eastward in about latitude 39° South, is supposed to be 'a derivative from the Brasil current.' Be the number of currents what it may, it is certain that a very powerful one is found off the Cape of Good Hope, where the sea when agitated by west or north-west winds is tremendous, the rapidity of the current increasing with the increased force of the wind. This is the Southern Connecting current of Major Rennell, and was crossed from south to north by Captain Cook who entered it in lat. 41° S. and left it in lat. 37° 20' S., from which the author concludes that its breadth was about 180 miles. He is also of opinion that there is a general motion to the east between the parallels of 30° and 40° S.; but if by the term 'general,' he means that one uniform movement to the east is known to take place, his conclusion outruns his proofs, for if he were able to arrive at a certain and general conclusion, then the currents of this part of the ocean, instead of being imperfectly known, would be correctly understood, and capable of detail.

Such then is the system which Major Rennell has adopted for the explanation of the difficult subject of ocean currents; in which there appears to be much ingenuity, and which, if the broad tracks exhibited on the Index Map were the only sets or courses of the different streams, would be completely satisfactory. It is easy to comprehend the idea of a current flowing from north to south; but if at the same time its details are shown to consist of a number of streams running from east to west, from west to east, and even from south to north, the idea is much more complicated and difficult of comprehension, and the stream so detailed would scarcely be admitted to be reduced to system. Yet of such materials are some of the great streams, particularly the North-African, as described by the author, composed. Before a perfect system of oceanic currents

can be formed, there must exist the power of defining their details, their causes, their lengths, and their breadths.

In the wide expanse of the ocean where the land lies at a great distance, the courses of currents are more regular, than of those which flow near to the land, and which are affected by it in a variety of ways. The perfect knowledge of the latter class, although much the most difficult to acquire, is by far the most important to the safety of navigators. In the open sea the dangers which might arise from the course of a current unobservedly entered into, may be avoided; but near to the land, the ship has often been reduced to a wreck before the presence of the current was apprehended.

Major Rennell considers the winds as the principal cause of currents in the ocean, which opinion is in consonance with that of several eminent writers who have treated of the subject; yet allowing that the wind may have great influence, still that influence is insufficient to account for the various and contradictory facts which are recorded concerning these mighty streams. Of this circumstance he is fully sensible, when he says (p. 65), that there are in certain parts of the ocean, 'sudden changes and *curvetings* of the current, for which no cause appears; so that, had they not been supported by many authorities, they might have been regarded as no more than errors from bad reckonings.' Neither can the anomalies which are recorded to have occurred in the great Equatorial current, be accounted for on any known principles. The wind is an especially incompetent adjunct in this instance, allowing it to have more than its usual versatility. In one instance, the whole body of water from 5° N. to 12° S., which is laid down as constantly flowing from east to west, was observed to run in a direction diametrically opposite, or from west to east; its rate or velocity being the same as when flowing in its usual course. At another time, a similar anomaly happened between the parallels of 2° N. and 7° S.; and other instances are on record where the current has ceased altogether (See p. 67). In the first two instances the regular wind must have blown from the opposite quarter; in the latter ones it must have ceased to blow altogether. Such facts show how impossible it is, with our limited knowledge of these matters, to form a system that will explain the nature and causes of oceanic currents in all their various characters. A few years more, devoted to well-directed experiments, will probably throw much light upon this subject, and it is not improbable, may explain some of the anomalous affections of the larger currents altogether. The object of the author, in systematizing his materials, was for the more ready comprehension

of his views ; supposing that facts are more firmly retained by the mind when acquired through such means, than when presented to it in a detached and desultory form. To the systematic form there could be no objection, if the quantity of data explained all the phenomena of the subject ; but where this is not the case, and when the lacunæ in the data are supplied by hypothetical assumptions, error may be the result. The volume and its theory, however, are of small importance when compared with that of the charts, embodying, as they do into one view, the general courses of the currents, with the variations which are found in some parts of them ; the direction of the wind, accompanied by the date when the observations were made ; the depth and temperature of the sea, together with some of the most important facts illustrating each current ; and the courses of many of the ships, the commanders of which furnished the scientific details. Among these will be found the names of Lord Anson, Captains Cook, Beaufort, Sabie, King, Rodd, Tozer, Alsager, Hamilton, Livingston, and Sir P. Broke. The charts are indeed wonderful performances ; so elaborate, that it would be useless to attempt a description of all their manifold points of utility and interest, or of the vast diligence, perseverance, and ingenuity displayed by the author in arranging such a bulk of information within so small a compass. These charts alone would place the name of Major Rennell among those of the most celebrated hydrographers of this or any other country.

Great credit is due to the engravers (Messrs. Walker) for the clearness, the beauty, and above all for the accuracy, with which they have performed their part of this important work. Chart 1 may be referred to as a specimen of their eminence in this species of engraving.

Major Rennell's two papers on the Scilly current, and that on the effect of westerly winds in raising the level of the English Channel, which appeared originally in the *Philosophical Transactions*, are reprinted, with notes by himself, and some additional ones by the editor, which are well worth the attention of those interested in the subject.

ART. XIV.—*Du Journalisme*. Art. 1. Revue Encyclopédique. Publiée par MM. H. Carnot et P. Leroux.—Paris. Septembre 1832.

**J**OURNALISM' is a good name for the thing meant ; at any rate it is compact, and when once in circulation is incapable of equivocal meanings. A word was sadly wanted. 'Newspapers,' and 'newspaper-writing,' not to mention that they have a bad odour, only imperfectly describe the thing intended. The inter-communication of opinion and intelligence, as maintained in England and other countries by means of journals, is too important to pass without a name and that a good one. The Press is, however, a new power ; and it is neither arranged on a right footing as yet, nor is it properly appreciated, nor has time settled or sanctioned the names or the conditions of the persons who take a part in its government. We hear of editors, reporters, writers in newspapers, and sometimes 'publicists,' a neological term ; but the world not only does not assign the definite meanings to these terms, but they are, in public estimation, somewhat derogatory expressions. It is not very usual to find any one who will avow his connexion with a newspaper, and if it were avowed, it would certainly operate to the disadvantage of the party so avowing. The profession, were it *affichée*, would effectually exclude the professor from many circles of society ; and the fact only suspected, would close the doors of some of the largest, if not the best, houses in town, against the unhappy dealer in public instruction. In France on the contrary, to be a journalist, is to be a person of note ; to be an editor, is to be a person of accredited power ; the title of a journalist, implies education, character, and perhaps disinterested enthusiasm ; at any rate, in public opinion, a union of respectable qualities.

'In France,' says the writer on '*Journalisme*,' 'all political men, all the chiefs of parties, write in the journals. In them they acquire their popularity, through them they attack the ministry, and by them they defend it when they have got it into their own hands. In no other part of the world, is the combat between the government and journalism so fairly engaged ; for where else is the Press so completely the representative of the whole society ?'

'The Frenchman,' he again remarks, 'is beyond all others *journalistic* ; his social temper, his capacity for interesting himself in the fortunes of other countries, his facility in talking on every subject, his energy in debate, and all the gifted nature of a people fated to dispense a civilizing influence on the world, are marvellously adapted to the institution of journalism.'

England may be maintained to be as 'journalistic' as any part



of the globe ; and as far as a gifted nature is concerned, perhaps no population more abounds in *quidnuncs* than that of the British Islands. It may be uncertain whether they are a people fated to spread a civilizing influence over the rest of the world, but this is certain, that our descendants in the new world and our fellow-subjects in the colonies, are intent upon providing themselves with a newspaper, as among the first necessities of social life. Why is it then that there is a sort of odium attached to journalism in this country ? Why do not our principal politicians write in them, or if they do so by any chance, why do they conceal the fact as shame, and others fling the charge on them in scorn ? Why is it, that to be connected with (such is the delicate phrase) a journal, is an argument against a man ? The power of journalism is acknowledged on all hands to be enormous in France, but it is not proved that it is less in England. Newspapers are everywhere a necessary of life ; multitudes of men cannot breakfast without them ; after breakfast, other multitudes of men resort to the club and reading-rooms for their perusal, with an appetite not exceeded by that with which the hard-working man seeks his dinner. Numbers of persons, both of fortune and supposed education, converse solely by and from the newspapers ; and the fact of a barren journal, often assumes to individuals so situated, the shape of a serious misfortune. It has even been said, that suicides have been committed from a constant repetition of the announcement that nothing new had occurred,—in other words, that the newspapers of the day were barren. And yet the instrument which administers to the supply of an appetite so craving, is despised as an authority ; the source is hardly acknowledged, or with a sneer ; the influence is denied ; and the very individual whose whole thoughts have been moulded and directed by that morning's newspaper, would utterly deny the source of his inspiration. The majority of men are absolutely led by the journals, yet the majority deny their authority and are ashamed of their teachers. Why is this ?

Much light is thrown on the condition of newspapers in this country, by contrasting the state of journalism in France and England. Some of the elements of the comparison have been already indicated ; but nothing has been said of the causes which have led to the difference ; and scarcely anywhere has anything been done towards analysing the circumstances, which have made the British journalists and journals what they are and what they are thought to be.

The present character of the French press, is owing both to its history, and to the conditions under which the journals appear.

Before the Revolution, Paris had but two daily political journals, the *Gazette de France*, and the *Journal de Paris*. On the breaking out of that event, numerous sheets of all kinds were published, and though often summarily dealt with, continued till Bonaparte assumed the reins of government. Bonaparte had an exaggerated idea of the importance of the Press, and he resolved upon subduing the power to his own purposes. With this view he enslaved on one hand, while he dignified it on the other; he seized the property of every newspaper, and in different ways disposed of the old proprietors and editors. M. Bellmare, for instance, he sent as prefect of police to Antwerp, and poor M. Suard, the well-known academician, to a lunatic asylum at Charenton with an annuity of thirty pounds per annum. Every newspaper received a new responsible editor appointed by the government; and thus the Press was wholly laid at the feet of the executive. On the other hand Bonaparte declared the non-existence of a censorship in France, (for every paper had its own censor), and he appointed a bureau *de l'opinion publique*. The members of this bureau were upwards of half a dozen of the most ingenious and popular writers in France. Their duty was to contribute to the various newspapers, such articles as would conciliate public opinion,—that is to say, recommend the measures and maxims of the government of the Emperor. The Press was thus bound hand and foot, but then its chains were gilded. It was in fact raised to be one of the departments of state, and though its power was limited and its beneficence poisoned, its apparent consequence,—its *status* among professions,—was greatly raised; it in short became honourable according to the vulgar notions of honour, and though it was a slave, it was a titled slave, and not at all more slavish than the senate or the council of five hundred, the bar or the church. The Press, thus, was increased in dignity by the importance attached to it by a powerful and sagacious ruler, while it was excluded from the exercise of its natural prerogative. If the principle of the representation of the people could have been as easily managed and as carefully directed to the purposes of delusion, it would have been used. Had the newspaper press of England ever been openly adopted by the government, had its editors been appointed by the throne, and its active agents rewarded with pensions and governments; though it would have lost its highest quality, and for the time the chief part of its power, still it would have been exalted in public opinion, and under different circumstances might possibly have turned this sort of authority to account. At any rate, after it had become a habit with the leading men in France to edit

and manage a morning newspaper in the brilliant times of the Empire, it never could by any possible revolution or change, be an occupation popularly depreciated. On the contrary, subsequent events have been such in France, as to develop all the native power of the Press, while there have been none of a tendency to degrade the character of the employment. The conditions under which newspaper publication has taken place in France of late years, have also materially tended to influence its character. It was impossible for a jealous government to permit the anonymous; and what is more, the epoch at which journalism burst into existence, was anything but one of concealment. Every man was aiming to influence some portion of his countrymen, and was proud to avow his motive and triumph in his success. National character has also something to do with the openness of French periodical writing. Be this as it may, there is no doubt that the absence of the anonymous materially influences the tone of French newspapers, and that the superior decorum they preserve, is one cause of the estimation in which they are held.

Another most important and influential consideration is, the size of French newspapers; a size which has been allowed altogether to assume its natural dimensions. The *maximum* duty upon a French journal does not amount to one halfpenny; in England the duty upon a newspaper is ten times the duty in France. The 'Tax upon Knowledge,' as it is popularly designated in England, forcibly tends to the production of an enormous volume of paper. If the paper were small the duty would be the same, and the subscriber would complain that he had too little for his money; the proprietors consequently are led by competition to make the utmost of their limits, and the results may be seen in any of the morning papers of the metropolis. On the other hand, the editor of a Paris newspaper has no more space than he can easily fill with the contributions of himself and his principal writers; he can answer for every line of his publication. French newspapers are by no means perfect, but there is no doubt that in information, style, tone, and all that may be understood by the term deportment, they far excel our own, and that the qualities considered necessary for the profession of a journalist, are education and character. For these advantages they may be considered indebted to the causes pointed out.

The London journals, in almost every respect, furnish a very decided contrast to those of Paris. Looking at the externals, the gigantic size of the broad sheet is at first sight overwhelming; on examining, however, its constituent parts,

the wonder subsides. Advertisements occupy sometimes one half of the whole space; when parliament is sitting the whole of the sheet is filled with debates. But, except on extraordinary occasions, if subtraction be made of the advertisements, the extracts from foreign journals and the country papers, the reports of meetings, of courts of justice and of police, together with all that peculiar consistency called the penny-a-line matter, very little will be found that has proceeded directly from the reflexions of a person of education and intelligence. The quantity of what may be called 'writing,' as worthy of the name, in a London morning paper, does not exceed, if it equals, the quantity in an ordinary Paris journal. The other portions of the paper have their value; but it is most certain that the space which must be filled, leads to a most crude style of filling up; thus extracts from foreign papers are flung in bodily, and most frequently form a mass defying the efforts of the reader who has anything else to do than study the newspaper. The same remark is applicable to other departments. The most scandalous portion of the London press, however, is that which is supplied by the itinerant venders of intelligence, the reporters of the police, of accidents and offences, of the lower and sometimes of the superior courts of law. The manner in which this supply of floating intelligence is paid for, is a direct premium on verbiage first, and next on falsehood.

The Morning Paper of London aims at everything, and this may be the reason why it does nothing well. No transaction takes place which it does not conceive itself competent to report; and for reporters it is lamentable to think that it relies much on the itinerants above spoken of,—persons who, if they had no inducement to be false, have no faculty enabling them to be true. The absurd style, the bad English, and the curious phraseology, of that abundant crop of small and long paragraphs to be found in the morning papers, and which have been so often the subject of ridicule, are altogether attributable to the class of news-purveyors on whom a morning paper principally depends for its supply of *facts*, as they are facetiously termed. The penny-a-line men are generally persons who are by no means qualified to report common proceedings,—persons who have not had the education of decent butlers; but such is the constitution of the morning paper, that in these hands are the names and characters of a very large portion of their countrymen daily and hourly placed. It is they who supply the whole of that portion of the paper that comes under the head of domestic news. It is through the habit of relying on such unaccredited agents as these, that the London newspapers are liable to be

hoaxed, as they so frequently are, by pretended information; such as that lately imposed upon the *Times*, by some 'lubberly concocter of a lie,' to use its own phraseology,—respecting first, a fatal accident to one Mrs. Burney in consequence of the furious riding of Lord Palmerston's groom, and next giving all the details of a coroner's inquest that was never held, on a corpse that never appeared.

The whole of this mass is placed under the superintendence of an editor,—the same person who is expected to write the dicta that are to guide the opinions of the British world, for at least a day. He is to be responsible for not merely his own opinions on events,—events on which a secretary of state, with all the facts before him, would often find it difficult instantly to write an article for the nation,—but he must be cognizant of the whole correspondence; he must further have revised all the other departments of intelligence, and decide upon the pretensions of twenty penny-a-line men, and the reclamations brought against their reports of the preceding day,—and all this in the dead of the night, when the small hours are increasing fast, in a heated manufactory redolent of oil and printer's ink.

Size is the author of much evil; it tempts the proprietors to attempt everything, and the consequence is that nothing is done well. But this is not all.

To produce this enormous sheet requires, as has been observed, a manufactory, and that maintained on a large scale. It implies the retaining a great number of agents, correspondents, reporters, and occasional assistants,—an army of compositors,—another of distributors,—huge supplies of paper,—and a steam-engine. This is not to be done without large capital; the necessity of a huge capital being concentrated in particular hands, implies a virtual monopoly; and the evils of monopoly need not be gone into here. Nothing can be plainer than the lesson written on the front of every daily journal in London. It is to the monopoly, and the monopoly alone, that must be attributed the incongruities, the absurdities, in short the inaptitude, of the daily press. If public instruction is to be conveyed daily to every part of the kingdom, should not the nation have the best instructors that can be found? *Has it?* Are the editors of the daily papers, generally speaking, the men that would be selected to inform, teach, and guide a country like this? Could, indeed, one man alone do it? Would it not require many? But the establishment cannot afford such a plan,—it must be content with the least it can do with. If much were given to the writers for public instruction, the credit might be more, but the profit might be less than

it is. But then are there not disinterested men of ability in this great and enlightened nation, who would gladly come forward to guide their fellow-countrymen,—at any rate to share with them the gifts of intelligence and industry? There are numbers; but is it to be expected that, first of all, they would submit to the control of a trading proprietor, whose ambition it is to draw profit, and not to scatter good? And again, would such individuals consent that their writings should be mixed up with the contents of the penny-a-line man's wallet, the rags and fragments of the basket of the literary scavenger?

If reports of proceedings are to be given at all, should not the best be had?—should not they, whether in courts or at meetings, be first faithfully reported and then carefully and judiciously abridged, in such a manner as to present not only an idea of the event, but a trustworthy record of the opinions enounced and the transactions that took place? Is anything like this done? The appeal may be made to any one who was ever present during a series of transactions, and next morning perused a report of them in a daily paper. Every line bears the mark of haste; indifference, uncertainty; and, what is more, the whole record itself hangs upon a balance;—it is a question of time and space;—if the report is not ready to an instant,—if another subject catches the eye of the superintendent editor,—the whole matter is swept into oblivion. Thus are information and intelligence made to depend, not on their importance to the public welfare, but on the number of square inches in a morning paper.

There are few things more essential than correct reports of the debates in Parliament; the demand for them has been so considerable, that, even under the monopoly, they may be said to possess just claims to praise. There is much to be said, however, on this head. If the report of one daily morning paper is good, the others cannot be exact, for they all materially differ; phrases differ, which is pardonable; but the matter is not the same, and the length of the speeches and the fullness of the report depend altogether on the politics of the paper,—sometimes on the caprice of the reporter. The channel of this most essential intelligence may at any time be stopped by the conspiracy of a few nameless adventurers employed in this capacity by the monopolists, or it may be poisoned by the malignity of any one of them. If this may be said of the morning papers, what shall be said of the evening ones, which are mere garbled abridgments of the morning papers, and which would not trouble themselves with abridgment at all, were not the evening paper of smaller size than the morning. Supposing, however, that the reports of the parliamentary proceedings are made in the manner they

ought,—and there is much to be said in their favour, considering the circumstances under which they are got up;—because the Houses of Parliament sit late and talk long, is the country therefore to be deprived of every other species of intelligence, every other topic pushed aside? Yet this is the case; in consequence of the same paper being used for conveying every kind of information, it is frequently seen that the debates occupy the whole of the journal, and all the rest of the world is as if it were not. It is not, however, the fact, however late into the night the English Houses of Parliament may sit, that when they debate, all the rest of the globe sinks into repose.

The preservation of the anonymous in English newspapers has several causes, some of which are closely connected with the virtual monopoly, others, if at all, only remotely. One cause is, that the proprietary, for the sake of cheapness, and under the necessity of filling their pages, employ agents whom they are ashamed of, and the mention of whose names would deprive all they write or contribute of authority;—another is the personality of the Press, reacted on again by the anonymousness of this species of writing, and its consequent impunity; another cause may be the insignificance of each previous contribution, and the fact of the name of the contributor often being unknown to the parties adopting the contribution. Occasional contributors, who break through the common objections to writing in the newspapers entertained in official circles and among the aristocratic classes, of course do not wish to be known, lest they should be mixed with the persons habitually connected with newspapers, and to whom they consider odium attached. The anonymous again has its advantages to such persons;—who, under its shield, will sometimes venture a license of attack, which they could not sign without being subjected to more or less inconvenience.

It is not to be denied that many of the daily papers contain articles of ability, — that some of their editors are writers of acknowledged talent; but can one man do everything? can he know everything? has he the power of writing with effect daily and for ever? is he never to read? is no time to be given to society, to recreation, to the laying in a fresh stock of experience, to encouraging and cultivating new impressions or removing the old? So tasked is the editor of a morning journal, that he must necessarily soon be driven to the lees of his brain, and be content to foist his intellectual dregs upon the gaping world in lieu of the wisdom they have a right to expect from the pen of the public instructor. This comes of the monopoly; and the monopoly comes of the stamp.

The few lines quoted from the *Revue Encyclopédique* refer to the fact, that the French politicians make their reputations in the journals. The British certainly do not; a polite politician would blush to be accused of a leading article in a newspaper. This is to be lamented, if for no other reason than that the discussions in the journals would afford an admirable school for future public servants, and the writings of such men would be a better guide to their abilities and opinions, than either the extent of their property or the colour of their ribbons. The maintenance of political arguments in an arena before the world, would also corroborate the morality of young aspirants; they would early acquire a name and fame not to be bought and sold, and cease to be the tools they are now too often considered by their more experienced predecessors in political life. Such an object would raise young men above merely sensual pursuits, and give them a greater scope of ambition than is now afforded by either Melton Mowbray or the Red House. It would counteract the baneful prevailing idea that property and not intelligence make the legislator; for it would show that independence is founded, not upon wealth, but upon tastes. It may be remarked as a singular fact, the root of which is however somewhat deeper than the newspaper itself, that so few editors in this country have obtained either political celebrity or political power. To represent a borough even, has been considered as an object beyond the legitimate scope of their views; and yet these are the men the nation looks to for its opinions,—the men whose lucubrations lie on the first table in the land, as on the bench of the meanest hovel; whose ideas are canvassed in club-houses, conned over at private firesides, and read aloud to admiring audiences in public-houses. How is it that the wisdom of such persons never creeps into the senate, much less into office. Sometimes, but rarely, the concealed contributor works himself into power; such men as James Stephen and Sir James Mackintosh, though dishonoured by contamination with journalism, have scrambled into places, but it has been in spite of this connexion and not by means of it. Mr. Stephen once avowed in the House of Commons that such a connexion had once existed as regarded himself, and his magnanimity was applauded to the skies. If this is partly to be attributed to the aristocratic institutions of the country, it is also owing in some measure to the constitution of the stamped newspaper. The abolition of the stamp-laws will destroy one cause, and the reform in parliament may put away the other. It is to be hoped that men who have studied the people's interests long and carefully, pointed them out by their writings and ably



contributed to the formation of right opinions, will no longer be virtually excluded from a place in the senate, but on the contrary that there will be sufficient intelligence abroad to discern, that persons so trained are most likely to make efficient public servants and representatives.

The power of the press depends upon causes in part unconnected with the ability of its conductors. It arises chiefly from the power of spreading its opinions whatever they are, from its means of rapid communication and perpetual transmission. A sentence though feeble in itself gains a momentum merely by its being sent before ten thousand individuals at the same instant; just as in theatres, the expression that would but faintly affect a single individual, falling upon the ears of a large assemblage simultaneously acquires a vast additional force, and will move to tears or laughter the same person who was not to be touched in solitude. Something like this occurs in newspapers. The man who can publish what he pleases in a journal habitually read by a multitude, is a man of power, even though he may not be a man of ability. Nay, it may be, and indeed often has been, that a writer of less ability is the person of greater power; the chance being that an ordinary writer will use topics and broach sentiments more level to the comprehension, and more soothing to the prejudices of readers, than the writer of deeper views. The best instructor is not likely to be most willingly listened to; in fact the way to be most extensively popular, is to flatter prejudice, encourage vanity, and please the ear by the harmonious rounding of easily understood common-places. This must be considered as one of the reasons why so little discontent has been expressed with the daily organs of intelligence; the worst in essential points, was calculated to be most liked by the mass, and it is to the mass that regard must be had by persons whose sole concern is successful trading. Public satisfaction, the exponent of which is circulation, will be found often to vary inversely as merit, in existing papers. Some of them, looking to their conduct through a great number of years, have been despised or ridiculed by all intelligent men, perhaps at the moment when they were laying the foundation of immense circulation and great future wealth. These huge vehicles of public intelligence have been raised like balloons into the air by the speed of a courier, by the superior absurdity or vulgarity of their police reports, by the particularity of their details of the court, some ability in their theatrical critiques, or some other equally non-essential point in the conduct of a public instructor; for which however many persons cared, many others might be

indifferent. The guiding principle is necessarily the per-centage, and editors are rewarded or changed according to the state of the books. Though the daily newspapers are avowedly partizans of particular opinions or classes of persons, the objection to a thorough change of side does not consist in the honesty of the editor, for he may be easily changed,—nor in the convictions of the proprietary, for they frequently differ among themselves, and may be wholly opposed to the party espoused by the journal,—but solely in the chance that a change of opinion, if too abrupt, may be ruinous to the concern, the manufactory, the business of the firm. But within limits, every species of shifting takes place, in order to trim the vessel and its sails to the catching of the gale. Both questions and persons are managed; and though bribes may not be taken in form, there is no doubt that in many instances considerations are entered into, which appear only in their effect upon the columns of the paper. How can any other course be expected in merely mercantile establishments; and how blind must that public be, that does not see it;—how absurd not to expect it. In what other line of business do men take any guide but that which is likely to lead them honestly to the end aimed at in business, viz. profit. If truth is elicited,—if useful measures are urged,—if good information is produced,—the accident is lucky; the fact being, that even considerations of profit, make some show both of ability and independence necessary.

At the bottom of all this mischief, is the stamp. On observing the great imperfections and many vices of our journals, and looking into their nature and causes, it has always been found that that red deformity on the corner of each sheet, is the damning spot, the plague mark, that taints the whole mass. Do away with the stamp,—establish free trade in news,—and the supply of journalism will be of a very different shape and character. The bond that binds up all this heterogeneous mass will be cut, and the gigantic sheet will crumble into morsels. It is not meant that there will be no large papers; but papers will be adapted to the magnitude of the subject and the pockets of the readers. Why should a gentleman much attached to theatricals be compelled to purchase an expensive dispatch from Oporto, or a debate upon the poor-laws? The courts and police will have their own known reporters, and then, perhaps, reputations and cases will not be so grievously murdered as at present. The writer who conceives he has valuable opinions to communicate, will set up a journal for the season or as long as the subject lasts, and then drop it. There must be accredited channels of news; there must and

will be daily reports of parliamentary proceedings; the interests of commerce must be consulted; but these purposes will be answered together or separately as may best suit the different interests to be served. Some large firms will be broken up; but the activity that will be thrown into the profession of journalism, the addition to its power, extent, and utility, is not to be calculated. There is not a man in the kingdom, so poor that he will not be able to have his newspaper, and *that* the newspaper most peculiarly adapted to his wants and wishes. The dissemination of journals of all kinds will induce persons possessing peculiar talent or information, who now hold off from the newspaper press or are excluded from it, to come forward in the shape most agreeable to their habits, and throw all the weight of their ability into the general bank of intelligence. The newspaper would become as it is in France, the Exchange of opinion, the political University; and be even more than it is there. The greater enterprise of the English, the older habits of freedom, the more popular character of many of their institutions, and the more pervading spirit of their inquiries and their curiosity, would give greater variety, scope, and interest to their newspapers. From what has been done under all the oppressiveness of the stamp, and all the disadvantages under which it is evaded by the cheap journals, may be seen what may be expected as soon as the newspaper emancipation takes place; and assuredly that event cannot be long postponed. The stamp must be yielded, or it will be taken. That it has been continued hitherto, can only be accounted for by the fact that few of the public instructors are honest in urging its abolition. They dread the effects of a dissolution of the monopoly; luckily, however, the smuggling now going on to so enormous an extent in the shape of penny papers, is producing an effect that might not have been obtained from patriotism alone. It is to be hoped that the organs of the common interest and their own, will soon raise such an outcry as will frighten our gentle Chancellor of the Exchequer from the propriety of his calculations. The public in this, as in other things, have been supine; free journalism is an essential of political existence, and ought to be argued for, subscribed for;—it ought to be urged in assemblies both small and large; no set of men should get together without proposing as a thing to be done, the unshackling of the press; it is more necessary than to drink the King's health after dinner. 'The press must be untaxed,' should be the answer to every demand for money by the tax-officer, the burthen of every petition to parliament, the instruction of every member sent to represent the people. Let the people

but will it, and it is done. They have freedom of speech of one kind; why should not they have another? For what is publishing, but permanent talking to a great number of persons at once?

In the foregoing remarks on the Press as it exists, the daily papers have alone been mentioned. Some of the observations apply to the weekly ones; not all. The character of the weekly Press is in some respects more discreditable to the country than that of the daily papers. Frivolity of every kind, unmeaning attempts at wit, indecent stories, scandalous allusions, personal slander, and wretched efforts at aiding a political party by ribaldry and ruffianly abuse; these are the characteristics of much of the weekly Press. As it is not to be expected that such compositions would be tolerated more than once a week, no change is to be expected in the frequency of the publication; and as those who are gratified with such productions must have tastes too depraved to relish any higher entertainment, they will probably continue to enjoy the same extensive circulation as at present, especially those aimed at the rich. Such as are levelled at the ill-taught and ill-conducted part of the poor, it is to be hoped, will have their readers taken away from under them by a reformation and an extensive education in the more numerous classes. The more enlightened weekly journals are, in many respects, admirably conducted, and for talent and industry are just now hardly to be matched. They consist at present of original papers and of compilations from the daily news; the change to be expected after the abolition of the duty, would be perhaps the separation of these two parts. The compilation, abridgement, and condensation of the intelligence of the week is sufficient to occupy the whole of a moderate-sized paper; and assuredly the original discussions suggested by the events of the week are enough to occupy one body of men, and to fill one ordinary weekly paper, conjoined with advertisements, and a few matters of record or announcement.

One point should not be omitted, in a sketch however hasty of the evil condition of London journalism. It is, that the Journal being undertaken as a trading concern, and universally felt to be such, the readers and subscribers simply take up the paper as a hireling informant, and feel no more interest in the publication than goes to the settling of the newsman's bill. These are not the terms on which such communication should take place. The journalist is both an instructor and a representative; and the bond between him and his constituents, should neither be seven-pence nor a shilling. It being well understood that the ablest and most industrious

papers, and those which demand the rarer qualities in the individuals concerned in the construction, are the least circulated and the worst paid, the enlightened portion of the public should take care that they do not suffer for their ability or their honesty. Again, for the furtherance of all beneficial measures, no more convenient medium could be found, than the connexion supplied by editor and reader of the same journal. Such a Corresponding Society would defy any tyrant in the world. There has hitherto been a coldness between the parties; and the cause has been indicated. A journal has always been deemed a trading concern; it generally has been so; and the reader has justly considered the terms of the connexion as what might be thus laconically interpreted; 'I buy the newspaper, and the newspaper is ready to sell me.'

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ART. XV.—*The Refugee in America*: a Novel. By Mrs. Trollope, Author of "The Domestic Manners of the Americans."—12mo. 3 Vols. London. Whittaker, Treacher, and Co. 1832.

MRS. TROLLOPE having all but overturned the United States, by a book in the department of Voyages and Travels, has now brought romance to bear them down, and proposes to give them the *coup de grace* with a novel. In her former work, she could only tell us what ungainly people our descendants are; but now she can show them to us in action, and, what is more, present them to the notice of Europe in contrast with the refinement, the liberality, and the education of the mother country. The resort to fiction was a happy idea. That Mrs. Trollope was quite equal to its management had been already established; and the power which it puts into the hands of one familiar with its employment, of varying the scene, introducing different characters, and all ranks and descriptions of people, affords an author an excellent opportunity of working up such of his *adversaria* as he had not been able to weave into narrative, or incorporate in dissertation. Besides which, it presents the remarkable advantage of contrast, which has already been spoken of. It is not necessary to censure; brutality has only to be set *vis-à-vis* with refinement, and it is rebuked in the most formidable manner; and so with every other vice, virtue, or indecorum.

Acting up to this idea, Mrs. Trollope has sent across the Atlantic a small family of the *élite* of English society. Persons of wealth and consequence in their own country, and more than that, persons who in England would be regarded as the models of society,—rich, generous, noble, benevolent, courteous, and

refined, both in manner and sentiment. This was certainly subjecting our younger and hard-working brother to a fearful ordeal. But first it should be said, that these models of civilization are not able to separate themselves from the old country, without retaining some connexion with the society left behind. This is somewhat unfortunate for the purpose of the author; for the parties with whom the voyagers are connected at home, happen to be the most diabolical creatures that ever entered into the mind of even a lady novelist; for it would seem, the more innocent the habits, the blacker the imagination. It would appear that the female mind, kept free from actual contact with villainy,—in conceiving it, goes to sea without compass, and thus trusts wholly to the colouring of the imagination, unchecked by the test of experience. The scoundrel of the lady-novelist, is always ten times as infernal as the creation of an author of his own sex. An authoress may in fact always be discovered by the deeper die of her crimes.

In order to get some persons of refinement to the United States, Mrs. Trollope could hit upon no better plan than making one of her models of propriety fly his country for murder. Crime is, no doubt, a very frequent cause of the immigration of our refined countrymen into the ruder districts of the United States; and this is a circumstance to be taken into consideration on both sides. But still it may be suggested that the authoress could have contrived to whisk a peer of the realm into a Liverpool packet, with less violence than for the shedding of blood. From debt, to be sure, they have an immunity; as they do not open Banks, they cannot follow the example of Mr. Touchandgo, who, with his clerk Robthetill, left Lombard Street one frosty morning, and of whom the first intelligence was dated from the State of Apodidaskalia. These motives certainly fail; but peers are to be found in other quarters of the world than where they are appointed to governments, wandering, it is to be presumed, for the satisfaction of a rational curiosity, and, at any rate, if Mrs. Trollope *would* send a young member of the House of Lords to examine a republic, it was by no means necessary that his hands should be reeking with the blood of a peasant. Nevertheless, so it is. In merry England, somewhere on the Dorsetshire coast, exists a race of scoundrel smugglers, who when silks and brandy fail, take to inland robbery. One of this class,—the parallel to which Mrs. Trollope has omitted to show in the States,—has a grudge against Lord Darcy. Partly because the young gentleman is a lord, and partly because he has interrupted the robbery of a hen-roost, the peasant smuggler, himself a mere boy, vows revenge. He lets out the

entrails of the young lord's favourite spaniel, and before his lordship's face ; a struggle ensues, and the lord contrives to wrest the knife out of the young smuggler's hands, and to insert it into his side. The peasant drops motionless, and the peer stands over his victim in despair. This scene takes place in a boat in shallow water on some Dorsetshire sands.—

' Lord Darcy's fury now completely mastered him. He wrested the knife from the man's hand ; and, before either of them had again drawn breath, it was plunged hilt deep in the smuggler's side.'

' After giving a convulsive spring, and one deadly yell, the unhappy youth lay lifeless at his feet. Lord Darcy stood like stone beside his victim ; his dress was stained with blood, his face livid with horror, and the fatal knife still in his hand, when a small pleasure-boat, its white sail glancing brightly in the evening sun, shot directly into the little bay where the smuggler's skiff lay moored.'—Vol. i. p. 19.

This was the moment for whipping-off the noble youth to America ; he was qualified, as is said at the Magdalen, to be transferred across the Atlantic. The skiff spoken of is a pleasure-boat belonging to a Mr. Gordon of the neighbourhood, a man of wealth and rank, and, at the moment, is occupied by himself and daughter. This gentleman had formerly been in love with Lord Darcy's mother, but being under engagement to marry another, he had only made love, and not contracted marriage ; motive is here supplied for his active interference between Lord Darcy and Tyburn, for such the authoress deems would have been the fate of her hero had he remained in his father-land. Mr. Gordon takes the young peer into his sailing boat, and with a gallantry unheard of since the days of chivalry, ships the whole party in a vessel bound to America, then conveniently lying off the coast. More conveniently still, Captain Birdmore happens to be an American friend of Mr. Gordon's of long standing. Captain Birdmore is the first Yankee to whom the reader is introduced ; and it suited the authoress, under the circumstances, to make him both an honest and obliging man.

"As soon as we found ourselves on board, I led our unfortunate Edward to the cabin, and taking the astonished captain with us, I stated to him exactly what I had seen, adding, that the safety of the young man before him was dearer to me than my life. I concealed nothing from this excellent and true-hearted man, but the name and rank of his passenger ; and this I did as much to spare him future inconvenience, as to increase the security of my poor charge. When my short story was ended, I addressed myself to Lord Darcy with sufficient meaning to make him comprehend my purpose, and said, ' Now, Edward Smith, relate, I entreat you, to my friend and to me, the circumstances which led to this dreadful catastrophe.' What a counte-

nance he has ! I never shall forget the manner in which he told his dreadful tale, nor ever did I see remorse so deeply felt. Birdmore's eyes overflowed as well as mine, and, giving a hand to each of us, he swore to guard his person, and secret, as tenderly as if they were his own. I determined on accompanying Lady Darcy's son to America ; he was in no state to go alone. My Caroline, I knew, would as willingly cross the Atlantic as her drawing-room, if I were with her ; but I felt it due to her that I should have no reserves. She, and she alone, knows who he is. Fortunately my servants had never before seen him."

" I have hardly spirits to add more details ; but do not increase the misery you must suffer, by any fears for our inconvenience. My credit with Captain Birdmore is good to any amount. After having had a most fortunately rapid run, he went himself on shore with me and my fearless girl at Plymouth, and there, in less time than you would believe possible, we furnished ourselves with all that was needful to our whole party for the voyage."—Vol. i. p. 80.

Captain Birdmore furnishes the party with letters of introduction, recommends Rochester for a residence, and acts in every way as might be expected from a benevolent man. Whether he possessed any Yankee peculiarities of dialect or not, is only to be conjectured. Mrs. Trollope says nothing on that head.

It has been seen that the peer assumes the name of Smith ; but in his progress from New York to Rochester, he looks something between a lord in masquerade and a murderer in disguise. He evidently does not answer to the name of Smith. He suffers from remorse,—he is writhing under his misfortune, to call it by a euphonistic term much in use where crime is meant,—he disdains all fellowship with the people he meets with,—nay he will scarcely hold colloquy with good Mr. Gordon his preserver, and his daughter who is evidently falling in love with him apace. Well, this person proceeds on his travels. Mr. Gordon, his companion, is certainly not so much of a Belzebub as Mr. Smith ; but he is as little a person to be calculated upon, as his ward. It appears to the Americans, a shrewd people, that he is travelling without adequate motive ; he is a person of large income, and has never been careful of money ; that which would be termed liberality in England, or at most carelessness of money,—among a people where coin represents pains-taking and labour in whatever hands it may be found, seems nothing less than ignorance of its value. Our countrymen have taught the Yankees, in what class abundance of ready money and carelessness of its expenditure are usually combined ; and certainly they are not in fault, if suspicion attaches to such persons. Something was wrong, very wrong ; and the Yankees were not so much to blame, if they suspected the party of robbery only, and not of



murder. Yet this is the grand offence. Mr. Gordon and family proceed through a country they evidently possess no curiosity to see; they attempt to reside among a people whom they evidently despise, though their contempt is somewhat courteously displayed; they abound in wealth, and seeing that the persons about them are ready to make any profitable bargain, they fall into the most obvious traps, traps too obvious for an American to believe unseen; and after all, the party is only suspected of being bankers, or something of that description, in a state of unceremonious emigration. In spite of all this, the family is introduced into the society of Rochester. This is the fact which seems to tell most against the Americans; and not that they were turned out of it when it was found a police officer was in search of them. But to be sure they were fortified with the introductory letters of Captain Birdmore, and these went a long way, and indeed served them altogether until the arrival of the police. On the mere commendatory letter of Captain Birdmore, a Mr. Warner instantly invites them to his hospitable house, until they can find a suitable abode, and that they may escape the annoyances inseparable from remaining at a hotel. On the same introduction, they are visited by a respectable widow, a Mrs. Williams, and introduced to such society as the place affords. They take a furnished house from a Mrs. Oaks, for which they agree to pay an extravagant price, and on its first being mentioned, Mr. Gordon declares it a very reasonable demand indeed, though confessedly he knows nothing on the subject of prices at Rochester. Not content with this however, Miss Gordon secretly gives the landlady the value of three or four months hire of the whole house, for instantaneous possession; after which, it was absolutely charitable, to suppose the party only guilty of running off with bank plunder.

"Sit down, ma'am, sit down," began Mrs. Oaks. "After all, Miss Gordon, there is nothing like leaving women to settle business. When did you say you should like to come in, miss?"

"To-night, ma'am, if possible."

"To-night? Why, sure enough that is short notice. Lord bless me, why how can that be, and I with neither of my daughters to help me pack!"

"If the thing is impossible, madam, it cannot be done; but as it will greatly suit my convenience, I wish it to be so arranged, if possible. The additional trouble occasioned by this haste may be charged for, at any rate you please."

"There was much food for meditation in this speech, and most excellent ground-work for speculation; but poor Mrs. Oaks had not time allowed her for either. It was but a moment that she sat with her eyes wide open, and her mouth but half shut; yet the impatient

heiress rose from her chair, and so effectually alarmed the good lady with the fear of her escape, that she made a vigorous effort to subdue all lesser feelings, while she sought to gratify that which was dearest.

'She, too, rose from the chair, and fearing to lose the golden moment, said, as promptly as Miss Gordon herself could have desired, "I will be out of the house, bag and baggage, in four hours, if you will make it worth my while."

'The queer, comfortless dinner, the long dragging afternoon, the vulgar supper of yesterday evening, with the hurry-scurry breakfast, the odious bitters, and the still more odious *beaux* of the morning, all pressed upon Caroline's mind; and in utter forgetfulness of the caution Lord Darcy had received from the friendly major of the tavern, she eagerly answered, "I will give you fifty dollars beyond the rent if you will do so."

'Mrs. Oaks was indeed a happy woman, and she felt it. Not only were her most sanguine hopes of gain exceeded five-fold, but she had a story to tell, and that of English folks, which would ensure her listeners wherever she chose to visit for a month to come.'—Vol. i. 193.

Now this is intended to be not only amusing, but highly characteristic of our thriving republicans. It happens, however, to be a scene which is taking place every day in this country among the class who let lodgings and those who take them, though it does not very frequently happen that the keen Mrs. Oaks-es of London are so lucky in their victim.

The comedy of the book, is however chiefly supplied by the inmates of a boarding-house in Rochester, who are for the most part elderly bodies whose grand source of diversion, is in the new country as in the old, gossip, varied with dram-drinking and prayer-meeting. These characters are drawn with considerable humour; but whether they are American or not, it is certain that they may be matched in every particular in every market-town of England. Their furious love of news, their quick transition from censure to praise and even servility, their ignorance and their malice, their love of tea and sometimes strong waters, the flutter caused by male society, and the relief found for the pain of celibacy in the animation of the conventicle, are all English, or rather all human nature under similar circumstances, to the very letter. They who hesitate to believe this, from never having been brought into contact with such society, need only be referred to the novels of Miss Austin; more particularly her '*Emma*,' in which abundant proof will be found, and what is more, the source of some of Mrs. Trollope's inspirations.

It must be allowed, that for the female *quidnuncs* of a boarding-house in a provincial town, whether of England or the

United States, finer game than the Gordons, father and daughter, and the pseudo Mr. Edward Smith and a couple of booby livery servants, could not well be selected. Of course when the police is understood to be on their track, vehement is the agitation of the tongues, and great the triumph of the prophetesses of evil. The intelligence is thus received and acted upon at the boarding-house, whose society has been increased by the addition of the keen Mrs. Oaks.

'Mr. Mitchel had not himself been among the visiting acquaintance of Mr. Gordon, but he had heard enough of them; to know that his strong suspicion of their being followed by the police of New York, would not be unfavourably received by his fair friends.'

'It was not, therefore, many hours after Mr. Burns had left him, that he entered Mrs. Bevan's parlour, his long narrow face sharpened with the consciousness of his important tidings. When the character of a neighbour was the problem, Mr. Mitchel was apt to reason like a woman, and jump to the conclusion. He cheered the hearts of all the ladies, and Mrs. Williams was one of them, with the broad assertion, that the iniquity of those who had scorned their betters was brought to light; and that in the Lord's good time, they would be punished for their misdeeds; for that to his certain knowledge, the officers of justice were after Mr. Gordon, &c. &c. &c.'

'It is hardly necessary to trouble the reader with a detailed account of the horror expressed, or the pleasure felt, on this occasion.'

"I thought so!"

"I was very sure how it would be!"

"I said it would issue in mischief."

"I am not one bit surprised."

"I saw it clearly from the first," and

"The Lord be good unto me! what will brother Wilson say?" formed the chorus with which the news was received.'

'Mr. Mitchel shook his head, as the ladies purred around him, and almost squeezed the hand of Miss Duncomb, in the sympathy he felt for her detestation of such wickedness.'

"It is perfectly astonishing," observed Mrs. Cornish, "how often my prognostics have been right, respecting English people. When I lived in New York, it was quite impossible, even in the elevated circle in which we moved, not to fall in occasionally with some of these wretched, unfashionable, disreputable, people; but I always put Mr. Cornish on his guard against them."

"Indeed, mamma," said Miss Maria, arranging her 'spit curl' in that particular manner which at once explains the meaning of the rather particular appellation given by American ladies to the little captivating lock which adorns their temples, "Indeed, mamma, they are not always so very low. I remember hearing that there was a lord came over once; I am sure, I wish I had been grown up then!"

"I don't see," said Mrs. Oaks, "why I should not go over just now,

when that insolent Miss is pulled down a little, and look about after my elegant things. It is the bounden duty of every body in this life to look after the things that are trusted to their keeping. It is not nowise impossible but she may say something more about the book-shelves—or, frightened as she is, I should not be surprised if she thought it would be as well to pay me the compliment of leaving the pianoforte behind her. I wish Mrs. Bevan, or you Miss Duncomb, or both of you, ladies, would just step over with me this very minute."

"Both ladies instantly declared their willingness, and Mr. Mitchel professed himself much pleased that he had been the means, in the hands of Providence, of being serviceable in so good a cause."

"The three ladies hastened to bonnet and cloak themselves, and leaving Mr. Mitchel to await the news they might bring with them at their return, they walked off with the firm step of virtuous indignation, to see how poor Caroline bore her "pulling down."

"But the pulling down had not yet reached her. She was sitting, as was now pretty generally her custom in the morning, tête-à-tête with her friend Emily. Miss Gordon was drawing, while Emily read to her; and at the moment the three ladies were announced, they were laughing very heartily at the scene between king Richard and the friar, while at supper in the holy cell of the forest anchorite. There is always something embarrassing in the abrupt check given to laughter, by the unexpected entrance of a person, or persons, totally unfit to join in it. It is like a sudden stop put to violent motion. If this be true in ordinary cases, much more was it so in the present instance; for there was that in the manner and aspect of the visitors, which must have banished the smile from the cheek of Hebe herself."

"Mrs. Oaks entered first—as she had a right to do, seeing that the house was her own. Her countenance, which was naturally sharp, now bore a sort of vinegar expression, mingled with defiance. Her arms were firmly fixed to her sides, and her hands tightly clasped together. Miss Duncomb followed, with her dark eye-brows knit into an awful frown. She intended that her countenance should express the virtue and holiness of all the saints and martyrs; but there was a little crabbed air of earthly spite in her features, that quite overpowered the celestial expression she aimed at. Mrs. Bevan, as usual, humbly entered last. Not even the business she was upon could conquer her habitual smoothness; but she showed the interest she took in it, by muttering to herself every step she went, "Dear me!—Mercy on us!—Oh dear! oh dear!"

"Miss Gordon half rose from her chair, and uttered a civil salutation, which was received in perfect silence, except the muttered, "Oh dear! oh dear!" of Mrs. Bevan. The servant had placed chairs, and they sat down. Emily closed her book, and turning her sweet eyes on Miss Duncomb, said—

"Have you seen mamma to-day, Miss Duncomb?"

"Go home to your mother's house this instant, Emily Williams,

and try to atone for all the idle hours you have wasted. The daughter of a Christian woman like your mother, would be better on her knees at home, than sitting in such company, and hooting and laughing that fashion."

"The grisly devotion, and sour morality of Miss Duncomb, were pretty generally known throughout Rochester, and neither Miss Gordon, nor Emily could have been surprised by any ordinary expression of ill-humour; but there was something in her present address that they were quite unable to understand. They involuntarily looked at each other, and after a moment's pause, Miss Gordon said—

"Has Miss Williams been sent for by her mother, ma'am?"

"Miss Duncomb turned her head aside to avoid looking at her, as she replied—

"I come on no one's message, ma'am, and I wait for no one's commands, when the Lord's work is to be done. Go, Emily Williams, and be thankful to the Lord that you have friends to look after you."

"Elle est folle, ma chère," said Caroline, "ne vous effrayez pas. Montez à ma chambre, quand elle sera partie, je viendrai vous chercher."

"Emily rose, and followed the advice of her friend, much surprised, and a good deal alarmed at Miss Duncomb's extraordinary address, but not at all inclined to receive it with the implicit obedience she seemed to expect."

"Miss Duncomb did not understand a word of French, and was sorely provoked to see "a member of the same congregation" walk off, as she greatly feared, in defiance of her. Miss Gordon's perfect composure of manner puzzled all the ladies exceedingly, and a minute elapsed before either of them could decide what they had best say next; but Mrs. Oaks, who was the only one that expected actual solid profit from the business, rallied her faculties, and said—

"I expect, Miss Gordon, if you go off in a hurry, as seems nowise impossible, that you will remember that you have been accommodated with one of the most elegant places in the town, and that without word asked, what or who you were, nor where you come from. I think my accommodation should not be forgotten in my turn, and that any odd things as you may have brought into the house should be left, to make up for all the ill-words, I may come by, for being so over confiding to strangers." And as she spoke she had the courage to fix her eyes very particularly on the pianoforte."

"Miss Gordon stared at her with most unfeigned astonishment, and then turned to examine the countenances of her companions. The almost ferocious solemnity of Miss Duncomb's face, as well the down-cast eyes, and pursed-up mouth of Mrs. Bevan, convinced her that there was something going forward that she did not understand, and she determined on making an effort to obtain an explanation."

"I am always extremely happy, ladies, to receive a visit from you—but, will you permit me to ask, if you have any particular reason for calling this morning?"

'The three looked at each other, and evidently began to wish themselves home again. They had supposed it certain, from Mr. Mitchel's statement, of the arrival of "the police," that the parties concerned must have been made acquainted with it, and that they should have had an opportunity of seeing "if the English girl would dare to look them in the face after being found out." But she did look them in the face, with such an air of unconsciousness and surprise, that there was no doubting the fact of her ignorance ; her innocence was quite another affair.'

'Mrs. Bevan's *in-grain* civility forced her to answer the young lady's question, as no one else seemed inclined to do it, and looking first at one, and then at the other of her companions, as if to ask their leave for what she was doing, she said—'

"Dear me, ma'am, nothing at all."

'Though this was not particularly satisfactory, it was difficult to insist upon any thing more. Miss Gordon bowed and was silent.'

"It is best, ma'am, that Emily Williams should bide with her mother," said Miss Duncomb, rising to go, "and if you don't know any reasons why, it is likely that in the Lord's good time you may."

'So saying, she departed, followed by the others. Mrs. Oaks, however, pausing to say, "I hope, Miss Gordon, ma'am, that you will remember my obligingness :—" and poor Mrs. Bevan, waiting till the other two were out of sight, turned round, and made a very respectful courtesy.'

'No sooner was the house-door closed upon them, than the tongues which had been paralyzed in the presence of Miss Gordon, began to recover their powers.'

"It's a right-down shame in Mr. Mitchel," said Mrs. Oaks, "to send people off on a fool's errand this way—that the Gordons deserve to be hanged is all very likely, and it may come to pass too, for all that I know or care ; but it's plain as the sun, that the girl knows nothing about it as yet ; and I make no manner of doubt I shall find half a dozen stitches dropped in my stocking, bolting out as I did in such a hurry."

"It is no fault of Mr. Mitchel's, Mrs. Oaks, that you did not act with the decent slowness of a Christian, in putting your stocking in your bag, and I'm free to think that there was more view to earthly gain than to religious edification, in the hurry you was in to go."

'(Mrs. Oaks was *not* of the same congregation.)'

"Dear me ! dear me ! what a sad business 'tis, to be sure, to see that dear sweet girl of good Mrs. Williams's set up so by that gallyvaunting miss. Did you ever see, Mrs. Oaks, such lace as she got on her collar, and such a gown too ! really, 'tis hardly fitting, to my mind, that any body should wear such clothes every day, 'tis all very well for a Sunday, or walking in Broadway, at New York ; but to sit at home, just painting that way, is altogether quite unprincipled extravagance. However, I do wish Mr. Mitchel hadn't sent us off so, just for nothing."

"Mr. Mitchel's words will come true yet, ladies, and then say I

told you so," said Miss Duncomb. "And I must say you would show yourselves better Christians if you trusted to the words of a godly man like him, instead of being startled and terrified by the airs and finery of such a creature as that we have been looking at."—Vol. ii, p. 150.

The Miss Emily Williams here introduced, is an American, and according to Mrs. Trollope's report, one of the most lovely, amiable, and intellectual creatures of her sex; how is it that Mrs. Trollope finds all this elegance and virtue in a young girl 'raised' at Rochester in the state of New York? It is unfortunate for the authoress, that the exigencies of her story render it incumbent upon her to put all her virtue into her American-born subjects, while, without exception, every Englishman is either a knave or a fool. Mr. Gordon himself, the model of a Briton, must be included in the latter category; for his conduct, under the names of generosity, refinement, elegance, and gentlemanliness, is a mere tissue of folly. Wilson, the preacher, appeared to promise a specimen of Yankee ruffianism; but he, alas!, turns out to be an English colonel Brown, a gambler and swindler, who under the name of the Rev. Robert Wilson, had hoped to hide both his country and his iniquity. He presents a further confirmation of the wisdom of the Americans, in looking very closely after the claims to respectability on the part of the English importations into America.

The inquiries of the police officer, produce a sudden migration from Rochester, as the good ladies of the boarding-house had charitably expected; and on this removal, the real adventures of the Refugee in America commence. They form a series of improbabilities and absurdities, not equalled by the lowest and most extravagant romance of the Leadenhall Street library. Dally, the man supposed to be murdered by Darcy, is not dead. The coroner had brought in a verdict of wilful murder against the Earl of Darcy, without ever having ascertained the fact of the man's death. The *corpus delicti* had never been found; for the mother of the deceased had thrown her son's body into the sea! But Mrs. Trollope is not bound to know the law; she has made pretty extensive use of it however, and has even had the hardihood to get up a peer's trial in Westminster Hall, which for absurdity, is not to be equalled in the annals of Bartholomew fair.

By one of the lady-fictions, which as has been said are notorious for their atrocity, Mrs. Trollope contrives to dress up Satan himself in the person of a learned Serjeant Oglander, a cousin of the Earl of Darcy. This gentleman's services are engaged by Lady Darcy, in order to investigate the truth of the

circumstances under which her son is condemned, and by which he is compelled to become a fugitive. This Serjeant Oglander is, conveniently enough, the heir of the property of the Earl of Darcy in case of his demise without legitimate issue; he therefore without delay, sets about either to get him assassinated abroad or hanged at home. In pursuance of this monstrous plan, he employs Dally, the fellow of whose murder Darcy is accused, to kill his lordship in America; and to render his death doubly sure, he also engages the assistance of an old comrade-criminal of his own, the quondam colonel Brown, the present pious brother Wilson of Rochester, the very town in which poor, persecuted, stupid Mr. Edward Smith has taken refuge. If ever there was a libel on the parent country, it is this history; it is necessary, in charity, to hold the American pictures equally credible. The pious and prosperous Mr. Wilson, the wealthy and almost worshipped preacher of Rochester, the quondam colonel in the British army, undertakes without scruple the murder of the young peer, under the inducement offered by the learned Serjeant in London, of one thousand pounds down. The preacher's plan is to thrust the lord Darcy, alias Edward Smith, into the falls of Niagara, and then proclaim that the romantic youth had fallen a victim to his passion for the picturesque. The arrival of Dally from England, in some measure disconcerts this well laid scheme.

'He was then proceeding to summon his daughters, in order to set them about such packing as he required, when he heard himself inquired for at the house door, by a voice perfectly unknown to him.'

'He paused at the door of his library to learn who his visitor might be, but he would not send in his name, saying, he only wished to speak to the gentleman for a minute.'

"Show him in," said Mr. Wilson; and the black help ushered in a young man, apparently not much above twenty years of age, but who wore a look of confidence, or rather audacity, which belonged to a later period of existence.'

'His dress was much in the style of that of a servant out of place, and even this appeared too superb for him to wear easily.'

'His hat was new, and in that American style of elaborate *furriness*, which gives to the head of a trans-atlantic beau some resemblance to a mop. This "rich beaver" he held in a sort of embrace with one arm, while the other was extended towards Mr. Wilson, as an invitation to perform the friendly ceremony of shaking hands. The reverend colonel, however, who had not yet learnt to relish the universal handling of his adopted country, retreated a step, as it did not appear to him, that on the present occasion any thing was to be gained by submitting to it. He had grievously erred, however, in his estimate of the importance of his visitor; for instantly placing his hat on his



head, and his arms in that kimbo fashion which denotes defiance, as surely as a lance in the rest, he exclaimed—'

"D—n your American impudence—I am come here on a job, d'ye see, as shall make our hands acquainted, or the devil's in it. Here's the letter of our employer : you'll see I've lost no time in obeying orders."

'No words can express the bitter rage with which Wilson saw that the imprudence, or treachery, of his former associate, had placed him completely in the power of the vulgar, desperate young ruffian before him.'

'The letter to Dally was written in a character totally unlike that of the one received by Wilson, and equally so to the acknowledged hand-writing of Sergeant Oglander ; it ran thus :—'

"DALLY,

"On the receipt of this, repair immediately to Rochester, in the western part of the State of New York. On arriving in this town, inquire for the house of the Rev. Mr. Wilson ; go there, and be careful to see him alone. He is fully acquainted with the business you have in hand, and will give you the needful instructions as to the manner in which it is to be accomplished. I have already named to you the sum you are to receive, when the work you have undertaken shall be completed. I will add twenty sovereigns more, if it be done within a month after you reach Rochester.

(Signed)

"YOUR EMPLOYER."

'The faculties of Wilson were ever ready for work on any emergency ; and no man had greater command of voice and feature ; yet for a moment he trembled before the audacious eye of his new associate.'

'His first idea was to deny his identity with the Mr. Wilson referred to in the letter ; but a sort of panoramic view of the town of Rochester, pouring forth its swarms of prayerful females, rose before his eyes ; he thought he saw them trotting from house to house, to hunt for the explanation of the scandal this denial would create. No ; it was impossible to stand it, and the thought was abandoned.'

"Sit down, Dally, sit down ; how long have you been arrived ?"

'The look of angry defiance faded before the friendly tone in which this was spoken ; and the young smuggler seated himself in Wilson's luxurious arm chair, which, by a graceful use of the muscles of the lower man, he caused to roll forward on its castors towards the fire ; then taking up the tongs to arrange the glowing brands to his fancy, he answered cheerily,'

"Not an hour, my hearty ; you shall find I arn't one to dream, when work's to be done. Give me a snack, and a draught of ale, with a glass of brandy to warm it, and I'm ready to set about it directly."

"Softly, Dally, don't speak so loud : we must consider of it."

"Consider away, then, old one ; but make haste. I'm not the lad to lose twenty golden sovereigns, by twirling my thumbs when I

ought to be stirring ; give us something to eat, can't ye, while you are studying ?"

' Wilson shook with rage, but he mastered it, and rang the bell. The black girl entered.'

" Bring meat and bread, and whiskey here."

" Here, Mr. Wilson ?" remonstrated the free black help.'

' Almost the only innocent pleasure Mr. Wilson indulged in, was the endeavouring to make an English room of his library. Seldom was any American gentleman permitted to enter it, lest tobacco juice should defile the rich carpet ; the smell of whiskey was never suffered to pollute its atmosphere, and nothing grosser than a water-melon had ever been eaten there. But this was not a moment for such observances ; and in no very gentle tone he reiterated the order.'

' The girl retreated with an emphatic " My !" and her tortured master turned to listen to the further amiable communications of his guest.'—Vol. ii. p. 239.

In order to get an opportunity to do the work himself, Mr. Wilson sends off the too straight-forward Dally on a wrong scent, and repairs to execute the business in person. He takes his niece with him, in order to supply Mrs. Trollope with pleasant means of frustration. For the reader must know, that the proud and silent English peer, has established a flirtation with little Emily Williams of Rochester, and that she is to be the future Countess of Darcy. Mr. Wilson lays a trap for the peer, on a precipice overhanging the falls of Niagara, after the manner of a wolf-trap, by means of rotten sticks laid over a gap, and he is represented as on the point of pushing his lordship on to the frail covering, when his proceedings are arrested by his niece, who has watched the whole business from a precipice above. Mr. Wilson retires in disgrace, and Lord Darcy and the Gordons pursue their travels. Wilson being foiled, Dally's turn commences, and wondrous are the predicaments in which his lordship is involved. The peasant-smuggler turns out, not a mere blood-thirsty villain, but a most accomplished actor ; he penetrates everywhere, and had he been really murdered, and haunted his lordship in the shape of his ghost, he could not have passed through space with more rapidity. Had he taken lessons from Matthews and Yates, he could not have assumed various disguises with more activity, or acted his different parts with more success. Darcy is accordingly haunted by Dally in his visits to the southern states, and is continually placed in his power. Dally, the poor, the ignorant, and the abandoned, is enabled, owing it is presumed to the iniquity of the laws and the baseness of the police of the United States, to set the wise Mr. Gordon and the rich Lord Darcy at defiance. Dally is seen at an assembly at the house of the President in

Washington. Mr. Gordon gets an order from the President to close the doors; the congress and all the chief men of the country are thus shut up, that a foreigner accused of murder, may catch the man he is charged with murdering. The company are indignant, and insist upon the doors being opened. Mrs. Trollope represents this as abominable republicanism, and so it is. When they learnt that it was a case in which an English lord and an English squire were concerned, they ought to have consented to have been stifled before they complained. And it is very possible they might have done so, could the affair have been explained to them. It would be curious to know what would have been said at St. James's, at a drawing-room, if windows and doors had been suddenly closed, and a hubbub and confusion created, while a couple of Americans were bobbing about the rooms playing at catch-who-can, one of whom travelling under an alias was accused of murder, and the other charged with being alive after being found murdered. This, however, is worked into a serious charge against the Yankees, and a proof, not that the age of chivalry is gone, but that it has never been.

In the harlequinade of Dally and Darcy that follows, a scene takes place in a lone public, in a thinly populated and ill settled district, which in Mrs. Trollope's mind, places some parts of America in a lower and wilder state of lawlessness than any of the south of Italy; and that indeed is saying much. The English reader has been prepared by what has passed, to take great interest in the fortunes of the genteel persons concerned in the affray; seeing that they are described as holding the first stations in his own country, and on account of their benevolence and generally estimable qualities, greatly to be regarded. Colonel Smith of the way-side tavern, was bound to know nothing of all this, and as living in a remote district, and that too (to the shame of America be it spoken) a slave district, he was not the person in the world, the best qualified to form a judgment from any refinement of manner. Refinement, on the contrary, as producing uselessness in his services and fastidiousness in his guests, was rather likely on the whole to prejudice him against those, who though extremely glad of his shelter, were evidently not over and above delighted with his entertainment.

Play-goers who have seen 'Mother Goose,' at least in the olden time, will remember Grimaldi's helpmate, Mr. Bologna junior, when first he stands confessed, a gladiator of a fish-wife. A similar scene, by a blow of the authoress's wand, is compassed in the kitchen of the American colonel and negro-driver. An

old woman was sitting in the chimney corner; and the English heroine, moved by that 'deeper feeling' so 'difficult to trace,' insists on pulling off her 'head-gear.'

'In a moment her bonnet and cloak were on the floor, and Richard Dally, livid with rage, and struggling desperately for his freedom, stood displayed before them.'

'Neither Lord Darcy nor Mr. Gordon were deficient in strength, but so desperate were his efforts to free himself from their grasp, and so muscular and powerful was his person, that he would probably have succeeded, had not Robert lent his assistance to pinion his arms.'

'But though the three were certainly an overmatch for the one, it was by no means an easy task to keep their hold upon him; and the other parties present looked on with an apathy which arose partly from that habitual selfishness, which characterises a thinly-peopled country, and partly from the indifference generated by the frequent recurrence of brawls, in a house chiefly supported by the sale of whisky.'

"I must request your assistance, Colonel Smith," said Mr. Gordon, "in securing this person; he must immediately be put into confinement."

"Sure?" answered the Colonel, without stirring; "what's the business?"

"He has offended against the laws of his country, sir, and must stand his trial for it."

"Possible! I expect then he's English as well as you?"

"Certainly he is."

"Well, then, settle it between you; I am no subject of the king of England;" and so saying, the patriotic Colonel renewed his attack upon the fried ham, with the most perfect composure.

"Will you not assist us in the performance of our duty?"

"I will arrest this man," said Lord Darcy, "upon my own peril, and I am certain that if you will send for your nearest magistrate, or assist in conveying us before him, he will immediately acknowledge the necessity of placing him in security."

"It is false," exclaimed Dally, "I am no Englishman, but a Kentuckian, and by God you had better let me go, before some of my countrymen come to help me out with your eyes, for laying your hands on a free citizen."

"Upon my word he gives you good advice," said the Colonel, laughing complacently, "we Americans don't approbate having the hands of an Englishman put upon us, that way. I expect you had better let the young man alone, and sit down and eat your supper; you'll have to pay for it any how."

"But is it not evident that this man is a criminal? Why was he travelling in this disguise?"

"It is quite remarkable," replied Colonel Smith, "how hard it is to learn you English the nature of real liberty, and freedom: why, in our country, a man is at liberty to travel just as he likes; our glorious revolution wasn't for nothing, I expect; but you cannot comprehend

the principle, that's a fact ; no Englishman, as I ever met, could take in the notion that every white man was free to do and to say just what he likes, in our country. They have always got their heads full of the king, and the lord chancellor ; but it won't take here ; better let the man go, and let's eat our supper peaceable."

"Good God !" exclaimed the unfortunate Lord Darcy, "is it possible that you refuse us the means of securing this villain, who we can prove is in a conspiracy against my life ?"

"Why, bless you," replied the Colonel, laughing, "you don't know these Kentucks ; why they'll threaten your life if you do but affront them the least bit ; but it most commonly comes to nothing. I reckon, however, this time, you had best not aggravate too much ; you English have no notion of gouging ; but it's done in a minute, I can tell you."

'Caroline had sat during this scene, with her hands clasped, and her eyes fixed on Dally, who continued to struggle desperately for his freedom.'

'The driver having swallowed his supper with the national rapidity, had left the house to look after his horses, before the affray began.'

'Mrs. Smith paid not the slightest attention to what was going on, but continued eating her supper, and occasionally feeding with her fingers a young child seated in her lap. The slaves stood apart, grinning with evident pleasure, at the bustle ; and notwithstanding the inequality of the parties, it seemed very doubtful if they should finally succeed in securing Dally.'

"Caroline," said Mr. Gordon, "can you not find some cord, some string of any kind, to secure this villain's hands ?"

"Now if you ar'n't too bad," said the Colonel, composedly lighting his segar ; "for my share, I never meddle nor make with the people what quarrels in my house, but if the girl does help you, I hope she'll catch it first or last. Why how remarkable you English be," he continued, placing his heels on the table, and balancing himself on one of the hind legs of his chair, while he looked at the scene before him as if it had been something performing on the stage for his amusement : "how queer to see three of you handling a man, and yet you can't do for him."

'Caroline had risen from her chair on the appeal of her father, and with trembling fingers was endeavouring to tie the silk handkerchief she had worn round her neck, to her waist ribbon ; having at last succeeded, she approached to give it to him, but as he extended his hand to receive it, she uttered a fearful scream, for, taking advantage of the weakened force upon his right arm, Dally swung himself round with a violence that disengaged it entirely, and in an instant, had drawn a knife from his bosom. Lord Darcy, at whom it was aimed, evaded the blow, but in doing so, lost his grasp of Dally's collar, and but for Robert's hold, he would have been free.'

'The Colonel burst into a shout of hearty laughter.'

"A Kentuck—that is he, I'll be sworn for him ; I'll have no tying, by G—d, miss ;" and he gently pushed back the hand of Caroline with his foot. "Fight it out, if you will ;—three upon one is odds enough, but I bar tying, that spoils sport altogether."

'Lord Darcy had now wrenched the weapon from the hand of Dally, but perfectly determined not to injure him, they were greatly at a loss how to proceed.'

'Mr. Gordon, spite of the Colonel's remonstrance, attempted to bind him, but Smith again interfered.'

"If you tie him, I give you warning, I'll let him loose; why ar'n't you ashamed now? Ar'n't three upon one enough, without tying the man? Fight it out, can't ye? like Christians, and not go to tie him up as if he was a wolf or a bear."

"You strangely misunderstand our object, sir," said Mr. Gordon, "we would on no account hurt this man; our only wish is to bring him to justice."

"Now if that ar'n't English? if he's offended you, take your will of him like a man, but in the Devil's name, don't come over us with your damned English law; for that's what we won't bear, no how."

'What was to be done? It was certain that they could have murdered Dally with very little difficulty; but it was at least equally so that this was not their object, and to obtain his legal detention appeared impossible. Dally quickly saw this, and seizing with great subtilty the character of his host, he said,'

"He speaks like a gentleman, and an American, as he is. I'm ready to fight any two of you together, but I'll settle the girl by herself."

'This sally produced a roar of laughter from master, mistress, and slaves. Mr. Gordon immediately quitted his hold, and took Caroline by the hand to lead her from the room; but ere he reached the door, turned, and addressing Dally, said,'

"We have spared your life when we might easily have taken it; learn from this, that you may trust my assurance, that you shall be perfectly safe, either here or at home, if you will sign a declaration of your having survived the wound given you by Lord Darcy. My daughter, my servant, and myself can witness it; do this, and you shall receive instantly a draft upon New York for a hundred pounds."

'Dally looked at Lord Darcy for some minutes without speaking.'

"A hundred pounds? I shall gain nothing by that; and I shall lose what I love better still. Lord Darcy! he's no lord now, as I've been told by them as knows; nor ever shall be, if I can balk him. So much for robbing me of my chickens."

'All this was perfectly unintelligible to Colonel Smith; the only part of it that he clearly understood was, the accusation concerning the robbing of the chickens, which, as it remained uncontradicted, left him persuaded that he must be sharp in looking after his moveables.'—Vol. iii. p. 172.

Here is an apparent old woman seated quietly by the fireside, and an elegant young lady proceeds to snatch off her bonnet. It is discovered that the old woman is a young man, and that the whole party are English mysteriously connected together. The landlord is told by the stronger party, that the weaker is escaping from the hands of justice—English justice—which is down-

right falsehood ; it is Darcy who, according to Mrs. Trollope herself, is escaping the law of the land. Amid the confusion, whom is Colonel Smith, as he is called, to believe, and what does it concern him ? Why should he interfere in a doubtful cause, beyond forbidding the use of bonds ? When, however, Dally succeeds in maintaining himself a Kentuckian, it is manifest that Smith shows much impartiality, in not interfering for a countryman against the presuming but impotent foreigners. This would have been the proceeding of a John Bull, had he wished to gain the applause of his neighbours. The effect of this passage, artfully arranged as it is by the ingenious Mrs. Trollope,—by her mincing up a slave country, a Kentuckian, and Yankee coolness on one side, with all the prejudices in favour of rank and gentility, and moreover good intentions on the other, but utterly unknown and unproved on the spot, and only to be collected from a knowledge of the story,—is to produce a prejudice in the breasts of Englishmen against their transatlantic brethren. It would be idle to waste time on such a subject, or it would be easy by the transposition of a few names and phrases, to turn the tables upon the authoress. A similar trick was played by the dramatizer of Cooper's ' Pilot.' In Captain Borrowcliffe, the booby English captain of volunteers was converted into a Yankee captain of militia, and in the hands of Reeve, but with the words of Cooper, drew down thunders of anti-national applause.

The result of this adventure with Dally is less amusing, but more improbable. Dally, a stranger in the country, is acquainted with all its windings and secret recesses, and, still more odd, every body is leagued in his favour. The possession of these advantages enable him to kidnap Lord Darcy. He does not assassinate him, for no reason that can be discovered, except that Mrs. Trollope had the programme of his Lordship's trial in the House of Lords in her pocket. Darcy is rescued, returns to England, is tried by the Peers, and is about being condemned for the murder of a person still alive, when Dally the *corpus delicti*, appears in court very well in health and very penitent in spirit.

' Save us from our friends.' It is hoped that the American readers of this novel will not judge of England and Englishmen by Mrs. Trollope's good intentions in their behalf. They probably know enough of English law, to be aware that it is not quite so bad as it is painted ; and of the English people, in spite of the very good-for-nothing specimens too often sent over to them, that they are neither such atrocious scoundrels as the Dallys and Oglanders of Mrs. Trollope's imagination, nor yet such imbecile miseries as her Gordons and her Darcys.

On the other hand, it is to be allowed that Mrs. Trollope has a considerable 'privilege' of humour, a vast capacity for appreciating the ridiculous, and that where motive for depreciation was supplied, she would be a dangerous member of a small circle, such as that of *Perfect Bliss* for example. Every nation has its absurd points of view; and no national personification presents himself in so many ridiculous attitudes as John Bull. That the Yankees may be fairly laughed at for some peculiarities of dialect and manner, is as certain as that '*Les Anglaises pour rire*' was a fair jest at Paris on our national *gaucherie*. By the accumulation of such singularities,—those which are true being for the most part as incidental to the position of the parties as any accident of soil or climate,—Mrs. Trollope sometimes raises a laugh, for which she is not greatly to be condemned. There is in fact only one *semi*-national characteristic, on which it is impossible to make the Americans respectable; and that is, their slavery. It is of no use to fume about it; but while this lasts, there is no more chance of keeping them, in European eyes, on a level with what are considered as the civilized nations of Europe,—than there would be of getting Sancho Panza chosen President of the United States. There is nothing to be done for men, that are 'busy flogging Becky.' It will be urged, that the English also have slavery. It is too true, that they are made to pay for it by a poll-tax; but then they keep it in a distant apartment by itself, like that which the persecuted Mayor of Bristol so oddly made his larder. The Americans, like the Arabs of Mocha, have the nuisance in every room in the house. *Voilà de la différence.*

The authoress's claim to merit arises out of the talent with which she exhibits the foibles and follies of some of the middle ranks of society, which belong as much to this country as to America. Here her success is as complete, as her failure is decisive when she comes to put in motion the aristocracy of her own country. Whatever may be their defects, Mrs. Trollope is not the person to describe them; she has evidently drawn her Gordons and Darcys, by the expenditure of fourpence a volume on the circulating library adjacent to her suburban lodgings. She is now, however, launched as a successful authoress. As she does not promise to go back to America, ample supplies of the ridiculous, the petty, and the vain, may be found in any of our inland counties; only let her eschew law, and lords, and villainy on the romantic scale, and entertain us with the people she evidently knows,—the Miss Duncombs, the Mrs. Fidkins, and the Mr. Mitchels of some English market-town.



ART. XVI.—*Third Supplement to the Article on the 'Silk and Glove Trades' in No. XXXII.*

THE object of the repeated Supplements to the Article named, is to gather up from time to time the objections issued against the theory of the *double incidence* of the extra price got up by means of duties and prohibitions.

The 'True Sun' of 8 Oct. 1832, says,

'The theory of the *double incidence*, amounts to this. According to the *Westminster Review*, the loss which a protective duty causes, on every occasion of its operation, is not a *single* loss. There is a loss to the consumer, to the amount of the increase in price, which the protective duty in question, imposes upon him. About this extent of loss, there can be no doubt. But according to the Reviewer's creed, a second loss to the same amount, falls upon the trader, to whom, but for the monopoly, the consumer of the monopoly-priced article, would have transferred the difference between the natural and the monopoly price.'

The Review said, that there falls a loss upon this last-mentioned trader and his connexions,—exactly equal to the gain of the favoured trader and his connexions, from the forced expenditure at their shops of the difference between the natural and the monopoly price; and consequently the two, in the aggregate, balance each other, and leave the loss to the consumer a pure and uncompensated loss. And its object in this was to show, that it would not be fair to advance the gain to the favoured monopolist as any set-off to the loss of the consumer; and for the simple reason, that it had already been set off once, against a loss of exactly its own amount, to wit the loss of the *disfavoured* trader who loses custom by the process. The trick to be guarded against, was this. When complaint is made of the loss to the consumer, the common answer is, 'Ah! it is very true; but then, you know, the gain to the monopolist! There *will* be these little fluctuations; and we must be content. It is clear that there is no loss in the aggregate; for the loss to the consumer on one hand, is at all events balanced by the gain to the monopolist on the other; and so, in the end there is no loss to anybody.' The object of the Review was to show distinctly, that this is a fraud and a man-trap; that the trick is in leaving out the suffering of the *disfavoured* trade or trades; that the gain to the favoured trades whatever it may be, is balanced by the loss to the disfavoured, and that the result of this is, to leave the loss to the consumer standing as the final balance of the account; that there are two losses, to wit the loss to the consumer and the loss to the disfavoured trades, and one gain, to wit the gain to the favoured trades, and

that since the two last are equal, the balance left is the other.

The Review also said another thing; which was, that the gain to the favoured trades and the loss to the disfavoured, were not only equal to one another, but were each equal in positive amount to the other quantity in question, viz. the loss to the consumer. The reasons for this conclusion may be seen in the preceding Articles, and rest upon the fact, that the whole of the price of any object, is divided in the shape of wages and profits (with the inclusion in some cases, of rent or monopoly gain), among the individuals concerned in its production. But whether this was correct or not, would not affect the principal result, so long as it is conceded that the gain to the favoured and loss to the disfavoured trades are *equal to one another*. The True Sun does not deny that they are *equal to one another*; though it is disposed to doubt their being also each equal to the loss to the consumer. The consequence therefore appears to be, that even if this point were given up, it would in no way affect the grand result aimed at by the Review.

Put a particular case, and see how it will stand. Suppose a citizen's wife, before the imposition of a duty on foreign silks, to have been in the habit of wearing foreign silk to the annual amount of twenty pounds; and suppose that in consequence of the imposition of a duty, she is obliged to procure the same articles from silk-manufacturers in England by the expenditure of twenty-five pounds. It is presumed it will not be denied, that the citizen, assuming him to be the keeper of the purse, must expend five pounds a year less on something else. Suppose then he decides on sending notice to his tailor, that henceforth he must trouble him for three suits a year instead of four, and hopes he will make them substantial to suit. *Is the tailor a losing man or not?* Put the question to all tailors, present or hereafter, and the trades connected with them, and let their opinions be taken on the point. And if they say Yes,—then let the question be put, whether their loss and that of the trades connected with them, is not exactly equal to the gain of the silk trade and the trades connected with the same.

Or if the citizen refuses his wife more than twenty pounds a year for silk,—*she* loses the value of four pounds in quality, and the tailor, or somebody in his stead, loses four pounds that would have been to be expended on him if the citizeness had worn silk of the same inferior quality under a state of freedom. Whether the sum at issue shall be five pounds or four, depends on whether the citizen decides on dealing with the fraudulent silk-trade to the amount of twenty-five pounds or twenty; being 20 per cent upon either.

Hear then how the True Sun proceeds.

'To us, this second loss—this *double* incidence—appears pure fallacy. We admit the first loss—the loss to the consumer. And we admit a certain derangement in the channels of trade, consequent upon the interference by Government, between the consumer and the seller of a particular commodity. But *there*, it appears to us, the influence of the monopoly, terminates. The increase of price which the monopolist secures is not lost to the community, after it has found its way into the monopolist's pocket. He expends it, in the encouragement of some branch of trade, as certainly as the consumer from whom he received it, would have done. The same amount of nutriment to trade is, in all probability, furnished by the monopolist's mode of expenditure as by that of his customer—but the channels are different. There is, in short, a single loss—and a certain amount of inconvenience.'

All this is only throwing dust into the eyes of the tailors. Men never doubted, that the silk-monopolist will spend the money one way, *videlicet* upon silk-makers; but they said the original owner would have spent it another way, *videlicet* upon tailors. None ever denied, that the gain to silk-makers by the sum's being given to the monopolist, was the same as would have been the gain to tailors by giving it to tailors; on the contrary this was precisely the thing insisted on, in all sorts of ways in which there seemed a chance of making it impressive or intelligible. None ever said that in the aggregate, the gain to the monopolists joined to the loss of the tailors, did not leave the community exactly where it would have been in the other way; on the contrary this also was a thing which all manner of pains were taken to persuade the public to believe. But the simple point asserted, and which the True Sun insists on sinking and concealing, is that *tailors, and all connected with them, lose by the arrangement*. It calls it an *inconvenience*; and of course the monopoly to the silk-makers is only a *convenience*. Here is one set of men struggling to take away their living from another set; but it is not to be a loss, but only a certain amount of 'inconvenience.' The one thing needful, and which all possible tailors are called upon, if they be men, to look to and see they are not deluded in,—is that *tailors lose*. The prayer of the silk-monopolists is, that they may be allowed to stop the money from the tailors on the ground that if it is not in the tailors pocket it is in theirs, and therefore there is no harm done in the aggregate; and this very piece of foolish foul play it is, which the tailors or whoever else may be the workmen concerned throughout the country, are desired to have their eyes on.

The naked fact is, that the moment a trade or mystery, like the silk-makers, says 'Give us a monopoly,'—it says 'Give us

leave to take the bread out of some honest man's mouth of the working classes, and out of the mouths of his wife and children, in addition to all losses that may fall to him in the character of a consumer besides ;' and this it is that the working classes have been putting together their hard-earned sixpences to support and to maintain. If indeed the plot was confined to the monopolists, then it was like other jobs, and there is no more to be said. But if a single working-man who was not of the monopolists, was induced to add the price of a day's labour,—he stands as a wronged man, and must only learn to know his friends from his enemies better another time.

The True Sun of 29 Oct. proceeds to attack the system of Free Trade generally. It gives the two first and the eighth and ninth paragraphs, of the Article on 'Free Trade' in the Westminster Review No. XXIII for Jan. 1830 beginning 'The monkeys in Exeter Change,' &c. ; which, as being in many hands already, cannot be again copied here.

'In these paragraphs, are concentrated the germs of all the fallacies which disfigure the reasonings of the supporters of our free trade system.'

"Suppose," says the Reviewer, "that every individual in the community was a producer of some kind, and that every one had a 'protection' for his particular trade. *What would be the result, but that each would steal something out of his neighbour's box, with a general loss to be divided among themselves, in their character of consumers,*" &c. There cannot, we apprehend, be a grosser error, than that, which this assumption of the Reviewer, involves. If every individual in the community was a producer—and if every trade was protected—we deny that there would be, *necessarily*, any loss. The protection to each trade, could have no other effect than to raise the prices of the products of that trade—and as all men are, by the supposition, traders, the rise of price in each department, would be only nominal. What would it signify, that the baker added a fourth to the price of the bread, with which he supplied his customers, providing the butcher, the shoemaker, the tailor, and every other producer, added to their prices, in the same proportion. "Protection" in such a case, would leave each trade undisturbed—"protection" would be a clumsy sort of machinery, effecting nothing. But, decidedly, such a protective system, would not, as the Reviewer contends, be attended "*with a general loss.*"

This is a mere currency deception ; of the same nature as it would be to say, that if workmen of all kinds would agree with one consent to tie up their right arms, or take some other course that should reduce the quantity of work performed with a given quantity of time and exertion to one half, prices would rise everywhere alike, and everything be as it was before. There is one thing that manifestly would not be as it was before ;

and that is, that a pair of shoes would take two days to make instead of one, and a pair of breeches would take two days to make instead of one;—and therefore the artists who should exchange, or which comes to the same thing, each buy a pair of the other's wares at equal prices, for their own use,—though they might have the True Sun's comfort of seeing the money price of each altered in the same proportion, would have the further comfort of discovering, that they had each given two days labour, for what, but for the intervention of tying up their arms, they might have had for one. 'Protection' is forcing people to buy the work of a man with one arm. It is saying to other people, 'You shall not have the thing in the way you might have it best and cheapest, but it shall be artificially produced in some way that is worse. I am a man with one arm, in comparison of others you might have it from'; and you shall pay me for working with one arm; and if we had one arm all round, it would be so much the better for us all.'

The mistake, therefore, in this,—and a fearful one it is for an industrious poor man to have wasted his money in trying to circulate,—is in keeping back and denying the fact, that the working-classes finally share in the damage, *to the extent to which they are consumers*. Perhaps they will be told, that they do not consume *much*, of goods of foreign origin;—that though they should be made to use bad iron in their tools instead of good, and pay the price of good because it is English,—and live in houses made of bad wood instead of good, because it is English,—and pay for every ribbon their wives may wear, at the price of a best ribbon instead of a second-best, because the second-best are English,—it is not *much* of all these things they use, and therefore they are the better for losing on it. But is there nothing else of foreign origin, that is of a little more comparative importance to them,—for instance, *corn*? Are the men who subscribe against free trade, dull enough to believe that they are to have *their* dishonest protections, and the corn-grower is not to have *his*? And why should he not? According to the True Sun, if there is half as much corn and half as much everything else, there can be no harm so long as the number of sixpences which jingle from one man to another are raised to all in exactly the same proportion. It is not the *corn*, that man lives by; it is the jingling of the *sixpences*. Half a loaf a-piece will be a whole loaf a-piece, if there is only a certain quantity of money to pass from one man to another. Just as well might a ship with a fortnight's provisions on board, pretend to make it a month's, by an alteration in the quantity of the money that was to circulate from man to man between the decks, and shutting out supply from abroad.

‘ But the facts, as they meet our view, are very different from those assumed in the first hypothesis of the Reviewer. He is himself aware, that there are *unproductive*, as well as productive consumers—and he forthwith attempts to show that the productive classes would not gain by a protective system—“*that all that is given to one of them, is taken from another.*”

‘ In this view, again, the Reviewer errs as widely as he did in the former. A system of universal protection to trade—all men being assumed to be producers—would, as we have shown, be attended with no “general loss.” A system of universal protection, where large classes are unproductive consumers, would, on the other hand, most undoubtedly, have the effect of throwing all the burdens of the State upon these unproductive consumers. The immediate—the necessary effect of “protection,” is, to raise prices—but against this rise of price, in all the articles which he consumes, each producer would be defended, by the privilege, which, under a protective system, he would exercise, of adding to the price of the commodities in which he deals. *As affecting producers*, the universal rise of price, consequent on a protective system, would be only nominal—*as affecting unproductive consumers*—as affecting those who bring nothing to market—the rise would be real.’

Turn to the shoemaker and tailor who tie up each an arm and exchange; and see whether, as respects that particular transaction, they have the smallest remedy from the mutual rise of price. Then take the case of, for instance, a glove-maker and a silk-weaver, whose wives buy and wear a protected ribbon and a protected pair of gloves; and see whether, as respects their own consumption, either is any more ‘defended’ than the others, and whether each would not gain alike, by buying a French ribbon and a French pair of gloves for two-thirds the price, and having the difference to spend on something else.

‘ The Reviewer, however, not content with denying that producers would gain by a system of protection, proceeds, as if he felt instinctively, the unsoundness of that conclusion, to show cause, *why*, the unproductive classes should not be subjected to greater severity of taxation, than the productive.’

A clear shifting of the ground. Not a word was there of taxation at all. What was said was, that the ‘unproductive were to be robbed for love;’ that there might be some show of reason if the industrious classes were to gain by it, but the present plan was to rob both productive and unproductive by the invention of employing labour to waste. Taking from the unproductive,—either with no benefit to the productive or with a loss to the productive besides,—has no earthly resemblance to a scale of taxation pressing unequally on the productive and unproductive; it is all a mystification. What follows therefore on this part of the subject, might be cut off as beside the mark. Some incidental expressions however demand particular resistance.

' Free trade exposes the productive classes to foreign competition : '

It must be utterly denied, that free trade exposes the productive classes to foreign competition at all. It exposes the monopolists who want to sell bad articles at the price of good, to the competition, not of foreigners, but of their own countrymen. The demand of the silk-monopolist, for instance, is, that in order to put three shillings into his own pocket, he may be allowed to take two shillings from the wife and children of the man who makes the cotton-twist that buys the cheaper silks in France, and one shilling from the bantlings of the tailor or other workman with whom the shilling would have been spent if it had been left with the consumer, and another shilling over again from the working-man, if he happens to be such, that has the impudence, the extravagance, to think of laying out a shilling in silk for a Sunday bonnet for his wife. And the excuse for all this unreasonableness is to be, that the next time the silk-monopolist takes four shillings from other people and pockets three,—the odd shilling may chance to fall upon a Duchess. The only effectual way to oppose this, is to set the suffering classes on their defence ;—to ferret out the individuals who are to lose by every contemplated act of ' protective ' robbery, and bring them up to protest against the iniquity. If they are not men enough to oppose the taking the bread out of their mouths, they must wait till their resolution is sharpened by increased necessity.

' —free trade, while it leads to the greater cheapness of some commodities, throws thousands of artizans out of employment—reduces the general rate of wages—and adds to the burdens of all producers.'

Free trade leads to the greater cheapness of no commodities but those which the monopolist would cause himself to be paid for by the plunder of his fellow-artizans ; by the token that it enhances prices in all the branches of trade which would suffer for the monopoly. Instead of throwing thousands of artizans out of employment, it prevents a thousand artizans of one kind, from throwing a thousand artizans of another kind out of work ; and makes an addition to the advantage of the artizans and everybody else, in so far as they may be consumers of the goods that the monopoly desires to raise in price. Instead of reducing the general rate of wages, it freshens the rate in all the trades where men will voluntarily buy, and makes given wages worth more to the receivers besides. It adds to the burthens of producers, only by preventing one set of British workmen who *can* make what people want to buy, from being burthened with the support of another set who *cannot*. It brings no foreign labour into competition with British ; the competition is between the first of these sets of British workmen and the other.

The True Sun of 30 Oct. repeats the incomprehensible mistake, of supposing that the question was of subjecting the productive and unproductive classes to a different 'share of the pressure of taxation.' When a writer falls into an error of this kind, the only resource is to hand him over to the judgment of his readers, and beg them to make the due deductions from their confidence in his results.

"There is no reason," exclaims our contemporary, "in saying a man shall be protected, while he is producing, but shall be robbed whenever he begins to enjoy." But will the Reviewer venture to contend that one man has a *better* right to be protected "*when he begins to enjoy*," than another man has, to be protected, "*while he is producing*?" The productive classes ARE NOT PROTECTED, WHILE THEY ARE PRODUCING :—why then, should they consent to the unproductive classes being protected, in their business of enjoyment ?

In this there is a palpable double sense. 'The productive classes are not *protected*'—that is, allowed to make the useless robbery of one another which is recommended to them ; 'why then should they consent to the unproductive classes being *protected*'—that is, saved from being uselessly deprived of what they have, to see it thrown into the sea.

'That men do not, as the Reviewer contends, "labour for the simple love of labour, but for the love of the enjoyment, they may ultimately procure by it," is a very questionable position, in so far as the great body of the productive millions are concerned. That they do not labour for the simple love of labour, is undoubtedly true—but that they are cheered in their never-ceasing toil, by any prospect of "enjoyment," we must take leave, unqualifiedly, to deny. They labour to escape starvation—and each successive day calls them to renew the struggle with their gaunt and inexorable enemy. When, therefore, the great mass of our fellow-men are denied "protection," while engaged in those processes of production, by which the whole community are supported, it well becomes us to pause, before we accord protection to the classes, whose business is merely "enjoyment."

The proposal here to the working classes is simply this. 'You do not enjoy enough ; therefore let it be enacted, that nobody shall enjoy at all.' The remedy is an odd one ; and is specially recommended to the notice of those millions of industrious men, who notwithstanding the light of the True Sun, are still of opinion that by a decree against all enjoyment, they might have something to lose.

'The effect of an arrangement, like that to which the Reviewer so scornfully alludes—an arrangement by which the "hard-working citizen should be protected," while "those who retire upon their savings" should be "robbed," would, we apprehend, have many admirable consequences. In the first place, it would tend to lessen



the number of those, who do retire from active labour—while it would augment the mass of capital employed in the business of production. In the second place, by annihilating the unproductive classes, it would create a perfect sympathy between the governors and the governed. The unproductive classes have, hitherto, supplied us with law-makers—and our laws have, accordingly, been framed almost exclusively for the benefit of the unproductive classes. If all classes, however, were reduced to the level of producers, the laws would speedily lose their taint of partiality, and the productive classes would not cry for “protection” in vain. The immediate effect might be to disturb, the few, in their business of “enjoyment,” but it would at the same time lessen the pressure upon the many, and it would, ere long, add incalculably to the amount of general happiness. At all events, it must not be forgotten, that “protection” has been rendered necessary, by the misrule of the unproductive classes, and that if “protection” falls heavily on any class, it ought to fall on that class from whose rapacity it has sprung as an inevitable consequence.’

A short time ago there might have been some hesitation as to the policy of giving increased publicity to the existence of a school of political economists, such as the above passages demonstrate. As it is, there is nothing to be done but wish the conservatives joy of their allies. The strongest confidence may be felt, that the reasonable part of the working classes will always be numerous enough to keep the unreasonable part in order. Yet the phenomenon forms a valid reason, for drawing closer the union between those of the middle and industrious classes who have property to lose, and the honest aristocracy. The devil of plunder is abroad, and here is his cloven hoof. Those who comforted him, and those who were deceived by him, may settle their own affairs with one another and with the public; but there is no reason for withholding any portion of the opinion formed of the spirit they are tampering with. *There he is*,—robbery in a red nightcap, instead of a squirearchal hat and a qualification for a county. The saving classes and the honest aristocracy, so long as they can hold together, have got the central position *à la Napoléon*, and will be able to move down when need is, upon the plunderers great or little, at whichever end of the line they chuse to show themselves.

The statements of 6 Nov. amount only to a repetition of the assertion, that if men in general have half as much of everything as they might, they may be comforted by an adjustment of money prices.

‘To a producer in England it must signify little whether he pays three shillings or two, for his gloves, providing he shall have it in his power, in case of paying a half more for the gloves he uses, of adding,

in the same proportion, to the price of the commodities, in which he deals. The power of doing so, would, as we have shown, be secured to him by an efficient system of protection.'

The error in this, is simply in leaving out his loss, upon all protected goods of all kinds, he may happen to consume himself.

The 'displacing of native labour' (24 Dec.), is non-existent; there is only a shift. The 'legislative protection' the monopolist solicits, is against the home tradesmen with whom the money would be spent he wishes to monopolize.

To the poor men who have clubbed their little portions to support the Corn Laws and continue themselves in half a loaf, the only advice that can be given, is to get any of it back again if they can. To those of wider influence and greater knowledge who joined in encouraging them to the sinful act, the account to which these poor men will bring them before the public when they find the end of their delusion, will be a correction in which the discomfort to the sufferers will be vastly over-balanced by the benefit to the community.

ART. XVII.—*The Province of Jurisprudence Determined.* By John Austin, Esq., Barrister at Law.—8vo. pp. 391. London; Murray. 1832.

ONE of the most profound and original thinkers who have contributed to the advancement of human knowledge, observes; 'Seeing then that truth consisteth in the right ordering of names in our affirmations, a man that seeketh precise truth, had need to remember what every name he uses stands for; and to place it accordingly; or else he will find himself entangled in words, as a bird in lime-twiggs; the more he struggles, the more belimed. And therefore in Geometry, (which is the onely Science that it hath pleased God hitherto to bestow on mankind,) men begin at settling the significations of their words; which settling of significations, they call Definitions; and place them in the beginning of their reckoning. By this it appears how necessary it is for any man that aspires to true Knowledge, to examine the Definitions of former Authors; and either to correct them, where they are negligently set down; or to make them himselfe. For the errors of Definitions multiply themselves, according as the reckoning proceeds; and lead men into absurdities, which at last they see, but cannot avoyd, without reckoning anew from the beginning; in which lyes the foundation of their errors. From whence it happens, that they which trust to books, do as they that cast up many little summs into a greater, without considering whether those little summes were

rightly cast up or not ; and at last finding the error visible, and not mistrusting their first grounds, know not which way to clear themselves, but spend time in fluttering over their books ; as birds that entering by the chimney, and finding themselves inclosed in a chamber, flutter at the false light of a glass window, for want of wit to consider which way they came in. So that in the right Definition of Names, lyes the first use of Speech ; which is the Acquisition of Science. And in wrong, or no Definitions, lyes the first abuse ; from which proceed all false and senseless Tenets ; which make those men that take their instruction from the authority of books, and not from their own meditation, to be as much below the condition of ignorant men, as men endued with true Science are above it. For between true Science and erroneous Doctrines, Ignorance is in the middle. Natural sense and imagination, are not subject to absurdity. Nature itself cannot erre : and as men abound in copiousness of language ; so they become more wise, or more mad than ordinary. Nor is it possible without Letters for any man to become either excellently wise, or (unless his memory be hurt by disease, or ill constitution of organs) excellently foolish. For words are wise mens counters, they do but reckon by them : but they are the money of fools, that value them by the authority of an Aristotle, a Cicero, or a Thomas, or any other Doctor whatever, if but a man.\* And in the following chapter he concludes with saying, 'The Light of humane minds is Perspicuous Words, but by exact definitions first snuffed, and purged from ambiguity\*.'

The complaints which Bacon, Hobbes, Locke, and other philosophers of the last century, made respecting the imperfections of the prevalent language for the advancement of ethical science, are applicable to the language of the present day. For, although Bentham, in those of his works already published, has, by the mode of classifying moral and psychological phenomena which he first exemplified, and by his nomenclature, rendered to ethical science much the same service that was rendered by Lavoisier to the science of chymistry, his improvements are but slowly adopted in practice, and few of them have pervaded the whole of the community. In truth, the ethical science possessed by the greater proportion of educated people, is in much the same state as the science of chymistry in the days of the alchymist. If all the empirical knowledge of the properties of matter acted upon in every-day life, and all the insulated phenomena recorded in books, had been classi-

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\* Hobbes. *Leviathan*, ch. iv.

fied and divested of barbarous terms, and clothed in precise and determinate language, an array of scientific knowledge of considerable extent, relatively to the then state of the other sciences, might perhaps have been produced. But all names and predications relating to the subject, except those of the lowest particulars, were vague and erroneous almost in proportion to their comprehensiveness. 'There are,' said Bacon when speaking of this subject, 'certain degrees of error and depravity in words. The least faulty is that of the names of substances, which are well deduced, for the notions of chalk and clay are just, but the notions of earth inadequate.' The best investigators for a long time after, 'passed over the observation of instances vulgar and ignoble, and stayed their attention chiefly upon instances of mark: whereas the other sort are for the most part more significant and of better light and information.' The alchymists disdained all particulars accessible to ordinary men, and soared into the seventh heaven of sublime generalization.

And so it is with the moral sciences. Were all the empirical knowledge of human nature, all the observations of human conduct, or of psychological phenomena, that are possessed by experienced people, or are to be found recorded in aphorisms and proverbs, or in essays or treatises in books, put together;—were the acts of individuals which are found productive of happiness to them without corresponding or greater mischief to the community, noted;—were the acts of men in communities or masses, which are found beneficial to those communities without being prejudicial to other communities, clearly recorded, and correctly named;—a considerable foundation would be laid for the science of *Deontology* private,—that is, the knowledge of things that ought to be done by 'man segregate,' to use Lord Bacon's expression;—and also for the science of *Deontology* public, or the things that ought to be done by 'man aggregate,' by men in their collective capacity, for the attainment of the greatest happiness,—not of the greatest number, as some utilitarians are apt to express it,—but the greatest quantity in the aggregate. But though Bentham has shown how this work is to be conducted, and has laid the foundation of a science which he has named *Deontology*\*, and has in his published works done much towards raising the superstructure,

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\* *Deontology* is derived from the Greek words *τὸ δεόν*, 'that which ought to be done,' and *λόγος*, 'description;' and it is here specially applied to the subject of morals. Political economy may be said to be a branch of *Deontology* public.

much remains to be performed. It would be presumptuous to say how much, until the volumes of manuscript (between two and three hundred) which he has left behind him, have been examined.

Of the three great instruments for the advancement of human knowledge,—experience, observation, and experiment,—only experience and observation are generally available for the advancement of this branch of science. Since men are not to any great extent at the command of philosophers, to be placed under various circumstances, or exposed as substances are by chymists to the action of various agents, that the results of experience may be anticipated, we must note the results of our own experience when we happen ourselves to be placed under various circumstances, and also carefully observe and note the results when others happen to be exposed to the operation of the same. Any deficiency of experiment as an instrument for the advancement of moral science, must be supplied by the number and diligence of the observations. All that Lord Bacon has set forth for the advancement of the physical sciences, on the necessity of a careful examination of particular facts and occurrences, of their classification, and correct designation by language, all that he has said about the disregard of those who presumptuously attempt to prescribe the limits of human improvement, are as applicable to the science in question, as to the physical sciences to which he directed his observations. As yet, however, the Alchymists in the moral sciences are in the majority.

As chymistry has had its seekers after the philosopher's stone, and physical science its seekers of perpetual motion, so moral science has its seekers of 'the divine idea,' and its seekers for the principle of 'universal benevolence,' meaning, so far as a meaning is to be collected, that it is to consist in sacrificing the pursuit of a man's own interest (using that word in its widest signification as inclusive of benevolent sympathy) to the pursuit of the interest of *anybody else*, and asserting, not only that the world will be better governed if each disregards his own affairs and attends to the affairs of everybody else, but that man's nature is such as to render the adoption of this principle easily practicable. As chymistry had its searchers for universal elixirs and occult essences, so moral science has had its believers in innate practical principles, who at the same time affect to be conversant with induction. In divinity, instead of utilitarian successors of Paley, acting on the principle that it is the will of God that mankind should be made happy, there is an increase of the brood of spiritualists, who seek to maintain by their figments the empire of the imagination,

and the anti-social passions of a malignant asceticism; 'as if the way to obtain heaven in the next world, was by making a hell of this.' Everywhere is the field of morals befouled and confused by their language, and so little is the mode of constructing moral science by induction from particulars understood, that everybody has heard the fierce dogmatist and gloomy ascetic Johnson, praised as 'the great English moralist.'

'Public instructors have usually erected for themselves, in the field of moral action, a high throne; thence, in the character of absolute and infallible monarchs, they have dictated to the world below—sent out their commands and prohibitions for prompt and peremptory recognition. The wantonness of a political ruler has often been the topic of animadversion: the self-erected arbitrator, wielding, like the madman in his cell, his imaginary sceptre, is in truth more egregiously wanton! A certain sense of responsibility, a power of reaction, may contest the despotism of an acknowledged ruler; but where is the consideration which is to check the waywardness and presumption of the self-elected dictator of morals?'

'His tone is the tone of the pedagogue or the magistrate. He is strong, and wise, and knowing, and virtuous. His readers are weak, and foolish, and ignorant, and vicious. His voice is the voice of power, and it is from the superiority of his wisdom that his power is derived.'

'And if all this were so without prejudice to the public, it might be the gratification of pride to the individual, pleasure to him, and so much pleasure gained. But the misfortune is, that the assumption of this authority has for its natural attendants indolence and ignorance. Even where precepts are founded on good reasons, the developement of those reasons is a matter of considerable exertion and difficulty; it is a task to which few have been found competent. But to set up laws and precepts is a task of no difficulty at all—a task to which all men are competent, the foolish as well as the wise—a task, indeed, which the foolish are most eager to engage in, for ignorance has no more convenient cloak than arrogance.'

'The talisman of arrogance, ignorance, and indolence, is to be found in a single word, in an authoritative impostor often met with; in the word "ought"—"ought," or "ought not," as the case may be. By deciding "you ought to do this, you ought not to do it," is not every question of morals set at rest?'

'But there is another word which has a talismanic virtue too, and which might be wielded to destroy many fallacious positions. "You ought, you ought not," says the dogmatist. "*Why?*" retorts the inquirer. Why? To say "you ought," is easy in the extreme; to stand the searching penetration of a "why," is not so easy.'

"*Why ought I?*" "Because you ought," is the not unfrequent reply, on which the "why" comes back again with the added advantage of having obtained a victory.'

'In deciding what is fit to be done, and commanding what shall be done, by the authoritative "ought," there is much profit and little pain; little waste of toil, little waste of thought. Observation, inquiry, re-

fection—these are all superfluous—as superfluous as they are laborious. Folly and arrogance, the blindest folly and the most assuming arrogance, find themselves altogether at their ease. By these caterers to the moral taste, pleasures are ordered off the table, pains are ordered on instead of them; just as, by the word of the physician of Barataria, the meat was marched away from the presence of the famished Sancho: but the physician of Barataria did not replace it by poison.’—*Extracts from unpublished Work of Jeremy Bentham; printed in the Notes to the Lecture delivered over his remains by Dr. Southwood Smith. p. 32.*

‘In treating of morals, it has hitherto been the invariable practice to speak of man’s duty, and nothing more. Yet, unless it can be shown that a particular action, or course of conduct, is for a man’s happiness, the attempt to prove to him that it is his duty, is but a waste of words. Yet, with such waste of words has the field of ethics been filled. A man, a moralist, gets into an elbow-chair, and pours forth pompous dogmas about duty and duties. Why is he not listened to? Because every man is thinking about interests. It is a part of his very nature to think first about interests. It is not always that he takes a correct view of his interests. Did he always do that, he would obtain the greatest possible portion of felicity; and were every man, acting with a correct view to his own interest, to obtain the maximum of obtainable happiness, mankind would have reached the millennium of accessible bliss, and the end of morality, the general happiness, would be accomplished. To prove that an immoral action is a miscalculation of self-interest—to show how erroneous an estimate the vicious man makes of pains and pleasures—this is the purpose of the sound and intelligent moralist. Unless he does this, he does nothing: for that a man should not pursue what he deems conducive to his happiness, is in the very nature of things impossible.’—*Ibid. p. 36.*

There is a period in which the self-regarding principle is the only one in very active operation; it occupies the whole sphere of the mind, scarcely going beyond the mere physical sanction; and conduct is little more than a grasping at immediate enjoyment without calculation of remote happiness or unhappiness. This is the merely sensual state, and next in order come the irascible or dissocial affections (as they are called by Aristotle) which though so distinct in character, operate towards the same end. The sensual affections are checked by the operation of the irascible, exerted by those among whom the sensual seek their gratification;—by the fear of retaliation and retribution, as the natural consequences of resentment. It has been remarked, that as in the individual, so in society at large, the affection of sympathy is in its weakest state during the earliest period of existence. As age and experience advance, it receives additional force and efficiency. It extends its influence for the most part with the extension of existence, beginning with the small immediate relations, where the ties of consanguinity, affinity, domestic

contract, or friendly intercourse are strongest, and advancing with experience and mental culture into a widening field of action. Its links become multifarious, and capable of great extension. They spread into divers circles, domestic, social, professional, civic, provincial, national; some independent of, and others connected with each other. And in so much and so far as the sympathetic affections can be called into action, their tendencies must be to increase the happiness of him who exercises them; while if these happiness-producing tendencies lead to no consequences of a contrary effect, or to none of equal amount, the result is a clear accession to the general stock of happiness. And thus even the self-regarding affection employed as a source of selfish enjoyment, brings into action a great mass of public happiness. The very contagion of the self-regarding principle is beneficent. A man witnessing the services rendered by his neighbour to his neighbour's neighbour, contracts and catches as it were, a propensity to requite the friendliness with his own friendliness; to bestow upon the author of benefits, benefits like those he has bestowed. The cheapest mode of requital, and considering its extreme facility, not the least efficacious, is on all occasions to give to the benevolent affections an outward expression; to bring into conversation as frequently as practicable, the language of good-will. To praise the virtuous doing of another man, is to dispense a direct recompense to virtue, and at the same time to direct the popular sanction to the encouragement of similar acts. And thus does the principle of self produce the social affection, and the social the popular, and all combine together to increase the general good.

The processes of obtaining a clear knowledge of the events or facts on which moral science must be constructed, and of naming them, are so closely connected, that they may for the present be treated as one and the same.

'There is no speaking of objects but by their names; but the business of giving them names has always been prior to the true and perfect knowledge of their natures. Objects the most dissimilar have been spoken of and treated as if their properties were the same. Objects the most similar, have been spoken of and treated as if they had scarce anything in common. Whatever discoveries may be made concerning them, how different soever their congruities and disagreements may be found to be, from those which are indicated by their names, it is not without the utmost difficulty that any means can be found out of expressing those discoveries by a conformable set of names. Change the import of the old names, and you are in perpetual danger of being misunderstood; introduce an entire new set of names, and you are sure not to be understood at all. Complete success, then, is as yet at least, unattainable. But an attempt though imperfect,



may have its use ; and at the worst, it may accelerate the arrival of that perfect system, the possession of which will be the happiness of some maturer age. Gross ignorance describes no difficulties ; imperfect knowledge finds them out and struggles with them ; it must be perfect knowledge that overcomes them.'—*Bentham. Morals and Legislation*, chap. xvi.

Even now, the erroneous opinion is entertained by the mass of reading people, as well as by the people at large, that disquisitions with relation to the import of words (meaning questions as to what should be comprehended under the larger terms), 'disputes about words,' are mere amusements of the closet, and of trivial practical utility. But whoever examines the subject will find, that in affairs of the most extensive influence, as well as in the every-day transactions of life, such evils are engendered by the want of words 'by exact definitions first snuffed and purged from ambiguity,' as would ensue in commerce, were each of the numeral figures used with uncertainty, or with a varying understanding of its import ; as if for example, the figure 5 were understood by one party to mean six, by another party three, by a third party something different in species as well as quantity. It may be stated as a general truth, that in all cases where no rule is pre-established, and which consequently admit of doubt, the sincere conception of each party as to the signification of terms, is as their desires or their interests ; that is to say, opposed to each other. The party whose interest or desire it is that the figure 5 should denote six, will firmly and sincerely believe, and often resolutely maintain, even to martyrdom, that such is its meaning ; and the party whose interest it is that the figure should denote three, will have his conscientious belief framed accordingly. There being no common standard, and no superior arbiter to clear up such misconceptions between nations, war must determine them. Professor Austin, in treating of the anomalous case of the resistance to a government by the governed, observes, that if the pretensions of the opposite parties on such an occasion were tried by an intelligible test, a compromise of their difference would at least be possible.

'The pretensions of the opposite parties being tried by an intelligible test, a peaceable compromise of their difference would, at least, be possible. The adherents of the established government, might think it the most *expedient* : but, as their liking would depend upon reasons, and not upon names and phrases, they might possibly prefer innovations, of which they would otherwise disapprove, to the mischiefs of a violent contest. They might chance to see the absurdity of upholding the existing order, with a stiffness which must end in anarchy. The

party affecting reform, being also intent upon *utility*, would probably accept concessions short of their notions and wishes, rather than persist in the chase of a greater possible good through the evils and the hazards of a war. In short, if the object of each party were measured by the standard of utility, each might compare the worth of its object with the cost of a violent pursuit.

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‘It really is important (though I feel the audacity of the paradox), that men should think distinctly, and speak with a meaning.’

‘In most of the domestic broils which have agitated civilized communities, the result has been determined, or seriously affected, by the nature of the prevalent *talk*: by the nature of the topics or phrases which have figured in the war of words. These topics or phrases have been more than pretexts: more than varnish: more than distinguishing cockades mounted by the opposite parties.’

For example, If the bulk of the people of England had thought and reasoned with Mr. Burke, had been imbued with the spirit and had seized the scope of his arguments, her needless and disastrous war with her American colonies would have been stifled at the birth. The stupid and infuriate majority who rushed into that odious war, could perceive and discourse of nothing but the *sovereignty* of the mother country, and her so called *right* to tax her colonial subjects.’

‘But, granting that the mother country was properly the sovereign of the colonies, granting that the fact of her sovereignty was proved by invariable practice, and granting her so called *right* to tax her colonial subjects, this was hardly a topic to move an enlightened people.’

‘Is it the interest of England to insist upon her sovereignty? Is it her interest to exercise her right without the approbation of the colonists? For the chance of a slight revenue to be wrung from her American subjects, and of a trifling relief from the taxation which now oppresses herself, shall she drive those reluctant subjects to assert their alleged independence, visit her own children with the evil of war, squander her treasures and soldiers in trying to keep them down, and desolate the very region from which the revenue must be drawn?—These and the like considerations would have determined the people of England, if their dominant opinions and sentiments had been fashioned on the principle of utility.’

‘And, if these and the like considerations had determined the public mind, the public would have damned the project of taxing and coercing the colonies, and the government would have abandoned the project. For, it is only in the ignorance of the people, and in their consequent mental imbecility, that governments or demagogues can find the means of mischief.’

‘If these and the like considerations had determined the public mind, the expenses and miseries of the war would have been avoided; the connection of England with America would not have been torn asunder; and, in case their common interests had led them to dissolve it quietly, the relation of sovereign and subject, or of parent and

child, would have been followed by an equal, but intimate and lasting alliance. For the interests of the two nations perfectly coincide; and the open, and the covert hostilities, with which they plague one another, are the offspring of a bestial antipathy begotten by their original quarrel.'

'But arguments drawn from utility were not to the dull taste of the stupid and infuriate majority. The rabble, great and small, would hear of nothing but their *right*. "They'd a *right* to tax the colonists, and tax 'em they would: Ay, *that* they would." Just as if a *right* were worth a rush of itself, or a something to be cherished and asserted independently of the good that it may bring.'

'Mr. Burke would have taught them better: would have purged their muddled brains, and "laid the fever in their souls," with the healing principle of utility. He asked them what they would get, if the project of coercion should succeed; and implored them to compare the advantage with the hazard and the cost. But the sound practical men still insisted on the *right*; and sagaciously shook their heads at him, as a refiner and a theorist.—*Austin*. p. 56.

The debates on the reform bill abounded with fallacies, which in other times could only have been disposed of by the sword. All parties cried out for 'their rights.' 'We contend for our right,' exclaimed the whole Tory opposition, when demanding the preservation of the boroughs in schedule A,—*videlicet* the preservation of a saleable privilege of disposing of the public money. 'We contend for the right of the people. It is the natural and constitutional right of the people, to share in the representation,' exclaimed the popular advocates. And yet had each been called upon for definitions, there probably would not have been found much difference in their capacity of adducing any distinct and coherent ideas, as being comprehended by their principal terms.

Nor are the evils of verbal ambiguities and the want of ethical knowledge, confined to the every-day affairs of 'man aggregate' and 'man segregate.' All philosophers complain that they oppose the most formidable barriers to the advancement of their respective sciences. 'Plato casteth his burden, and saith *that he will reverence him as a god, that can truly divide and define*; which,' says Lord Bacon, 'cannot be but by true forms and differences, wherein I join hands with him.' 'Computations are of no service, where men differ about principles, notions, and the forms of demonstrations.'

Hobbes takes the same side.—

'And truly the geometricians have very admirably performed their part. For whatsoever assistance doth accrew to the life of man, whether from the observation of the heavens, or from the description of the earth, from the notation of times, or from the

remotest experiments of navigation ; finally, whatsoever things they are in which the present age doth differ from the rude simpleness of antiquity, we must acknowledge to be a debt which we owe merely to geometry. If the moral philosophers had as happily discharged their duty, I know not what could have been added by human industry to the completion of that happiness, which is consistent with human life. For were the nature of human actions as distinctly known as the nature of quantity in geometrical figures, the strength of avarice and ambition which is sustained by the erroneous opinions of the vulgar, as touching the nature of right and wrong, would presently faint and languish. And mankind should enjoy such an immortal peace, that (unless it were for habitation, on supposition that the earth would grow too narrow for her inhabitants) there would hardly be left any pretence for war. But now on the contrary, that neither the sword nor the pen should be allowed any separation ; that the knowledge of the law of nature should lose its growth, not advancing a whit beyond its ancient stature ; that there should still be such siding with the several factions of the philosophers, that the very same action should be decryed by some, and as much elevated by others ; that the very same man should at several times embrace his several opinions, and esteem his own actions far otherwise in himself, than he does in others ; these I say are so many signs, so many manifest arguments, that what hath hitherto been written by moral philosophers, hath not made any progress in the knowledge of the truth, but yet have took with the world, not so much by giving any light to the understanding, as entertainment to the affections, whilst by the successful rhetorications of their speech they have confirmed them in their rashly received opinions. So that this part of philosophy hath suffered the same destiny with the public ways, which lie open to all passengers to traverse up and down ; or the same lot with the high ways and open streets ; some for divertisement, and some for business, so that what with the impertinences of some, and the altercations of others, those ways have never a seeds time, and therefore yield never a harvest.' —*Philosophical Rudiments concerning Government and Civil Society.* Preface.

To talk, then, as rhetoricians and sentimentalists do, of definitions being mere questions about words, is as wise as it would be for chymists or medical men to talk of questions to determine what substances should be put together in the same bottles and by what labels those substances should be designated, as being 'mere questions about labels,' of no importance whatever to the practical man. By compounding a discourse with words the import of which is imperfectly known, intellectual disasters are occasioned, similar to the physical disasters which occur from the ignorant composition from unknown or imperfectly known substances, or from a mistaken composition of them in consequence of the bottles being marked with the wrong labels. The business

of the ethical philosopher, is to observe facts or operations, to note what consequences follow certain collective or individual actions; just as the business of the man conversant with chymistry, medicine, or any other branch of physics, is to examine substances, to analyse or separate them, that he may the more clearly observe or know them. Both sets of philosophers form their subject-matters into the groups the most convenient for use; which operation is, perhaps, the one intended to be designated by the old logicians as a 'real definition,' or 'the definition of *things*.' Having thus determined what substances, events, mental or moral phenomena, should be grouped together,—their next business relates to the labels, or names, by which the substances should be designated; and the common duty of both, is now to take care that these labels or names are only applied to things of the same nature, and to guard the public against misapplications, and point out the consequences. This latter portion of the business was, perhaps, intended to be designated by the phrase of 'nominal definitions,' or 'definitions of *words*,' as distinguished from definitions of *things*. Nor (as the Archbishop of Dublin has observed in the ninth of his 'Introductory Lectures on Political Economy,') is this process of the less practical utility with regard to terms in familiar use, than with regard to terms that are familiarly introduced into ordinary discourse, such as 'parallelogram,' or 'sphere,' or 'tangent,' 'pencil of rays,' or 'refraction,'—'oxygen,' or 'alkali.' The learner is ready to inquire, and the writer to anticipate the inquiry, what is meant by this or that term. And though in such cases it is undoubtedly a correct procedure to answer this inquiry by a definition, yet of the two cases, a definition is even the more necessary where it is not likely to be asked for;—where the word, not being new to the student, but familiar to the ear from its employment in every-day discourse, is liable to the ambiguity which is almost always the result. If you speak to an uninterested hearer of anything that is *spherical*, or *circular*, or *cylindrical*, he will probably beg for an explanation of your meaning; but if you tell him of anything that is *round*, it will not strike him that any explanation is needed; though he has been accustomed to employ the word indiscriminately in all the senses denoted by the other three. 'Some indeed,' continues the Archbishop, 'honestly avow their dislike of accurate and precise language on this subject, and object to "the pedantic practice of defining terms." Many of them probably speak thus from knowing no better;—from having a superficial and ill-cultivated mind. Others perhaps know well enough what they are doing, and are engaged by interest or prejudice on the side

of some doctrines which they are conscious cannot abide the test of clear and accurate reasoning. The thief, according to Homer's allusion, rejoices in a fog : κλέπτῃ δέ τε νυκτὸς ἀμύνω.'

Mr. Austin has examined the nature of the matters of daily interest contained in the great bottles which bear the labels *Law, Command, Duty, Obligation, Sanction, Sovereignty*. He has shown the nature of the matters, facts, or things, which are, or ought to be, contained in these compartments ; and has rejected and detected many of the foreign matters improperly or mischievously placed there. He has incidentally expounded the theory of Utility as a test, and has refuted several prevalent objections to its employment. Practical legislators and *quasi* legislators, and those dolers out of ethical drugs the lawyers, like practical chymists daily use these bottles, and compound and deal out the contents. It is more immediately for the use of those who deal in morals and legislation, that the Professor has analysed the contents. As a whole the work is the most valuable contribution that has been made to any branch of the science of morals and legislation since the publication of Mr. Bentham's treatise. The province of jurisprudence defined, claims the same place in a course of ethical studies, as Euclid's Elements in mathematical.

ART. XVIII.—*Considerations on the Policy, Justice, and Consequences of the Dutch War.* By Vindex.—London. Effingham Wilson. 1832. pp, 32.

VINDEX is a well known public character. He was the colleague of 'Civis' during the greatest part of the American War ; and afterwards joined with 'Politicus' in opposing the French Revolution.

He is at this moment called from his retirement by the necessities of the King of Holland. He begins his advocacy, as need was, with a hit at Napoleon and the French republic ; both, undeniably, great enemies of his principal.

'Very often (though hid under disguised forms,) ambition is the real cause [of war], as was the case with the wars of France under Louis XIV, and again under Napoleon, who made wars and conquered countries in order to parcel out kingdoms to all his relations ; much in the same way as a short time previously the great Republic conquered little states, in order that they should, like Satellites, revolve with her in her orbit, or be incorporated with her, as might best promote her power and splendour.'—p. 3.

This is figurative and astronomical ; but the best part about

it is the opportunity it gives for refreshing men's memories on the fact, that the conquests of the French republic were the conquests of policemen over thieves ; who when they have attempted and been foiled, are never quite content with the degree in which the victors follow them up into their harbours. They were the beating and trampling down, of the predecessors and allies of the same men who have just received so signal a defeat in the success of the Reform bill ; of which it is confirmation strong, that the same nation, under no more modifications than are the inevitable result of the difference of times and circumstances, should be again found in close conjunction with the supporters of freedom here, and have contributed powerfully to that overthrow of the common foe, which on the former occasion was unhappily confined to the continental branches. And what the Republic left unfinished, Napoleon carried on ; the more is the pity, that he should have cut himself off from the great source of strength, the loss of which, though the momentum of the machine continued for a dozen years, ensured his fall at last.

‘ But it would puzzle any one to assign a reason, good or bad, for our war against Holland. We have not even ambition to gratify, at least as far as we are concerned ; for what then do we make war ? ’—p. 4.

A civil question demands a civil answer. The Vindicator shall be told for what we have made war.

Something more than forty years ago, a neighbouring nation attempted to mend its government. The classes that were living by the robbing of the public here, like wise men took the alarm ; and joining themselves with all that was uncivilized, brutal, and of ill report upon the continent, attacked the nation that started the odious word Reform. The honest part of the English community did all they could to hinder it ; but the honest and energetic part was then so small, that it was miserably defeated, and in various ways expiated the fault of ill success, some on scaffolds, some in exile, some under the hoofs of yeomanry, and all in plunder. On the continent, meanwhile, the success of our allies was great ; but unhappily an ardent genius forsook the rock from which he had been hewn, and a series of military misfortunes threw him into the power of the common enemy. That enemy murdered *him*, and taxed *us* in our bread. For a long time we lay defeated. Our allies were subjected to a pretender, by foreign arms ; and *we* were told, that the state of Europe was gone by, in which it was possible to resist. A large portion of the existing territory of France, conveying with it the command of her principal natural

bulwark, was cut off and given into the keeping of one of the subalterns of the nest of tyrants that weighed upon us. That subaltern was nicknamed for the nonce King of the Netherlands. The undisguised object, was to secure the submission of France, and through her of England, to the barbarian combination of which our Tory *clique* was district partner. The best things cannot last for ever; nor the worst. At last came the Three Days of July. The individual who first 'endossait' the uniform of the National Guard, fired a train which communicated with the rapidity of light to England. Still, had the enemy been alert, he might have extinguished it; but years of non-resistance had caused him to wax dull. On a former occasion when France had for a time thrown off the foreign yoke, the English tyranny did not give the nation time to think, but assumed as a primary and uncontested fact, that by the attempt to throw off, the countries were at war. On the present occasion, they fortunately hesitated; the Tory blood had run thin, since the old and palmy time. A party on such principles, is vanquished the moment it becomes afraid to be outrageous. A dozen men sent to the Tower with the vigour of the ancients, might have arrested the machine. But instead of that, the first communications from England were allowed to bear the news, that in England the die was cast, and nothing was wanted but to go on. A few weeks afterwards, the advanced posts of the barbarian powers were driven from Brussels. Again the fag end of Tory domination temporized; while the feathered Mercury of the English Radicals was rolling *summâ diligentia* along the road to Brussels, and landed from the first steam-boat with a representative of the Belgian insurgents. Here then was Belgium recovered from our enemies. A little week saw it torn from between the teeth of our oppressors, and restored to the situation of a bulwark to us and our allies. We of the great European family of freedom, had one and all approached the rampart of the Rhine. An important post held out for the common adversary. Meanwhile things had gone well in England. The junction of the popular interest with the honest aristocracy, had driven from office the conductors and supporters of the wars against European liberty, and established a liberal of 1792 at the helm of public affairs. The difference of two Great Britains was thus made; by algebra. The liberal powers proceeded in union, to complete the independence of Belgium by negotiation. The parties who might be called the actual belligerents, agreed to abide by the award; but the delays inherent in negotiation, gave time for the beaten faction in England to take heart of grace, and encourage the limb of the barbaric combination which they



had decorated with the name of King in Holland, to virtually refuse compliance. The liberal powers proceeded to act by arms; and the world was cheered with the two great tricolours floating in union. Years of dishonour were wiped from the British ensign by that single contact,—*Caraccioli, Ney, Napoleon*;—an honest man may look at it now, and think that at least it is not the flag of tyrants and of knaves. The land forces of France laid siege to the intruder's hold in Belgium, and pushed it with the vigour of men each of whom knew he was raising a bulwark against the invasion of his own hearth by the barbarian. The enemy defended himself neither well nor ill; that is to say, like a rabbit, he waited till he could be dug in to. The British Tories were beaten over again in Antwerp; for they were in it, and behind it, and round about it; the refusal to yield it altogether, was their work, their last struggle, the final effort of their hopelessness \*. Every French shot was a knell to the cause of public injury in England, and a sound of hope and confidence to the millions who had just conquered a Reform. Does Vindex now know, for what we were at war with Holland?

All these events are of necessity very agreeable, to individuals who began as many as four years ago, hoping against hope, to maintain the thesis that the Belgian bulwark ought to be regained for France†. Some wondered, and some exclaimed 'What will these babblers say?' The end has in substance been obtained; we have nearly got Belgium, between *us* and the caste of kings. It is vain, however, to try to make all sides see things in the same light. The wolf that is to have his fangs drawn, will wince and howl, in whatever manner the process be begun. Those who love the reign of the barbaric powers and profit by it, will naturally grieve at seeing their lieutenant expelled from Antwerp. Men in such circumstances must not be visited too narrowly. Something must be allowed for human feelings and human disappointment. It is a heart-breaking thing, as has been elsewhere said, to be crossed in despotism; and the pang extends down to the lowest retainers of

\* See the droll story of Lord Aberdeen's quoting by mistake in the House of Lords on the 26th of January 1832, a note to the Conference which was not issued by the Dutch plenipotentiaries till the 30th.—(*La Belgique et la Hollande. Lettre à Lord Aberdeen; suivie de la Traduction de son Discours à la Chambre des Pairs, et de Notes sur ce Discours.* Par Victor De La Marre.—Bruxelles: Chez tous les marchands de nouveautés. Février 1832.)

† See the Article on '*Béranger's Songs*' in No. XIX of the Westminster Review for January 1829; on the '*Change of Ministry in France*' in No. XXII for October 1829; and others.

the cause. Let but any humane and considerate person place before himself the immensity of the change, and consider the draft that is made on the endurance of frail mortality. It is not every man who has lived to see the forces he thought his own in fee, employed to pull down his usurpations and build bulwarks against his hopes of their return. Such sufferings may excuse a little ill-humour and a little treason. Time was, that the Conservatives made great noise if a man was found communicating with a power at war, forwarding a trivial plan, or aiding in sketching a campaign or the defeat of the opponent's. But matters are changed now, and the trenches before Antwerp were filled with British Tories, whom nothing but French politeness hindered from stringing up as spies. All venomous things have their use and so have these. The triumphant people of Great Britain know better than before, the faction with which they have to deal. They have had useful opportunity to learn, the abnegation of all law except their interests,—the *jura negant sibi nata* spirit,—characteristic of the party which they must either cut off from hope and harbour, or be their re-vanquished thralls.

‘She [Holland] has done us no injury; she has taken none of our ships, though we are taking her's even without a declaration of war.’—p. 6.

Can anybody state, how many of our ships had been taken by the French republic, when our Tories in their terror of reform the first time determined to go to war;—or how many the second, when they went to war to avoid fulfilment of a treaty? Not that it follows, that to have taken no ships from us is a requisite towards making a just enemy; but it *does* follow, that to have taken no ships is not a sufficient circumstance to make a war that Tories should be allowed to cry out against.

‘What has Holland done to you, that you should wish to crush her? Do you go to war for Belgium? What is Belgium to you?’—p. 7.

Everything. The interest you take in preventing it, is evidence that it is everything. Is it possible to see a Tory interest, and not to have an interest on the other side? You want the Cossacks in Belgium, to threaten France, and through France, us. It is the great *lunette* and outwork before the Channel, of the Reform that is behind it; and therefore we want to have it for our friends, and you for yours. The Reformers of England will give up the Isle of Wight, as soon as see Belgium in the hands of the Holy Alliance again.

'It is now insisted that Antwerp shall be French, or, what is tantamount, Belgian under French influence, and yet so jealous was this country before even of the Dutch, who never would and never could do it any harm, that they were not allowed to have either a naval arsenal, or a dock-yard, to build ships of war, nay, not even of the smallest size.'—p. 10.

If there is to be a government in this country, which is to exist only by forcing foreigners to forego the natural advantages nature may have bestowed upon their territories,—it will be put down by the refusal of the English people to support it in any such odious cause. If there is to be a war of conquest to take and keep Antwerp for Great Britain,—propose it, and see how many will endure to hear of it. And if there is no chance for being supported in taking Antwerp, what chance is there of being supported in taking away the use of Antwerp? Suppose the French should intimate, they wish very much to take away the use of Chatham;—they see certain proprieties too, in closing or at all events checking by duties, the navigation of the Thames. Why should any man yield to such a demand? And why *will* any man yield to such a demand? The closing of the Scheldt is in truth one of those antiquated horrors, like the Slave Trade, which gone-by politicians have been in the habit of supporting as the life's blood of their country, but which the modern race of English are heartily ashamed of, and would be much sooner induced to make a crusade against, than to disburse a shilling to support. Modern England happily is not in the condition, which makes her existence identical with the power of setting Europe at defiance. She can afford to see other nations in possession of the natural force which God has given them, as well as an honest man to see his neighbours with unshackled limbs. The days of England's tyranny, weighed heaviest on her own people. It was the English that were truly vanquished, like the serfs of the feudal lord. Just such advantage as the well-disposed inhabitants of a walled town had by the power of the feudal robber that domineered within their borders,—had the people of England by what the Tories called the 'domination of the seas.' Give us our own sea, and Reform within it; and let all other people make the best of theirs. The nations of Europe have no natural enemy, but 'the monarchical principle.' To drive back the barbarian diplomacy into its frightful deserts, and extirpate the domestic parties who enlist under its banners, is the *grande pensée*, the single object that civilized men will fight for now. The great fraud of commercial rivalry, which taught the masses that they were mutual enemies, is everywhere coming down. People can no

more be set against people, for the advantage of the common foe. Europe is one society, with one enemy. There has been much treason, much weakness, and much folly; *mais encore, vogue la galère*. A time is coming that will pay for all; so far as wasted blood, betrayed hopes, and all the ruin that springs from cowardice and treachery, are capable of repair. In the mean time, depend on the English people. They know that all they have got, can only be preserved by going on. Under their present leaders, if they will march; if not, under those that will.

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## CORRECTIONS IN No. XXXIV FOR OCT. 1832.

In page 443, line 4, for his constituents from Vendée, read his friends from Vendée. The original bore simply 'the Vendéans;' but it seemed necessary to add something to make this generally intelligible to the English, who have not been in the habit of connecting the name of Vendéans with the popular cause. General Lamarque was never Deputy for Vendée; but he had the military command there immediately after the Revolution of July 1830, and his conduct was such as to ensure him the attachment of the liberal part of the population, which includes all the inhabitants of the towns,—the constituency, in fact, that sent Manuel to the Chamber. In France, as in England, the men of towns are not to be mystified by absolutists.

In page 522, line 24, for No. XXXI for April 1832, read No. XXXII for April 1832.

## ANSWER TO 'AN AMATEUR.'

The writer of the Article on *Gardiner's Music of Nature* in No. XXXIV for Oct. 1832, will be glad to be the agent of collecting and concentrating information on 'the best construction of the Violin,' or other subjects connected with the theory of sound, if any person interested in such pursuits will forward it to him, or point out in what direction it may be looked for with success. In the construction of stringed instruments, it is not clear that much has been done to determine with precision the effects either of magnitude or form. The forms theoretically connected with the phenomena of sound, are the paraboloid, and what may be called the parabolic prism; which, for small portions of the respective figures, do not extensively differ from portions of the sphere and cylinder. The effect of removing the tail-piece in the violin, and its agreement with the previous observations of Col. Macdonald, have been noted in the Westminster Review, No. XXXIV, p. 347. The treatise of Col. Macdonald further states, that advantage was derived from the use of a bridge of box-wood; but the writer of the Article on the *Music of Nature* has tried various substances and forms for the bridge of a guitar where the strings were fixed to the back of the instrument, as glass, steel, ivory, ebony, and fir, without finding any remarkable difference. The diminution of sound caused by the introduction of a tail-piece, might, he thinks, be estimated at a seventh or eighth part; which is probably as much as the difference between a Cremona and a common violin.

The Article in the present Number on the Harmonics of the Violin, was intended to be 'written in *plain* and very *clear language*;' and as such, may be satisfactory to the Correspondent.

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NOTICE.

Mr. Prendergast, Master of the Free Grammar School at Lewisham, is anxious to have it known, that he is not the Master that 'kept the boarders quite separate from the foundationers, as they are a different class of boys,' (See First Report of the Charity Commissioners, p. 121. West. Rev. No. XXXIV, p. 410. Art. *Infant and Grammar Schools*); and that he has succeeded to office since.

Any disclaimers of a similar kind, on the part of successors to abused institutions, will be communicated to the public on being sent to the Westminster Review.

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THE  
WESTMINSTER REVIEW,  
No. XXXVI.  
FOR APRIL, 1833.

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ART. I.—1. *Pledges defended and offered in a Letter to the Electors of Lambeth, by Daniel Wakefield, Esq.*—Printed by Truscott, 37, Blackfriars Road. 8vo. pp. 12.

2. *Cobbett's Weekly Political Register.* Sept. 8. 1832.

**W**HERE is the man so ignorant as not to have heard of an 'equitable adjustment,' or so base as to object to it? The sound itself is irresistible; and it is clear upon the face of things, that there must be an 'equitable adjustment.'

What is an equitable adjustment however, is of that perplexed part of the business of law-giving, which it is not so easy to settle by acclamation. For it is not to be supposed that anybody is so silly, as to expect that he is to carry a vote for an equitable adjustment, and have the how, the what, and the where, left blank for himself to fill up at discretion.

The roots of this question lie as far back as the Revolution of 1688. Soon after that event, money began to be borrowed for the public service,—or if the expression be preferred, for supporting and defending the revolution which had just been made,—and the produce of the taxes pledged for the interest. There is



no use in tracing the progress of the system ; like all mischiefs, it ' progressed ' fast. The objects for which the money was borrowed and expended, were good or evil according to the politics of the day ; and there would be no wrong in stating, that according to the judgment of the parties now happily uppermost in the country, the major part of the objects,—the whole perhaps except the earliest,—were abominably bad. This however is not the immediate concern of us of the present generation ;—we may have some power of affecting the good or evil conduct of the government for the coming century, but we can have none of altering the past. The government, in the exercise of the legal power which it had,—though undeniably against the best efforts of a minority who thought its conduct wrong and tried to hinder it,—spent and threw away the people's money for purposes worse than useless, and multiplied twenty-fold the power of doing this, by the invention of borrowing on the credit of the interest. The principal furnished, might to a certain extent come in the first instance from individuals eager to promote the objects for which the borrowing took place ; but the majority were moved by no other feeling than that which induces a shopkeeper to sell his wares without inquiry into the use that is to be made of them ; and the greater part of the value was rapidly transferred under the shadow of the existing laws, to holders perfectly free from political bias, and actuated solely by the prospect of making a favourable investment for the produce of their industry, or a provision for their families.

But this was not all. The question became complicated in another way, through the dishonesty and baseness of the political party which had bestrid the shoulders of the nation like the Old Man of the Sea, and has only just been shaken from its seat. It occurred to the Conservatives, (for they were conserving *then*), that after having mortgaged the taxes, it was easy to cheat the mortgagees. And the way they set about it, was by an issue of fictitious paper. In this way they brought down the value of the pound sterling to fifteen shillings ; whereby they, first, pocketed what was got for the extra pieces of paper, and secondly, paid the old mortgagees only fifteen shillings in the pound ; while to preserve the value of the taxes, required no greater craft than laying the duties *ad valorem*. If the mortgagees or those to whom they had transferred, had been conspirators in the public wrong, this might only have been the devil cheating his own. But they were not ; they were no otherwise implicated,—and there was no further justice in plundering or allowing them to be plundered,—than there would be in the event (from which the heavens protect us) of the Conservatives ever coming back to rule and power, in

demanding from every tradesman to surrender the price of all he might have been guilty of selling to a reformed government.

Things went on in this way, with decreasing prospects of alteration for the better. Men began to bet there never would be any alteration; and one hasty speculator chose to hoist a gridiron and declare he would be fried upon it if ever the paper was paid in gold. The paper is paid, and the collop remains uncooked; and all that can be said in excuse is 'Who would have thought it!' There was manifestly one way in which the government might pay in gold; which was, by paying at other people's expense and not its own. And this it was, the man of the gridiron should have thought of, before he proclaimed that he had hedged his cuckoo. If the mode of laying the taxes could be changed from imposts *ad valorem* to imposts fixed in nominal amount, it only required the command of a little superfluous revenue to begin with, to ensure the arrival of a time, when the having to pay the fundholders in a currency of increased value, would be overbalanced by what would be gained upon the residue of the taxes, and so the gradual buying up of the superfluous paper become a gainful operation\*.

Whether the government that paid in gold, knew all the bearings of what it was doing, may possibly be matter of dispute; but it manifestly knew more than the man of the gridiron. It was on one hand putting an end to the continuance and progress of an existing wrong, and on the other hand it was causing new losses which might themselves be reasonably represented as coming under the same category. By the cold-blooded swindling of the Conservative government, the mortgagees, consisting ultimately for the most part of the industrious classes or their representatives, were cheated of a portion of their interest; and an injury of the same nature was inflicted on all who from other sources were the owners of ancient contracts. No way appeared open for the relief of these classes, but retracing the steps which the swindlers had taken. And even this, made no pretence of direct compensation for losses sustained; it only put an end to their further accumulation. It did not attempt to say, 'The shillings of which you were swindled by the Conservatives yesterday and the day before that, shall be given back to you;' but only 'Something shall be done to prevent the taking another shilling from you tomorrow.' To those however who had lent their money at intermediate periods during the progress of the depreciation, a prospect was held out, not only of cessation

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

of plunder, but of compensation, which might either be partial, complete, or excessive, according to the dates at which their loans were made. Where the compensation on a particular case was excessive, there was no certainty that this fell into the hands of one of the individuals who were sufferers by the cases where the compensation was still defective; but it went to make a sort of compensation in the gross. A class was injured, and the same class was benefited; it was like showering first grape-shot and then bread-loaves on the same battalion, where though the distributions in both kinds may not light always on the same heads, there is no doubt that the masses that have undergone the baptism of the first, are the better for the second.

So far, however, the good done was undeniable; unless the plea should be at any time set up, that the suffering classes received in the gross *more* than the amount of their previous losses. But to this good there were two *sets-off* in other quarters; which were, first, that this more or less perfect compensation to the mortgagees was made through a measure very expensive to the community at large, to wit the buying up the fraudulent paper of the Conservatives; and secondly, that at the same time that a set of old public and private creditors were righted, a more modern set of private debtors were injured and brought to loss. Both of these should evidently have their fair share in the account; and only the fair one. The way therefore must be, to try to get at the balance of good or evil. With respect to the first, or the expense to the community, the fourth part of a currency which in substantial value might be estimated at forty-five millions but was nominally sixty, was to be bought up; which if done gradually, as it must be, would cost about thirteen sound millions, or the value of an annuity of some 650,000*l*. The fraud upon the fundholders (to keep back for the present the effects on other creditors) would, if they had been all old fundholders, amount annually to one fourth of about forty millions (being the interest of the debt), or ten millions; from which if three-fifths be struck off as an allowance for those who were not of the oldest class, there will remain an annuity of some four millions, or about six times the annuity which expresses the expense to the community of buying up. The community therefore laid out one pound, to do a right of six; which can hardly be called a bad bargain. Not that it made a direct gain thereby in a pecuniary view; because the one pound was expended merely to prevent the six pounds from being taken from the right man and given to the wrong. But exactly the same may be urged against all the expenses of government for purposes of internal regulation; the whole or principal object of which, is simply to prevent this

going of money to the wrong man. The second count, or the sufferings of the private debtors that arose during the return to justice, will be much more than balanced, if they are set off against the justice done to the old creditors of the same class. For it is manifest that their amount must be much less, if it was only from the circumstance of men having had warning of the variable value of out-standing debts and credits, and consequently being put upon their mettle to reduce the magnitude of the sums so left to hazard. There can therefore be no doubt, that six to one, may be taken as the proportion of the whole good done, to the cost of doing it. And this cost whatever it may be, can only be fairly put to the charge of the authors of the wrong; in the same manner as the parties that should cut a sea-bank and inundate a county, would be justly chargeable with all the trouble and expense incurred to remedy the mischief.

In this state of things the question seems to reduce itself definitely, to whether any class of men have made an unfair charge for losses, or been overpaid; for to propose to go back to the old state of things because there have been losses and expenses in removing from it, would appear to be the same kind of roguery or folly as to say in the case of damming out an inundation, 'The expense of this has been enormous. The whole country-side has sent its carts and horses, and done statute-work past all reckoning, to get this dam together. Whereupon we of the parish of Little Wit, move and propose,—*that the dam be carried away again.*' There is no exaggeration in this illustration of the proposal, that because a grievous evil has been remedied at a grievous cost, a third grievous evil shall be incurred for the sake of getting back to the first.

The Tables of the late Mr. Mushet\* may be supposed to be familiar to every person who pretends to have voice or opinion on the present subject. They, however, stopped short, and at rather an interesting point; which was at the question, of what would be the result of calculating the gains and losses of the fundholders at *compound*, in place of *simple* interest. This deficiency has been supplied by the exertions of a well-known friend of political improvement†; the results of which are here next given, and will be most readily understood by supposing each column of Loss or Gain to be inserted after Mushet's column headed 'Annual Loss &c.' or 'Annual Gain &c.' in the Tables whose numbers are expressed.

\* A series of Tables, exhibiting the Gain and Loss to the Fundholder, arising from the Fluctuations in the Value of the Currency. From 1800 to 1821. By Robert Mushet, Esq.—London. Baldwin & Co. 1821.

† Mr. Charles Childs, of Bungay.

Amounts of the respective sums *lost* or *gained* by the Fundholders on each year from 1800 to 1821, through receiving their interest in a money *less* or *more* valuable than that in which the principal was lent; calculated to 1821 at compound interest 5 per cent, interest made principal half-yearly.

YEAR	TABLE 1.		TABLE 2.		TABLE 3.		TABLE 4.	
	Loss.	Gain.	Loss.	Gain.	Loss.	Gain.	Loss.	Gain.
	£.	£.	£.	£.	£.	£.	£.	£.
1801	5,304,837	..	75,566	..	..	..	..	..
2	4,391,717	..	62,558	..	..	32,892	..	..
3	1,523,944	..	21,708	..	..	164,172	..	304,162
4	1,450,512	..	20,662	..	..	156,261	..	289,506
5	1,380,618	..	19,666	..	..	148,732	..	275,555
6	1,314,093	..	18,719	..	..	141,565	..	262,278
7	1,250,772	..	17,817	..	..	134,743	..	249,640
8	1,190,503	..	16,958	..	..	128,251	..	237,611
9	1,133,138	..	16,141	..	..	122,071	..	226,161
1810	5,467,067	..	77,875	..	103,346	..	287,279	..
11	3,028,212	..	43,137	..	..	10,464	24,322	..
12	7,622,310	..	108,576	..	227,166	..	565,942	..
13	8,011,575	..	114,120	..	254,066	..	625,306	..
14	8,366,441	..	119,176	..	278,887	..	680,019	..
15	5,296,980	..	75,452	..	132,065	..	341,925	..
16	5,041,742	..	71,817	..	125,702	..	325,449	..
17	763,310	..	10,873	..	..	82,230	..	152,348
18	726,529	..	10,349	..	..	78,268	..	145,007
19	1,157,594	..	16,490	..	..	51,186	..	84,650
1820	643,757	..	9,171	..	..	71,634	..	133,024
21	..	..	..	..	..	101,306	..	201,698
	65,065,651	..	926,831	..	1,121,232	1,423,775	2,850,242	2,561,640

Amounts of the respective sums *lost* or *gained* by the Fundholders on each year from 1800 to 1821, through receiving their interest in a money *less* or *more* valuable than that in which the principal was lent; calculated to 1821 at compound interest 5 per cent, interest made principal half-yearly.

YEAR	TABLE 5.		TABLE 6.		TABLE 7.		TABLE 8.	
	Loss.	Gain.	Loss.	Gain.	Loss.	Gain.	Loss.	Gain.
	£.	£.	£.	£.	£.	£.	£.	£.
1801	..	..	..	..	..	..	..	..
2	..	..	..	..	..	..	..	..
3	..	..	..	..	..	..	..	..
4	..	..	..	..	..	..	..	..
5	..	..	..	..	..	..	..	..
6	..	..	..	..	..	..	..	..
7	..	..	..	..	..	..	..	..
8	..	..	..	..	..	..	..	..
9	..	..	..	..	..	..	..	..
1810	227,084	..	59,621	..	157,684	..	267,651	..
11	103,575	..	27,194	..	71,922	..	122,079	..
12	343,855	..	90,281	..	238,768	..	405,282	..
13	366,432	..	96,208	..	254,447	..	431,895	..
14	387,114	..	101,638	..	268,807	..	456,270	..
15	230,494	..	60,517	..	160,053	..	271,670	..
16	219,387	..	57,601	..	152,340	..	258,580	..
17	..	..	..	..	..	..	..	..
18	..	..	..	..	..	..	..	..
19	24,117	..	6,333	..	16,747	..	28,425	..
1820	..	747	..	195	..	519	..	880
21	..	33,227	..	8,724	..	25,123	..	39,163
	1,902,058	33,974	499,393	8,919	1,320,768	25,642	2,241,852	40,043

Amounts of the respective sums *lost* or *gained* by the Fundholders on each year from 1800 to 1821, through receiving their interest in a money *less* or *more* valuable than that in which the principal was lent; calculated to 1821 at compound interest 5 per cent, interest made principal half-yearly.

YEAR	TABLE 9.		TABLE 10.		TABLE 11.		TABLE 12.	
	Loss.	Gain.	Loss.	Gain.	Loss.	Gain.	Loss.	Gain.
	£.	£.	£.	£.	£.	£.	£.	£.
1801	..	..	..	..	..	..	..	..
2	..	..	..	..	..	..	..	..
3	..	..	..	..	..	..	..	..
4	..	..	..	..	..	..	..	..
5	..	..	..	..	..	..	..	..
6	..	..	..	..	..	..	..	..
7	..	..	..	..	..	..	..	..
8	..	..	..	..	..	..	..	..
9	..	..	..	..	..	..	..	..
1810	174,232	..	87,232	..	8,353	..	..	..
11	79,468	..	39,787	..	3,810	..	..	51,105
12	263,824	..	132,088	..	12,647	..	62,712	..
13	281,148	..	140,761	..	13,476	..	77,463	..
14	297,016	..	148,706	..	14,237	..	91,137	..
15	176,847	..	88,541	..	8,478	..	24,107	..
16	168,326	..	84,274	..	8,070	..	22,946	..
17	..	..	..	..	..	..	..	73,023
18	..	..	..	..	..	..	..	69,504
19	18,504	..	9,264	..	887	..	..	55,153
1820	..	573	..	287	..	27	..	63,256
21	..	25,494	..	12,763	..	1,222	..	76,478
	1,459,365	26,067	730,663	13,050	69,958	1,249	278,365	388,519

Amounts of the respective sums *lost* or *gained* by the Fundholders on each year from 1800 to 1821, through receiving their interest in a money *less* or *more* valuable than that in which the principal was lent; calculated to 1821 at compound interest 5 per cent, interest made principal half-yearly.

YEAR	TABLE 13.		TABLE 14.		TABLE 15.		TABLE 16.	
	<i>Loss.</i>	<i>Gain.</i>	<i>Loss.</i>	<i>Gain.</i>	<i>Loss.</i>	<i>Gain.</i>	<i>Loss.</i>	<i>Gain.</i>
	£.	£.	£.	£.	£.	£.	£.	£.
1801	..	..	..	..	..	..	..	..
2	..	..	..	..	..	..	..	..
3	..	..	..	..	..	..	..	..
4	..	..	..	..	..	..	..	..
5	..	..	..	..	..	..	..	..
6	..	..	..	..	..	..	..	..
7	..	..	..	..	..	..	..	..
8	..	..	..	..	..	..	..	..
9	..	..	..	..	..	..	..	..
1810	..	..	..	..	..	..	..	..
11	..	..	..	..	..	..	..	..
12	109,148	..	..	..	..	..	..	..
13	121,309	..	18,635	..	..	..	..	..
14	132,524	..	35,987	..	50,624	..	..	..
15	64,743	..	..	31,422	..	133,993	..	582,970
16	61,623	..	..	29,908	..	127,536	..	554,880
17	..	34,261	..	127,865	..	397,118	..	1,410,476
18	..	32,611	..	121,704	..	377,982	..	1,342,511
19	..	20,316	..	104,360	..	327,924	..	1,175,917
1820	..	29,884	..	110,614	..	343,420	..	1,219,407
21	..	43,618	..	123,385	..	377,956	..	1,326,984
	489,347	160,690	54,622	649,258	50,624	2,085,929	..	7,613,145



Amounts of the respective sums *lost* or *gained* by the Fundholders on each year from 1800 to 1821, through receiving their interest in a money *less* or *more* valuable than that in which the principal was lent; calculated to 1821 at compound interest 5 per cent, interest made principal half-yearly.

YEAR	TABLE 17.		TABLE 18.		TABLE 19.		TABLE 20.	
	Loss.	Gain.	Loss.	Gain.	Loss.	Gain.	Loss.	Gain.
	£.	£.	£.	£.	£.	£.	£.	£.
1801	..	..	..	..	..	..	..	..
2	..	..	..	..	..	..	..	..
3	..	..	..	..	..	..	..	..
4	..	..	..	..	..	..	..	..
5	..	..	..	..	..	..	..	..
6	..	..	..	..	..	..	..	..
7	..	..	..	..	..	..	..	..
8	..	..	..	..	..	..	..	..
9	..	..	..	..	..	..	..	..
1810	..	..	..	..	..	..	..	..
11	..	..	..	..	..	..	..	..
12	..	..	..	..	..	..	..	..
13	..	..	..	..	..	..	..	..
14	..	..	..	..	..	..	..	..
15	..	..	..	..	..	..	..	..
16	..	..	..	..	..	..	..	..
17	..	105,421	..	660,670	..	..	..	..
18	..	100,341	..	628,836	..	..	..	..
19	..	83,331	..	522,287	..	..	..	..
1820	..	91,281	..	572,059	..	15,384	..	..
21	..	105,463	..	660,928	..	36,103	..	4,259
	..	485,837	..	3,044,780	..	51,487	..	4,259

ABSTRACT of the preceding.		ABSTRACT of the same kind of calculations made at 3 per cent throughout instead of 5. (The previous calculations omitted to save room.)	
Loss.	Gain.	Loss.	Gain.
£.	£.	£.	£.
65,065,651	..	32,018,078	..
926,831	..	455,676	..
1,121,232	1,423,775	579,232	684,364
2,850,242	2,561,640	1,471,362	1,235,803
1,902,058	33,974	980,447	20,180
499,393	8,919	257,418	5,298
1,320,768	25,642	680,809	15,230
2,241,852	40,043	1,155,600	23,786
1,459,365	26,067	752,257	15,482
730,653	13,050	376,624	7,751
69,958	1,249	36,055	741
278,365	388,519	144,276	219,499
489,347	160,690	254,481	92,669
54,622	649,258	28,379	371,413
50,624	2,085,929	26,478	1,190,774
..	7,613,145	..	4,339,005
..	485,837	..	279,684
..	3,044,780	..	1,752,824
..	51,487	..	30,501
..	4,259	..	2,530
79,060,961	18,618,263	39,217,172	10,287,534

## GENERAL ABSTRACT.

Losses upon the Amount of funded Debt 1st Feb. 1800, and upon the Debt contracted above that redeemed, 1800 to 1821; with compound interest to 1821 .. .. .

Gains upon the Debt contracted above that redeemed, 1800 to 1821; with compound interest to 1821 .. .. .

Balance of Loss .....

Interest or Yearly Value of the above Balance is .. .. .

The Total amount of Debt contracted above that redeemed from 1800 to 1821 (See Table No. 1 of Mushet) was 410,128,181*l.*, at an average of 87*l.* 6*s.* 5*d.* per cent. The interest paid for this to the fundholders in good and substantial money, is consequently too much (as being paid in a better currency than that in which it was lent), by a quantity bearing to the whole interest the proportion \* of 12*l.* 13*s.* 7*d.* to 100*l.*; which must be set down to the Fundholders as an annual .. .. .

Annual permanent result to the Fundholders .. .. .

\* Mr. Mushet is supposed to have made a mistake in this part of the calculations. For which see Postscript.

At 5 per Cent.	At 3 per Cent.
£.	£.
79,060,961	39,217,172
18,618,263	10,287,534
60,442,698	28,929,638
Loss 3,022,135	Loss 867,889
Gain 2,600,042	Gain 1,560,025
Loss 492,093	Gain 6,21,136

Here is the result of the calculation of compound interest at 5 per cent. But as there is no reason for acceding to the dictum of that member of a game-preserving parliament, who said that 'everybody knew five per cent to be the natural interest of money';—it is desirable to know the consequences of employing a different rate. And this also has been provided by the same indefatigable calculator; columns being added to the 'Abstract' and 'General Abstract' in the preceding page, which contain the results of employing 3 instead of 5 per cent throughout, the previous calculations being suppressed to save room. The inference from these is, that if 5 per cent is too high a rate, the fundholders may not have lost. Now the fact is well known to have been, that the country-gentlemen who were the 'law-givers' in the unreformed time, were anxiously struggling to prevent the very men in question from being allowed to take *more* than 5 per cent interest; which is proof that above 5 per cent might have been had, and therefore 5 per cent is not too much.

As far then as arithmetic goes, the whole charge and plea of the fundholders having had more than they ought, is a thing for knaves to recruit for fools with. But a fresh ground set up is, that the prices of goods have declined, *from causes distinct from the depreciation of money by excess*; and therefore compacts should not be kept. For if this is not meant, it is no fresh ground, and the answer has been given already. Suppose, then, a man has made a bet, which has ended in his being called on to pay a hundred pounds on a certain day. And suppose he should say to his creditor, 'You won of me a hundred pounds. But mutton has fallen, and therefore I hope you will take less. If it had risen, you may depend on it you would never have heard of me; but as it is, I intend you shall take less.' This is the same kind of reasoning as if the insured, on seeing his ship come safe to port, should refuse to pay the insurer, on the ground that there had been no loss;—knowing full well, that if things had turned out the other way, the insurer must have paid. If mutton had risen, not a word would anybody have said of the necessity of purchasing the same quantity of loins and chops for the fundholder; but because it has fallen, out crawls a generation of fraudulent debtors, and proposes it as a reason for breaking compact.

But there is another defect in this last scheme or argument, which is still more fatal. Suppose a man *did* lend a leg of mutton or its price, when mutton was scarce and dear; does it follow that he is paid by issuing to him a leg of mutton or its price, when mutton is plentiful and cheap? To put a case, suppose a man in a town besieged, lent a crown when mutton was at a crown a pound and other things in proportion; is he paid, by saying to him when things are cheaper, 'There, Sir, is sixpence;

*it will buy you a pound of mutton*'? All mankind would revolt at such a proposition, except the equitable-adjustment people; and the wrong is in representing the pound of mutton at one time as of the same value with a pound at the other,—the fact being that it is of very different value, the proof of which is, that it fetches different prices,—or if preferred, that to procure it, required parting with the result of one hour's labour in one case, and ten in the other. It is to be hoped they will persevere; that they may see what an overthrow they will obtain from the indignant of their countrymen.

But it would be too hard to charge the whole to malevolence or dishonesty. A lack of comprehension is at the bottom of at least half. The point which is too much for the understanding of the projectors, is that the community would not gain the amount though the debt were sponged-off tomorrow. They are unable to receive the doctrine, that if every man held a share of the debt proportioned to the taxes he pays towards it, sponging the debt would only be filling his right pocket at the expense of his left; and that consequently, all gain which could be made by any person in the actually existing state of things, must be by the equal loss of somebody else, which in the aggregate can make no national gain. And here arises the nice point, the delicate point, the point which will serve the Joseph Surfaces of either House for an age of trickery when the time comes,—which is the distinguishing between the consequences of borrowing and throwing away a million, and the consequences of ceasing to pay the interest. The moment it is asserted that nothing can be gained by ceasing to pay the interest, up will stand a spruce gentleman and declare, that if that be true, there would be no harm in borrowing and spending eight hundred millions more. It is a hopeless case; unless a reformed parliament should have brought the remedy. In the old state of things, it would have been as hopeful to try to teach a fox-hunter Euclid, as to expect to weed out such an imagination from the House of Commons. And this it is, rather than malevolence, which is at the bottom of the outcry for robbing the fundholders. Men cannot comprehend, if the contracting of debt be an evil, how it should not be a special source of national wealth to stop paying the interest afterwards. Their mental plenishing is all too feeble to discern, that the fact of the interest being owing from one man to another, is perfectly good reason why nothing can be gained in the aggregate by ceasing to pay; though it is the most babyish of all fallacies when applied, as the well-booted Tory bankers were fond of applying it, to prove that there was no harm in borrowing million after million and throwing away. Another form under which the

same confusion shows itself, is in the persuasion of some overpowering good that would be the result of what is popularly called paying the national debt. There is a perplexity of ideas, between paying the debt ourselves, and getting the man in the moon to pay it for us. If the latter personage has the means and could be persuaded to perform us this good office, the benefit to us would be clear. But if we are to do it ourselves, where is the mighty advantage of getting rid of an annuity, by laying down the present value at the market price? If it was convenient for men to do it, the thing might, and probably would, be put in a course of doing tomorrow. It is not to be denied that there are some gains that might be made; for example, the machinery for collecting taxes and paying fundholders might be spared. But it is clear the speculators on paying the national debt, have something more magnificent in view than this. They devoutly believe, that paying off the debt, would be gaining the amount. In those far distant times when the governments of European countries shall have undergone changes it would now freeze men's blood to think upon, a question may arise of whether it would be advantageous to try to pay off a public debt by an advance of the principal. But till then, under permission, we are well as we are; and considerably better than we should be, if any government within the imaginings of living men, had the power of urging the seductive fallacy, that we were a nation without a debt, and therefore admirably situated for the incurring of a new one.

As an earnest of the result which is likely to ensue from pressing the project of defrauding the public creditor, it is interesting to view the way in which the plan is spoken of by men seeking an entrance into the reformed parliament by direct appeal to popular support. Take for example the following extract from the pledges offered by the candidate on the popular interest for Lambeth.

'2. I promise to oppose any scheme for robbing the public creditor. The debt, it is true, was incurred by the boroughmongers; but the people encouraged them to create it, approving of the war with revolutionary France, shouting for victories obtained with borrowed money, and all but persecuting the few who recommended peace and economy. They were then parties to the contract and would be bound to pay the debt, even though all the creditors were boroughmongers, or bishops. But who are the national creditors? The people themselves; widows and orphans whose property has been invested in government stock; depositors in savings-banks; and others who have laid out the whole of their small property in public securities. The greater part of the debt has been purchased by persons, each of whom receives an interest for his money less than 200*l.* a-year, or about 4*l.* per week. And now, mark my words, (without setting up for a

prophet I want your attention) there will be plans for robbing those who have bought the debt; and such plans will find favour with many of the Whig and Tory aristocracy as soon as ever their hands shall be taken out of the public purse. They who spent the capital will be for evading payment of the interest as soon as ever they shall be left to their private resources. I am all for taking their hands out of the public purse, and therefore long for the time when they shall countenance projects for robbing the savings-banks; but I will oppose such projects, come from whom they may; and if you hanker after any thing of the kind I am unfit to be your member. This is test the first.'

'3. The source from which funds are to be derived for paying the interest of the debt is quite another question. The debt is a double, a tenfold, burthen through the awkward manner in which we bear it. Those whom the people encouraged to contract the debt have thrown the burthen of it on the people, have made the burthen as great as possible by taxing industry for its support. Who that had a weight to carry would tie it to his legs? A tax on the poor is a cruelty as well as a tax, being paid with deprivations and sorrow; whereas the rich may remain rich after paying taxes, each in proportion to his means, and without any diminution of happiness. Our taxes seem to have been framed with a view to inflict pain as well as to raise money. Most of them, besides, are a hindrance to the production of wealth, restricting the whole produce of industry instead of only distributing some of it in a particular way. Considering the industry and skilfulness of Englishmen, and the rapid progress that we are capable of making in the arts of production, I believe that, if all taxes which check production were repealed, the national wealth might become so much greater, that a tax on property, sufficient to pay the interest of the debt, would not be felt as a burthen. For these reasons I look to a complete reform of our system of taxation as one of the best consequences of the reform act. Conservatives, both Whig and Tory, will probably oppose such a reform, not so much through selfishness as from ignorance; wherefore I promise to oppose them in this matter if you should elect me.'—*Pledges &c.* p. 6.

The '*scheme*' of the author of the Political Register is of a very different bearing; as may be seen from the copy following.

- '1. Not by any means to depart in any degree whatsoever from the present money standard of the country.'
- '2. To take all the public property; namely, the crown-lands, the crown-estates, the woods and forests, the Duchies of Cornwall and of Lancaster, the *real* property now possessed by the bishops, deans and chapters; and to enforce the rigid payment and collection of all arrears due to the public from *defaulters*; and, in case of their being dead, pursue their heirs and assigns rigidly, according to the letter of the well-known and most admirable "*Statute of Public Accountants*," passed in the reign of QUEEN ELIZABETH, and still unrepealed; and to make the receivers of all unmerited pensions, sinecures, and grants, "*public accountants*," and pursue them and their heirs and assigns accordingly.'
- '3. To take the whole of what is called the national debt; and, in the

first place, reduce it one half in amount, we having, for many years been paying twice as much interest as is due to the fundholders, even supposing it to be a debt that we are bound to pay at all.'

- ' 4. Then cease to pay interest upon a quarter part of this half at the end of six months, and so on, in order that interest might cease to be paid upon any part of it at the end of two years.'
- ' 5. Then appoint a board of five commissioners to receive and examine the claims of suffering fundholders, and leave it to that board to make such compensation as might be found consistent with justice to the nation and humanity to the parties, out of the proceeds of the property mentioned before.'
- ' 6 To disband the standing army, abolish all *internal* taxes whatsoever, raise a revenue of from six to seven millions a year in custom-house duties, making this Government as cheap as that of America, and never suffering an Englishman again to see the odious face of a tax-gatherer with an ink bottle at his button-hole, leaving for the people to keep for their own use the fifty-four millions a year, now pocketed by the tax-collectors in part, while the rest is sent up to London.'
- ' 7. To make an *equitable adjustment* of all contracts and debts.'

'This, gentlemen, is *my scheme*; this is my way of putting money into the pockets of the people, or rather of preventing it from being taken out of their pockets.'—*Weekly Political Register*. Sept. 8. 1832.

It is impossible not to estimate the spirit and perseverance with which the author of the *Political Register* has opposed the paper-money fraud; and his own 'scheme' has all the superiority, which open freebooting has over circuitous larceny. The defects in it, are that the allegation of the fundholders having been paid twice as much interest as was due, is not only without evidence, but in the teeth of evidence; and that the appointment of a board of commissioners &c. may be dispensed with, by the readier process of the country's paying its debts without. The scheme for adjusting contracts and debts by the price of mutton, has also been shown to be naught. If it is chosen to take the public property, crown lands and the Duchies of Cornwall and Lancaster &c. and apply them to buying up the debt that is in the market, and so relieving the tax-payers of the interest; this is quite another thing, and what it is conceived neither gods nor men could be found to object to. In all events, let the people hold together; and pluck the robbers, but not pluck one another. The great safety of the fundholders is in reform; a fundholder that is not a reformer, is a fool it would be charity to relieve of his money. Get liberty of trade, and then the patrons of equitable adjustment will be obliged to pay their own debts and allow the payment of other people's. The pressure of public misery, arising from the prohibition of commerce by Act of Parliament, makes the only fulcrum on which they have a chance to set a foot.

ART. II.—1. *Œuvres de M. Turgot, Ministre d'Etat.*—9 vols. 8vo. Paris. 1808.

2. *Memoirs of the Life of the Right Hon. William Pitt.* By George Tomline, D.D. F.R.S. Lord Bishop of Winchester, Prelate of the Most Noble Order of the Garter.—2 vols. 4to. London. Murray. 1821.

**A**FTER the sketch that was given in a former number, of the main incidents of Turgot's life and the leading principles of his administration, an acquaintance with the distinctive features of his life and character may be assumed to be sufficient to warrant the use of the privilege accorded to poets by Horace, 'et in medias res, non secus ac notas, auditorem rapere.' The present article will therefore be devoted to some further remarks on Turgot's peculiar merits as a statesman, and to a comparison of those merits with the pretensions of some of his English contemporaries.

Turgot is one of the few of the men presiding for a time over the destinies of nations, who have evinced a taste for literature and philosophy. The want of that taste appears a mark of a certain vulgarity of mind. 'It is astonishing,' said Franklin, and before him the chancellor Oxenstiern, 'with how little wisdom the world is governed.' It may be added, it is astonishing by what vulgar minds it has been governed. Sir Robert Walpole is reported to have said to the ancestor of Mr. Fox, in the library at Houghton, 'I wish I took as much delight in reading as you do, it would be the means of alleviating many tedious hours in my present retirement. But, to my misfortune, I derive no pleasure from such pursuits.' Many a retired minister might join in Sir Robert's observation. It was this, above all his other accomplishments, notwithstanding the dark shades and deep-rooted vices of his character, that has cast a charm round the memory and the fame of Julius Cæsar, Hume attributes the somewhat contemptible opinion generally entertained of the talents of James I, to his attempting, and not being able to excel, in literature. 'Such a superiority,' he says, 'do the pursuits of literature possess above every other occupation, that even he who attains but a mediocrity in them, merits the pre-eminence above those that excel the most in the common and vulgar professions. The Speaker of the House of Commons is usually an eminent lawyer; yet the harangues of His Majesty will always be found much superior to that of the Speaker, in every parliament during this reign\*.' Analogous to this vulgarity of mind in men, is the vulgarity

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\* Appendix to the reign of James I.



of their ambition. The objects of that ambition have usually been rank, title, stars, and ribbons. Of this desire for title, a striking instance is seen in Strafford, a man certainly far above the common herd of ministers, and whose mind was in some senses a powerful one. It is impossible to read some of his letters and despatches, without feeling a contempt mingled with disgust, for the eagerness with which he solicits title. Such an eagerness is altogether inconsistent with true greatness of mind; for he who is endowed with that, however much he may be the victim of 'that last infirmity of noble minds' a desire of fame, must know that the eternity of a really great man's fame has nothing to do with such titles as a king can bestow. The most striking example of this the world has produced, is Julius Cæsar. Who is there that can vie in fame with the all-accomplished and unconquered Roman? For two thousand years, without an interval, his exploits and his name have filled the ear and mind of nations. Even the dark and impenetrable clouds of what are called the middle ages, that enveloped all else, could not obscure the brightness of his glory. And yet he assumed no title, neither *rex*, nor βασιλεὺς, nor *dominus*, nor τύραννος, nor duke, nor emperor, was joined, either as prefix or adjunct, to debase the simple majesty of his mighty name. Even as Cicero addressed him in the assembled senate, in the blazing zenith of his unrivalled power, Cæsar, simply Caius Cæsar\*, he went down to after ages, to be a beacon and a warning star to all time. He would not deform his great name by any title. But it has been deformed and polluted since, by being assumed as a title superior

\* It is seldom that the prophecy either of an orator or a poet proves so true as the following. 'Quod si rerum tuarum immortalium, C. Cæsar, hic exitus futurus fuit, ut, devictis adversariis, rempublicam in eo statu relinqueres, in quo nunc est: vide, quæso, ne tua divina virtus admirationis plus sit habitura, quam gloriæ: siquidem gloria, est illustris, ac pervagata multorum et magnorum, vel in snos, vel in patriam, vel in omne genus hominum, fama meritorum... Nec vero hæc tua vita ducenda est, quæ corpore et spiritu continetur: illa, inquam, illa vita est tua, quæ vigeat memoriâ seculorum omnium: quam posteritas alet, quam ipsa æternitas semper tuebitur.'—*Cic. Orat. pro M. Marcello*.

'But if this, Caius Cæsar, was to be the end of your immortal exploits, that, having overcome your adversaries, you should leave the republic in the state in which it now is: beware, I beseech you, lest your divine virtue obtain more admiration than true glory; if, indeed, glory be the illustrious and wide-spread fame of the many and great actions which a man performs for his friends, his country, or mankind... Neither, in truth, is this to be accounted your life which is contained within the bounds of corporeal existence. *That*, I say, *that* life is yours, which shall be prolonged in the memory of all ages; which posterity shall foster; which eternity itself shall protect.'—*Oration for M. Marcellus*.

to that of king by the vulgar and petty despots of the earth ; who, aping whatever he had of evil, could imitate nothing that he possessed of either good or great.

Some even of the errors contained in the works of Turgot are worthy of attention, as suggesting confirmation of the opposite truths.

M. Quesnay, says the editor of the volumes above, called *produit net* that portion of the produce which remains after replacing the expenses of culture and the interest of the advances required. And he showed that the more free labour should be, the more complete would be its competition, and the more would ensue in culture a new degree of perfection,—in expense, a progressive economy, which, rendering the *produit net* more considerable, would thus produce greater means of expending, of enjoying, of living, for all those who are not cultivators. He beheld in the augmentation of the *produit net*, the means of still further improving the country, by daily extending its tillage over lands at first neglected as less fertile, which might be rendered productive in proportion as better tillage should be applied to them, and at less expense. He felt that the productions of the soils the natural sterility of which should thus be overcome, would maintain a greater and happier population ; and that thus the disposable force and the national happiness would be at once increased.—*Œuvres de Turgot*, tom. III. p. 313-14.

It is curious to compare the above doctrine with the conclusions which have been arrived at by those who have since investigated the nature of rent. According to the former, rent and human happiness, meaning the happiness of the community, of the aggregate, would attain a *maximum* together. According to the latter, when rent attains its maximum, the happiness of all the community except the receivers of rent, is a *minimum*. And a very slight glance at the present condition of one or two countries on the globe, will demonstrate the fallacy of Quesnay's position. In those countries where, from the state of the population, it has become worth while to take the very poorest lands into cultivation, the general happiness is notoriously very small, the amount of general misery very great. In America, from the abundance of good land compared with the population, the amount of general happiness is very great, of general misery very small.

In his *éloge* of M. de Gournay, [vol. III. p. 357.] Turgot says, 'M. de Gournay applied himself to expose the secret interests, which had caused to be called for as useful, regulations the whole object of which was to place still more and more the poor man at the mercy of the rich.' The same remark has

repeatedly been made respecting the state of things in England in our day. Indeed all states of society seem to have this tendency, at least all that the world has yet seen. The large capitalist of the present day in France, as late events have shown, has as much inclination, if permitted, to be insolent, oppressive, and unjust, as the *grand seigneur* of days past. It would seem as if human nature, however improved by education, must, in order to ensure the general safety, be always under the influence of powerful checks. And this, (the doctrine of checks) is in fact the true doctrine of the constitutional balance, the existence of which was denied by some of the *économistes*. The mistake would seem to have arisen from using the wrong metaphor. The idea of a constitutional balance implies an absurdity, they said, because a balance implies an equilibrium or rest, and the idea of a government is one of motion, not of rest. The error lay in using as the illustration the proposition of the balance, instead of that of the composition and resolution of forces, as it is termed in mechanics. According to that principle, although any number of forces may so act upon a body as to keep it at rest, they may also so act upon it as to cause it to move in a direction which shall be determined by the number, magnitude, and direction of the given forces. Transposing this proposition from the science of physics to that of politics, the direction in which the vehicle of government moves will be determined by the number, magnitude, and direction of the forces acting upon it. And in this sense, and in no other, men may reasonably talk of a constitutional balance. However, the metaphor of the composition of forces being, as Bentham has observed, taken from an operation not often ostensibly performed in ordinary life, and therefore not presenting to the generality of minds any distinct image, the expression 'constitutional balance' ought to be discarded by all who desire to write clearly and intelligibly on the science of government. Some who have been in the habit of using this expression, have no doubt succeeded in the end for which they used it,—to wit, that of mystifying, of preventing any clear views being taken of the matter under consideration.

The following passage is translated on account of the illustration it affords of a certain cant prevalent at the present day.

'The resistance which those principles encountered gave occasion to several persons to represent M. de Gournay as an enthusiast and *homme à systèmes*. This name of *homme à systèmes*, has become a kind of weapon in the mouths of all persons prejudiced, or interested in maintaining some abuse, and against all those who propose changes of whatever kind. The philosophers of these latter times have risen

up with equal candour and justice against *l'esprit de système*. They understand by that word those arbitrary suppositions by which all phenomena were attempted to be explained, and which, in fact, explained them all equally, because they explained none of them; that carelessness of observation,—that precipitation in giving way to indirect analogies, by which the risk is incurred of converting a particular fact into a general principle, and of forming a judgment of an immense whole by a superficial glance at a part; that blind presumption, which refers all of which it is ignorant, to the little which it knows; which dazzled by an idea or a principle, sees it everywhere, as the eye fatigued by being fixed on the sun, throws its image upon all the objects towards which it is directed; which wishes to know, explain, and arrange everything; and which forgetting the inexhaustible variety of nature, attempts to subject it to its own arbitrary and limited method, and wishes to circumscribe the infinite in order to comprehend it.'

'If men of the world [*les gens du monde*, our practical men as they sometimes call themselves,] also condemn *systèmes*, it is not in the philosophical sense. Accustomed to receive in succession all opinions, as a mirror reflects all images without appropriating any one to itself; to find everything probable without being ever convinced; to be ignorant of the connexion of consequences with their principle; to contradict themselves every moment without knowing it and without attaching any importance to it; they cannot fail to be astonished when they meet with a man thoroughly convinced of a truth, and who deduces its consequences with the strictness of an exact logic. They are ready to listen; they will be ready the following day to listen to propositions quite contrary, and will be surprised at not seeing in him the same flexibility. They do not hesitate to characterize him as an enthusiast and *homme à systèmes*. Thus, although in their language the word *systèmes* applies to an opinion adopted maturely, supported on proofs and followed out in its consequences, they do not the less take it in a bad sense, because the small attention whereof they are capable does not enable them to judge of reasons, and does not present to them any opinion as capable of being constantly held, or resting very clearly on any principle.'—Vol. III. p. 365.

Those, if any such there be, who may still profess to doubt of the necessity of a change of things in France amounting to a revolution, should examine the following picture of the condition of the French peasantry previously to that revolution. And be it remembered that this is the official statement of a man high in office; and neither the result of the imperfect observation of a passing stranger, nor of the high and false colouring of 'the disaffected and ill-disposed,' as Bishop Tomline called those who thought a radical reform necessary in the government of France.

'The Receiver of the *tailles* of Limoges is at present more than 360,000 livres in advance. The others are so in proportion; it appears

that the *Généralité* is more than a million in arrear. It pays the *troisième vingtième*; it will have this year neither corn, nor wine, nor cattle to sell to raise the money. The Receivers will be obliged to use compulsion, and the inhabitants who are in the practice of working out of the province a part of the year, will probably adopt the resolution of totally abandoning their native country to seek elsewhere, and perhaps in beggary, a subsistence which they will no longer be able to find at home.—Vol. IV. p. 59.

This state of things cannot differ materially from that in Turkey. In both, the great mass of the people are treated like beasts of burthen, whose only use is to pour forth their sweat and blood in producing for their masters. And yet the Christian bishop whose work is named at the head of this article, can only trace the French revolution, 'that scourge of the civilized world,' to certain secret machinations and publications, the grand characteristics of which he describes as being 'hostility to all established forms both of civil and religious worship, to every thing hitherto held virtuous or sacred among mankind, or conducive to their best interests \*.'

The following is a brief exposition of Turgot's ideas respecting the *impôt territorial*.

'There are but four possible systems on the mode of laying the *imposition territoriale*.

1. That of a proportional part of the fruits; which is that of the tithe.

2. That of a proportional part of the revenue; which is that of the *vingtièmes*.

3. That of a fixed sum divided each year among the individuals liable, according to the knowledge which they have among themselves of the produce; which is pretty nearly the system of the *taille arbitraire* confined to land.

4. That of a fixed sum divided according to an invariable valuation of estates; which is the system of the *cadastre* or *taille réelle*.'

'The system of taking a proportional part of the revenue would possess great advantages.

'A fixed law might terminate for ever all disputes between the government and the people, and particularly by fixing one scale for war, and another for peace. Arrangements would be made in consequence in purchases and sales, and the part of the rent that bears the tax would no longer be purchased any more than the share of the *curé*. At the end of some time, it is very true that nobody would pay taxes. But the king would be proprietor of a proportional part of the revenue of all the land.'

'This revenue would increase with the riches of the nation; and if this increase of wealth increased wants, there would be a sufficiency

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\* Vol. II. p. 245.

to supply them. The riches of the king would be the measure of the riches of the nation ; and the administration, always affected by the reaction of its errors, would constantly be instructed by the simple calculation of the produce of the taxes.'—Tom. IV. p. 225.

Turgot considered these advantages as obtainable to the full, only in an absolute monarchy. In a republic or limited monarchy like England, the nation might not be so easily satisfied that it should never have to come to a reckoning with the prince. The parliament of England, he observes, would lose by such a law its greatest influence, and the king would there soon become as absolute as in France. The whole however has evidently reference to that perfect state of society, to be produced by the diffusion of political education, or as the Economistes called it, of the *connaissance évidente de l'ordre naturel et essentiel des sociétés politiques*; in which the absolute monarchical government, in the opinion of the Economistes, is the best. It is interesting to observe by how great authorities those are supported who advocate the political education of the people. In the middle of the seventeenth century, Hobbes held an opinion on the subject similar to that of the Economistes, although he announced it less clearly and less completely than they. The leading political doctrines of the Economistes, divested of the jargon which runs through the work of Mercier de la Rivière, are thus clearly stated by Mr. Austin in his work on Jurisprudence lately published. 'In order,' say the Economistes, 'to the being of a good government, two things must pre-exist; first, knowledge by the bulk of the people, of the elements of political science; secondly, a numerous body of citizens versed in political science, and not misled by interests conflicting with the common weal, who may shape the political opinions, and steer the political conduct, of the less profound and informed, though instructed and rational multitude.—Without that knowledge in the bulk of the people, and without that numerous body of *gens lumineux*, the government, say the Economistes, will surely be bad, be it a government of one or a few, or be it a government of many. If it be a government of one or a few, it will consult exclusively the peculiar and narrow interests of a portion or portions of the community; for it will not be constrained to the advancement of the general or common good, by the general opinion of a duly instructed society. If it be a government of many, it may not be diverted from the advancement of the general or common good, by partial and sinister regard for peculiar and narrow interests; but being controlled by the general opinions of the society, and that society not being duly instructed, it will oftener be turned

from the paths leading to its appropriate end, by the restive and tyrannous prejudices of an ignorant and asinine multitude. But, given that knowledge in the bulk of the people, and given that numerous body of light-diffusing citizens, the government, say the Economistes, let the form be what it may, will be strongly and steadily impelled to the furtherance of the general good, by the sound and commanding morality obtaining throughout the community. And, for numerous and plausible reasons, they affirm, that, in any society thus duly instructed, monarchical government would not only be the best, but would surely be chosen by that enlightened community, in preference to a government of a few or even the government of many \*.' This is the sort of despotism meant by Turgot, the *despotisme légal* of the Economistes.

It may astonish many persons to be told, that some of the most able expositors of good government lived under a despotism; but they must be told at the same time, that those philosophers made good government to consist as much in political restraint as in political liberty. He who reads with attention the writings of Turgot and others of the *économistes*, will find that much more was done before the time when Bentham began his labours, than many of the admirers of Bentham are aware of,—it may be added, than Bentham himself; for he was the last man in the world to plagiarize, and he wrote his letters on usury most probably with as much independence of Turgot's work on the same subject, as he formed his *Corpus Juris* of Gaius and the other classical jurists, though he made his grand division of the field of law very nearly similar to theirs.

Instead of proceeding further with the examination of Turgot's works, a comparison will now be made of his merits as a statesman in certain points, with those of men who are usually in this country considered as statesmen, they being in fact nearly all the country has to exhibit in that way, and who living rather later than Turgot, in a country as far advanced in civilization as Turgot's, had no excuse for not being as enlightened as he.

It may be useful towards exhibiting to the people of this country the real merits of those who have governed them, to compare some of the opinions of the latter on the great questions the consideration and solution of which ought to form the business of a statesman, with those of their contemporary. And for this purpose will be taken two men, each of whom has been in his day the idol of a faction.

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\* The Province of Jurisprudence Determined. p. 301.

In tracing Turgot's career it has been seen that his life up to the time of his ministry in the forty-eighth year of his age, was one continued progressive career of philosophical and political education. On turning to Pitt and Fox we find an education of a very different description. Pitt's education up to the age of twenty-one, when he entered upon public business, may be considered as decidedly superior to that of most men in his station in life in this country. He neither consumed the years of his boyhood and his youth in learning to make nonsense verses at a public school, nor in attempting to unravel the metres of the Greek dramatists at the University. Nor did he spend much of his time at Cambridge in the low or frivolous pursuits which usually occupy the time and attention of persons of his class. His education too, as far as it went, was directed to the knowledge of things, rather than of mere words. But here lies the point,—*'as far as it went.'* In order to have had a chance of doing himself justice, of becoming in short a statesman in the proper sense, a philosophical statesman,—he should have pursued his studies in moral and political and jurisprudential and legislative science, but above all in mental philosophy, for at least ten years longer. It seems not improbable that had Pitt done this, had he waited ten years longer before he plunged into the vortex of public business, and employed those ten years in the assiduous cultivation of his mental and moral faculties, he would have left a very different fame behind. If a man has not nearly finished, or at least made great progress in his intellectual education, before he enters upon public life, he has no chance of ever doing so. Most, nay all men, are then so immersed in the details and bustle of business, as to have no time for generalization and profound reflexion, much less for watching the operations of their own minds.

The education of Fox was still more imperfect than that of Pitt. The studies which in boyhood or youth he did pursue, seem to have been directed rather to form the taste, than to direct the judgment, exercise and strengthen the reasoning powers, and store the mind with knowledge. The following opinion of his, displays a mind clouded by ignorance, and imbued with prejudices such as might be expected to be met with only in the rudest and least cultivated breasts. While Turgot and Adam Smith were showing, or had shown, that the Christian principle of 'peace on earth, and good will to men,' was consistent with the soundest worldly policy, Mr. Fox objected to the commercial treaty with France (1787)—'upon the general ground of its being a novel and a dangerous departure from the established doctrines of our forefathers



and from the principles upon which our commerce had hitherto been conducted. He contended that France and England were natural and unalterable enemies; that it was essential to the safety and independence of England to regard France with jealousy and distrust; and that to endeavour to maintain friendly intercourse with that kingdom, was equally vain and contrary to sound policy.' (*Tomline. Vol. II. p. 5.*) Compare this with the calm and profound inquiries of the benevolent and philosophic Turgot, whose only passions were a zeal for justice and a love of mankind.

No wonder that a man in such a state of information exclaimed there was 'something of vast' in the doctrines of political economy, which his mind could not embrace. Mr. Pitt's sentiments on this subject contrast very favourably with those of his rival. In the following instance, however, the rivals agreed.

'Mr. Pitt (1787), represented the treaty with that prince (landgrave of Hesse-Cassel), as giving him a retaining fee of 36,000*l.* a year, to hold him in our interest, and to supply us with 12,000 troops, who might be employed upon the continent, in case of a rupture with any foreign power. He stated that this was part of a general system of forming continental connexions, with a view that Great Britain might maintain that rank among the European states, which she formerly held, and had now in some degree recovered. Mr. Fox and Mr. Burke acknowledged the importance of continental connexions, and the advantage of the treaty then under consideration. The motion passed unanimously.'—*Tomline, Vol. II, p. 79.*

When free trade in corn is the question under consideration, then the cry is all for independence of continental connexions. Not so, when a rotten oligarchy or despotism was to be propped in any part of Europe or Asia. Instead of free trade, which Turgot understood more than twenty years before, what those statesmen who are so much lauded by the respective factions of their admirers advocated, was universal stipendiarianism 'to keep down the people,' to restrain 'their base and brutal natures.' And be it remembered too, that Turgot did not take his enlightened measures at second and third hand from the philosophers with whom the idea originated, but, at least in many instances, his own was the originating philosophic mind. Whereas the others never adopted any beneficial measure based on philosophical principle, until the philosophers who discovered it, had laboured for half a century attempting to render it palpable to the dullest understandings.

If anybody wishes to see the difference between a clever politician and a philosophic statesman, let him read a few

harangues of Mr. Pitt and Mr. Fox, and then turn to some of Turgot's state papers. The former are not even admirable as to style, being formed on the Ciceronian rather than the Demosthenian model, as almost all harangues have been since Cicero's days. Quotations from the Latin classics (they were not so well acquainted with the Greek), scraps of thread-bare philosophy, false and canting morality, and personalities (either praise or blame), made up the staple of their wares. For close and relevant arguments it is vain to look to their much lauded orations. And no wonder, since, as Bentham has observed, 'Nothing but laborious application, and a clear and comprehensive intellect, can enable a man on any given subject, to employ successfully relevant arguments, drawn from the subject itself. To employ personalities, neither labour nor intellect is required; in this sort of contest, the most idle and the most ignorant are quite on a par with, if not superior to, the most industrious and the most highly gifted individuals.' (*Book of Fallacies*, p. 141.) Neither the one nor the other of these two men, could be said, in any extended sense, to possess 'a clear and comprehensive intellect.' And of the benefits of 'laborious application,' Pitt, as has been seen, was deprived, by his education being cut short long before it was finished; while the mind of Fox was rendered unfit for it, by an early and immoderate indulgence in degrading pleasures.

A specific example has been afforded of Mr. Fox's qualification for, and pretensions to the name of a statesman and legislator; in fairness, one should likewise be given of Mr. Pitt's. And perhaps a more pregnant instance could with difficulty be produced, than that contained in the short passage about to be quoted from a speech of his. A more striking example of bad legislation (that badness being thoroughly proved by the result) could scarcely be selected from the whole legislative history of the human race. The Poor-Laws from the celebrated 43rd of Eliz. c. 2. downwards, have been a series of blunders as gross, to say the least of them, as any which were made by our ancestors. Such were their blunders in this particular case, that it might have been thought no easy matter to improve upon them. Yet that difficult matter the heaven-born minister contrived to accomplish in the following declaration, which there appears very little doubt the kingdom of England and Wales has to thank for its present happy, prosperous, and moral condition.

'Let us,' said he, 'make relief in cases where there are a number of children, a matter of right, and an honour instead of a ground for opprobrium and contempt. This will make a large family a blessing, and not a curse; and this will draw a proper line of distinction between those who are able to provide for themselves by their labour,

and those who, after having enriched their country with a number of children, have a claim upon its assistance for their support.'—*Pitt's Speech*, 12 Feb. 1796.

This was in the beginning of the French war, and he thought as a recruiting-serjeant.

Now turn to the *édits*, the *arrêts*, and the *mémoires* of Turgot ; and you fancy that in that simple yet sublime eloquence, you are listening to the voice of a man born to legislate for the happiness of a world. It is impossible to look at the gigantic work of Justinian, *istud æternum opus*, as Heineccius [*Recitationes*, *Proëm.* §. III.] calls it, without wishing that a Turgot or a Bentham, instead of Tribonian, the 'ex-quæstor of our sacred palace,' had sitten at the ruler of the world's right hand, and guided the pen that was legislating for so many nations and so many ages. But hitherto such a destiny has been too bright for mankind.

From the preambles of Turgot's laws, those masterpieces of composition, as Condorcet said of them, in a style for which there existed no model, — may be selected passages which may both serve as examples of a high species of eloquence, and afford some idea of what is required in a scientific legislator. The first is taken from the 'Mémoire sur les projets d'Edit proposés au Roi.'—*Œuvres*. Tom. viii. p. 160. *et seq.*

'I expect to be severely criticized, and I fear those criticisms little, because they fall only on myself ; but it appears to me of the highest importance to give to the laws which Your Majesty passes for the good of your people, that character of reason and justice which can alone render them durable.'

'Your Majesty reigns by your power over the present. Over the future, you can reign only by the reason which shall have presided over your laws, by the justice on which they are based, by the gratitude of mankind. Since Your Majesty wishes to reign only to do good, why should you not have the ambition to reign after death by the duration of that good ?'

'The preamble which I propose to Your Majesty will be severely criticized as my work, and all the points which it may present to well grounded criticism, will be eagerly laid hold of ; but when men shall no longer think of me, when of Your Majesty there shall remain upon earth only the recollection of the good which you shall have done, I dare to believe, that this same preamble will be cited, and that then the solemn declaration made by Your Majesty, that you suppress the *Corvée* as unjust, will be an invincible barrier to every minister who should dare to propose the re-establishment of it. I will not conceal from Your Majesty, that I have had that time in view when I laboured at this preamble, and that I worked with the more ardour on that account.'

The following from the 'Edit portant suppression des Corvées,' is a beautiful illustration of the effects of a single departure from justice in legislation, and of how far justice is the cheapest and best policy.

'It is the class of landholders which reap the fruit of making roads; it is that which ought alone to bear the expense, since it derives the benefit.'

'How could it be just to make those contribute to it who have nothing of their own? To force them to give their time and their labour without salary? To take from them the sole resource which they possess against misery and famine, in order to make them labour for the profit of citizens richer than themselves?'

'An error directly opposite, has often induced the administration to sacrifice the rights of the landholders, to the mistaken intention of relieving the poor portion of the subjects, by compelling the former through prohibitive laws to give their provisions below their real value.'

'Thus, on one side, was committed an act of injustice against the landholders, in order to procure the labourers bread at a low price; and on the other, these unfortunate people were robbed in favour of the landholders, of the legitimate fruit of their sweat and their labour.'

'The fear was, lest the price of subsistence should rise too high to be attained by their wages; and by exacting of them gratuitously the labour for which they would have been paid if those who profit by it had been made to bear the expense, they were deprived of the means of competition the best calculated to make those wages rise to their proper amount.'

'It was injuring equally the properties and the liberty of different classes of your subjects; it was impoverishing both, in order to favour them unjustly by turns. It is thus that men lose themselves when they forget that justice alone can maintain the equilibrium among all rights and all interests.'—*Tom. viii. pp. 281-3.*

His *Mémoire* on the American war teems with the most enlightened ideas on the nature of colonies, and shows that he was more than fifty years in advance of the contemporary English statesmen.

His letter to Dr. Price thus commences.—

'Dr. Franklin has sent me, Sir, as from you, the new edition of your "Observations on Civil Liberty, &c." I have to thank you doubly; first, for the work itself, of which I have long known the value, and which upon its first publication I read with avidity, notwithstanding the multiplicity of business in which I was engaged; and in the next place, for your candour in suppressing the imputation of want of address, which you had inserted, among many things much to my advantage, in your "Additional Observations." I might have deserved the imputation, if you had meant no other want of address than that of not being able to discover the secret springs of those

intrigues which were practised against me by persons much more adroit in that respect than I am, or ever shall, or ever desire to be. But I understood you to charge me with a want of address in grossly shocking the general opinion of my nation; and, had that been your meaning, you would not have done justice either to me or to my nation, which is much more enlightened than is generally thought by yours, and which is, perhaps, more easily prevailed on to adopt rational ideas than even the English. I come to this conclusion, as well from having seen your countrymen so infatuated with the absurd project of subduing America that nothing could in the least open their eyes till the capture of Burgoyne, as from the system of monopoly and exclusion which is in fashion with all your political writers upon commerce, except Mr. Adam Smith and Dean Tucker, and which is the true source of the loss of your colonies, and from all your controversial writings upon the questions which for these twenty years past have been discussed among you, in not one of which that I remember to have read, till your observations were published, is the question considered in its true point of view. I never could conceive how a nation, which has so successfully cultivated every branch of the natural sciences, could remain so far inferior to itself in the most important of all sciences, that of public happiness; a science, in which the liberty of the press, that exists no where else, must have given it such vast advantages over every other country in Europe. Is it national pride which has prevented you from availing yourselves of those advantages? Is it because you were something less ill off than others, that you applied all your speculations to persuade yourselves that you need not be better? Is it the spirit of party, and an anxiety to secure popular favour, which has retarded your improvement, by disposing your political writers to treat as idle metaphysics\* all speculations, which tend to establish fixed principles upon the rights and true interests of individuals and of nations? How happens it that you are almost the first English writer who has entertained just ideas of liberty, and who has demonstrated the falsehood of that notion, which has been worn threadbare by almost every republican writer, that liberty consists in being subject to nothing but the laws, as if a man oppressed by an unjust law were free; a proposition which would not be true, even upon the supposition that all the laws were made by an actual national convention; for in fact, every individual has personal rights, which the nation cannot deprive him of, but by an act of violence, and by an illegal use of the national strength. Though you have attended to this truth, and have been very explicit upon it, yet perhaps it deserves to be even still more enforced and illustrated, considering the little attention that has been paid to it by the warmest advocates of liberty.'

'It is to me equal matter of astonishment, that in England it should not be a common-place truth to say, that one nation never can

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\* 'See Mr. Burke's Letter to the Sheriff of Bristol.' (*Note in the Original.*)

have a right to govern another, and that such a government can be founded only on violence, which is the foundation too of robbery and tyranny; that a tyranny exercised by a people, is of all known tyrannies the most cruel and insupportable, and that which leaves the fewest resources to the wretches it oppresses; for a single tyrant is under the restraint of self-interest or the control of remorse or public opinion, but a multitude looks not to its interest, feels not remorse, and decks itself with glory when it most deserves disgrace.'

He thus criticizes the American form of government.—

'I find an unmeaning imitation of English customs. Instead of making all authorities in the state converge into one, that of the nation, they have established distinct bodies, a house of representatives, a council, and a governor; because England has its House of Commons, its House of Lords, and its king. They endeavour to balance exactly these different powers; as if that equipoise, which may have been deemed necessary to prevent the enormous preponderance of royalty, could be of any use in republics, founded upon the equality of all the citizens; and as if every thing which tended to establish different bodies in the state, were not a source of divisions. In seeking to prevent chimerical, they give birth to real dangers. They would guard against the clergy, and therefore unite them all under the ban of one common proscription. By making them ineligible, they form them into a body, and a body estranged from the state. Why is a citizen who has the same interest as other men in the common defence of his liberty and his property, to be excluded from contributing to it by his knowledge and his virtues, only because he is of a profession to which knowledge and virtues are essentially requisite? The clergy are never dangerous, but when they form a separate body in the state, when they conceive themselves to have rights and interests as a body, and when it has been thought proper to have a religion established by law; as if men could have any right or any interest, to rule the consciences of others; as if it were in the power of an individual to sacrifice for the advantage of civil society, those opinions on which he supposes his eternal salvation to depend; as if men were to be saved or damned in the gross. Where true toleration, that is to say, the absolute non-interference of government with the consciences of individuals, is established, an ecclesiastic admitted into the national assembly is a citizen; when excluded from it, he becomes again an ecclesiastic.'

In this age of legislative regeneration, the following passage may be useful. It may likewise with advantage be compared with some parts of the American president's late message.

'I do not find that they have been careful enough to reduce as much as possible the number of objects which are to occupy the government of each state; to separate matters of legislation from those of a general, and of a particular and local administration; nor to establish local standing assemblies, which, by discharging almost all

the subordinate functions of government, might spare the general assembly all attention to those matters, and might prevent all opportunity, and perhaps all desire in its members, of abusing an authority which cannot be applied to any objects but those which are general, and which therefore are not exposed to the little passions which actuate mankind.'

The following nearly concerns the present interests of America, and shows at the same time how very far Turgot was in advance of his age.

'The right of regulating its commerce is presumed to reside in every distinct state. The executive power, or the governors in each, are even authorised to prohibit the exportation of certain commodities in certain events; so far are they from perceiving that the law of a perfect liberty of commerce is a necessary consequence of the right of property; so deeply are they still involved in the mist of European delusions. The whole edifice, as yet, rests upon the unsolid basis of the old and vulgar system of politics; upon the prejudice, that nations and provinces may, as national or provincial bodies, have an interest different from what individuals have in being free and defending their property against robbers and conquerors; an imaginary interest in trading more extensively than others, in not buying merchandize from foreigners, in compelling foreigners to consume the growth of their country and the produce of their manufactures; an imaginary interest in possessing a more extensive territory, in acquiring this or that island or village; an interest in striking terror into other nations; an interest in surpassing them in military glory, or in the sciences, and the arts.'

If as Turgot observes towards the end of this letter, 'it were in the nature of modern politics to do at once what will infallibly become necessary at last,' upon such principles as the following the Belgian question might have been soon settled. Viewed in the light in which Turgot's enlarged and beneficent philosophy places it, the world no longer appears overrun by so many hostile and ever warring hordes of savages or wild beasts, but inhabited by one great family of happy human beings.

'It is the happiness of America, that for a long time to come, she cannot have to dread any foreign enemy, unless she be divided within herself; so that she may, and ought, to form a just estimate of those imaginary interests, those subjects of discord, which are alone formidable to liberty. Where the sacred principle of considering freedom of commerce as a consequence of the right of property is adopted, all imaginary interests of commerce vanish. All imaginary interest in possessing more or less territory vanishes, where the principle is adopted, that the territory belongs not to nations, but to the private owners of the land; that the question whether this district, or that village, ~~should~~ belong to this province, or to that state, ought to be decided, ~~not by the imaginary interest of the province or of the state, but by~~

the real interest which the inhabitants of the district or the village, have to meet together for the regulation of their affairs, in the place where they can most conveniently attend ; that this interest, being to be measured by the greater or less distance which a man can travel from the place of his abode to transact any important business without detriment to his ordinary concerns, becomes a natural measure of the extent of jurisdictions and states, and establishes among them all an equipoise of extent and of force, which prevents all danger of inequality, and all pretensions to superiority.'

What Turgot advances in the latter part of the preceding paragraph, must be taken with some limitations, which may be in some cases ascertained by comparing it with the President Jackson's late proclamation, a noble and truly statesman-like production, expressed in the tone which might befit a patriarch laying before his people what he believed it his duty to do for their happiness. It does indeed seem clear that the inhabitants of any district may belong to what state they please, in as far as they can do so without infringing any existing compact, and compromising interests more important than those they advance ; in a word without sacrificing the greater happiness for the less.

The following again recalls some passages of the President's proclamation.—

' It is impossible not to offer up prayers, that this people may attain the highest degree of prosperity of which they are susceptible. They are the hope of human nature ; they may become its great example. They ought by their conduct to prove to the world, that mankind may be free and at peace, and can do without every species of shackles which tyrants and impostors of every garb have sought to impose upon them under pretence of the public good. They ought to set the example of political liberty, of religious liberty, of liberty of commerce and of industry. The asylum which they open to the oppressed of all nations ought to console the earth. The ease with which men may avail themselves of this advantage, by escaping from the oppression of bad government, will force governments to become just and wise. The rest of mankind will gradually become sensible of the vanity of those delusions, with which politicians have so long lulled themselves to sleep. But this can never happen, if America guard not against those delusions, or if it become, as your ministerial writers have so often foretold, the counterpart of Europe, a mass of divided powers, contending together for territory, or for the emoluments of commerce, and constantly cementing the slavery of the people with the people's blood.'

Turgot thus concludes.—

' I write this with a firm reliance on your secrecy. I must even entreat you not to answer me at all in detail by the post, for your



letter would inevitably be opened in our post-office, and I should be thought much too good a friend to liberty for a minister, and even for a minister in disgrace.'—*Tom.* ix. p. 392.

An extract from the letters of Madame la Marquise du Deffand, will convey a vivid picture of the degree in which Turgot's age was incapable of appreciating him. 'Enfin,' says the flippant and shallow Frenchwoman, 'excepté les économistes et les encyclopédistes, tout le monde convient que c'est un fou, et aussi extravagant et présomptueux qu'il est possible de l'être; on est trop heureux d'en être défait.' (*Lettres*, vol. iii. p. 155.) The Tory men and women of the stamp of Madame du Deffand, have been in the habit of speaking in similar terms of Bentham.

The absurdity of Burke's pretending to speak with contempt of the French promoters of reform and advocates of good government, has been well exposed in the 'Vindiciæ Gallicæ.' The idea of his affecting to treat as rude and ignorant men, persons so immeasurably his superiors as Turgot and some of his sect, is ludicrous. In fact, Burke belonged to an order of mind far inferior to that of Turgot.

Burke was somewhat above the politicians around him, solely because he was something of a metaphysician and a theorist; that is, because he possessed a somewhat more generalizing mind than they. And yet it would seem that Burke, however conscious of his superiority, was not aware that this was the cause to which it was to be attributed; at least to judge from the contempt with which he speaks of metaphysics applied to the science of government. And yet in spite of himself, he will get ever and anon into theorizing and metaphysics.

There is abundant evidence in Burke's writings that he was meant for better things than a declaimer and a rhapsodist, than a 'sounding brass or a tinkling cymbal.' There are ever and anon glimpses of an acute and comprehensive mind; flashes of a light that looks like a light from heaven; and anon come the mist and the thundercloud, and again all is noise and confusion and darkness. Moreover all is ill put together, lame and unfinished; 'empty, stale, flat, and unprofitable.' The truth is, he lived in a bad age, and under evil influences; in an age of false taste in oratory, an age of inflated writers and shallow unsound thinkers. Be it remembered too, that in an age of political corruption, an age which produced Hamilton's Parliamentary Logic, he was poor and a public man. By nothing short of a miracle could he have escaped. No wonder that his reason reeled under the influence of the cup of the mingled abominations of the aristocratic harlot. The ravings contained

in his work on the French Revolution may be accounted for, without having recourse to the ultimatum of his being either knave or fool, by supposing that, as was the case with more than him, the terrors of that revolution frightened him out of his wits.

Of England's public men who have been tempted in the way Burke was, Marvell alone resisted to the end. His path through life led him into the very midst of the tabernacles of the wicked, yet turned he not aside at the siren voice of the charmer. He passed through the fiery furnace, and came out like gold seven times purified. Burke says, [*French Revolution*, p. 136.] that all who administer in the government of men, should not look to the paltry pelf of the moment. Edmund Burke was a brave talker, but only compare his acting with Marvell's. Did he never receive any national money but what he could show to have been rendered for honest work honestly done? He is said to have been ashamed to acknowledge having received money for any of his writings. It must have been from consciousness of the inference posterity would draw from the contents.

The character of Neckar, compared with that of Turgot, seems to furnish the means of determining the question as to the relative merits of 'practical men' and 'theorists.' The cry has hitherto generally been of the practical men, as they term themselves, against the theorists, by which they mean the philosophers.

In Turgot and Neckar is an example of two men, one a theorist the other a practical man, called to perform the office of statesmen in extremely critical times. Turgot was a man whose whole previous life had been devoted to the ennobling pursuits of literature and philosophy; and, more especially, to the comprehension of those enlarged views which have for their immediate object the moral and political advancement of mankind; to the study, to use his own expressive words, of 'the science of public happiness.' Neckar was a successful tradesman, a man who had realized a large fortune as a banker in Paris; he was, in one word, a man of 'detail.' Unaccustomed and unequal to the comprehension of grand principles, although liberal and, there is reason to believe, upright, he possessed not, to use the language of Sir James Mackintosh, (*Vindicia Gallica*, p. 30. edit. 1791.) 'that erect and intrepid spirit, those enlarged and original views, which adapt themselves to new combinations of circumstances, and sway in the great convulsions of human affairs. Accustomed to the tranquil accuracy of commerce, or the elegant amusements of literature,

he was called on to ride in the whirlwind, and direct the storm.'

Dr. Adam Smith, who on such subjects will be now pretty generally acknowledged to be good authority—'always held,' observes Sir James Mackintosh in a note to the above passage, 'this opinion of Neckar, whom he had known intimately when a banker in Paris. He predicted the fall of his fame when his talents should be brought to the test; and always emphatically said, 'he is but a man of detail.' At a time, adds Sir James, when the commercial abilities of Mr. Eden, the present Lord Auckland, were the theme of profuse eulogy, Dr. Smith characterized him in the same words.

Living instances might be mentioned similar to the cases of Turgot and Neckar, in which the philosopher when taken from his generalizations and placed at the desk of the practical man, proved himself an able, accurate, perfect man of business; and the 'practical man' when taken from the details of his counting-house or his money-shop and placed in the bureau of the statesman, became a wretched driveller, generally blundering, and when right, counteracting any good that might have been done, by the miserable 'bit by bit' manner in which he did it. A more striking instance could not be named, than the manner in which those persons who long governed England to their own profit and the loss and disgrace of the rest of the country, opposed the grand measures of Napoleon. 'He,' to use the expressive words of a writer (supposed to be Lord Brougham—*omnia si sic*) in the 25th No. of the Edinburgh Review, art. 14, 'singles out the vital part of his whole adversary and the point of it which is most exposed. In that vulnerable heart he plants his dagger; and he knows full well, that the remotest limb will quiver with the shock. He sends forth his host, in the plenitude of its array, to sweep over the interjacent regions, and to pour itself in one grand, deep, but contracted; and therefore irresistible torrent, into the centre of the strength of Europe. Here,—as near Berlin and Vienna as he can, he fights his battle; and while you are menacing the western departments—or landing and re-embarking in Italy—or capitulating in Holland—or idling in Portugal and Egypt—or butchering your friends in the North—or burying your own men, and planting the slave-trade in the West Indies—he is playing that great game which must place in his hands the sweep of all those small stakes for which you are pretending to throw.'

Enough has been said to show whether England has had few or many statesmen, worthy of the name. Instead of rulers

uniting to an accurate and extensive acquaintance with the characters and business of men, and the principles of an enlarged and beneficent philosophy, it has been for the most part governed by mere intriguers, creatures of the back-stairs and privy closet. The nearest approach perhaps to being governed by a philosopher, was when Locke was in the subordinate station of a lord of trade and plantations. And as it is assuredly a matter of some consequence to most Englishmen whether they are governed by a Duke of Buckingham, a Duchess of Cleveland, or a Locke, it may be interesting to note some of the causes of the obstacles to their enjoying the latter species of government.

A man who is born a king or noble, is born under circumstances peculiarly unfavourable to the acquisition of the rare and noble qualities that render a man fit to govern his fellow men. When kings and nobles require no intellectual exertion to enable them to retain what they possess, it would be demanding of them efforts more than human to expect that they should go through such a course of moral and intellectual discipline. It would be to expect that an African slave should toil for his tyrant, like a Roman soldier for victory and empire; that courtiers should cease to flatter and to smile, and knaves to cozen and to lie. It would be to look in a pampered eastern despot, whose slaves tremble lest the sun or the wind visit him too roughly, for the beauty and the courage, the swiftness and the strength of Achilles.

Unlike Pitt and Fox, Turgot was distinguished rather as a great thinker, than a great talker. But had eloquence been wanted in Turgot's position as the ruler of his country, he would probably have been an orator of a far higher class than the debaters above named. For no conception can be formed of the mind of a great orator and statesman, which is not at the same time a highly philosophic mind. And what is it in this enlarged sense to be an orator and a statesman? It is to expand and elevate the mind so as to embrace all the more enlarged, to reject the narrower sympathies; to comprehend within the wide range of his enlightened understanding the interests and the passions—the rights and the wrongs—not merely of his country, but of all human kind,—

*Naturamque sequi, patriæque impendere vitam;  
Non sibi, sed toti genitum se credere mundo.*

And the truly great orator, along with the qualities of the philosopher, must possess something beyond these. For he must teach his soul to burn and his eye to flash, with no vulgar,

but still a human fire ; and though, in the philosophic capacity of his intellect, unmoved by and elevated above the storm and the lightnings of human passion, he must learn to strongly feel, because without it he can never strongly express, by turns pity and indignation at the contemplation of others sufferings and others wrongs. And the enlightened philanthropy of such a man is as different from the meretricious feeling of a hired advocate or narrow-souled partizan, as the understanding of the one is different from that of the other. If such and so many be the qualities demanded in a great orator, is it to be wondered at that such a character is one of the rarest in the records of earth ? Through the long lapse of ages from Solon to Marcus Aurelius, from Marcus Aurelius to Turgot, it is melancholy to have to look among those to whose hands have been committed the destinies of empires, for the few who have sought, and the still fewer who have known how, to rule for the happiness of mankind. Among the many problems that man has sought to solve, this, the greatest, the problem of public happiness, has been left to the last. Let us hope that the day-star of a more prosperous fortune is about to dawn upon our race ; and that Turgot and Bentham will not have lived, and Hampden and Sidney will not have died, in vain.

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ART. III.—*Third Report on the Public Accounts of France.* By John Bowring. Parliamentary Paper. No. 586. Ordered to be Printed 9th July, 1832.

**M**ULTITUDES in this busy community are disposed to regard the present period as the commencement of a new æra of political action ; and without any great degree of accurate knowledge, or clear conception of the nature of the changes which they anticipate, to expect its coming with scarcely less confidence than the followers of Joanna Southcote looked forward to the appearance of their promised Shiloh.

At no period of the history of this country, has the instruction of the public mind been a more urgent duty to those who are possessed of political information. A large increase of political power has been extended by the reform bill to the people. Eager to enjoy its exercise, by controlling the legislature, few have inquired what are their own qualifications to instruct its members. Moderate men, not addicted to rash views or intemperate conduct, men of every condition of talent or education, in the new-born zeal of their recently bestowed power, fancy themselves endowed with all the qualifications which would fit them

for the task of legislation. It is not wonderful, therefore, that they feel competent not merely to instruct, but to control the decisions of their representatives.

Economy is the prevailing outcry. Men of irrepressible pertinacity, have by pouncing with dogged perseverance on particular items of the public expenditure, succeeded in creating a general impression of the profuse and extravagant expenditure of past periods. It is due to them to acknowledge the utility of labours, which, in the absence of any authentic information, enabled them to force their way into the details of official management, when all the power of official influence, aided by the influence of the boroughmonger, was exerted to shield the public expenditure from investigation. As long as a ministry acting upon these principles, and depending upon the strength of a party whose interests were closely associated with the preservation of all existing abuses, continued in power, these qualities were perhaps best adapted for the nature of the service. Like the pleadings of the lawyer, the case required to be set forth in the largest and most exaggerated terms, and the fraud and wickedness of the opponent so glaringly exhibited, that there could be no escape but on an explanation which must offer the means of renewing the assault with more vigour and success on some other occasion. A new system has come into play. Instead of a fruitless resistance, a return of the required information is given without reserve, and more than one half of the opportunities of annoying the government, or obtaining distinction in the labours of economy, is now lost in the willow-like bending to demands which it would be imprudent to oppose.

The whole secrets of the machinery of the executive are laid open to the public gaze ; and our working economists ought to adopt a new line of tactics under the altered circumstances. Instead of general statements and bold assertions, both parliament and the public should require that the facts be founded in correctness, and the reasoning in severity.

As a prelude to these labours, it is the duty of the legislator to master the public accounts ; and though the task would be almost hopeless in their present state, yet without some acquaintance with them in detail, no man can pretend to fill the position of a practical statesman.

It is a common error to suppose that the duty of a legislator in this country is confined to the decision of a few great political questions ; but there is much drudgery and detail, of which nothing is heard in the newspapers or on the hustings. Perhaps few men who go to parliament for the first time, have any distinct

notion of what they undertake, but are dazzled by the parts of display, as the youth is tempted to enlist by the attractions of the scarlet coat. Of all the occupations in life there is none filled by persons above the immediate pressure of want, which is more laborious, responsible and trying than that of a member of parliament, yet there is none to which rash adventurers aspire in so great numbers.

It may be supposed however for the present purpose that none but good men are selected for this parliament, and that they are sincerely desirous to fulfil the functions of their office. To such the first duty is to obtain an acquaintance with the state of the public accounts. This is the first step which a man of business would take on entering upon a new concern. Its obligations, its resources, the nature of its transactions, and the value of its commodities, are to be ascertained. There is but a slight difference between the two situations. In most respects the conduct is substantially the same; nor does the difference where it exists, effect much alteration in the end.

The difference consists in the value. With the merchant, value is measured by pecuniary profit. In a nation, the value is measured by a more subtle consideration, yet is money in some degree the measure of value, so far as the means are to be considered in reference to the ends desired. In the latter case, three considerations are to be regarded. First, the requisite functions of government. Secondly, what is necessary to the completeness of those functions; and, thirdly, whether the expenditure, being necessary, is at the lowest scale practicable.

How is this last question, upon which the wrangling chiefly arises, to be tried? Not by assertion, to be met by counter assertion; but by vouchers. The point may turn upon the quantity, or quality, or price. Let the contract be produced, and compared with the market price of the article at the same period.

All this grave business-like investigation cannot be conducted in a debate; the subject must be learnt by previous investigation in private. If one half of the talent of the House had been directed in this useful practical way, neither ministers nor their opponents would so long have been reduced to rely, the one upon hazardous assertions, and the other upon evasive explanations; and at this day it would not have remained to be discussed, whether the public treasure should be managed according to one or another set of principles.

In this investigation of the public accounts, the following great benefit will be derived. A comprehensive view of the general bearings of the public service, and an accurate knowledge of detail,

can be obtained ; and in neither case will the mind be led to attach too much importance to a loose general view on the one hand, or to particular parts on the other. The connexion and mutual subservience of the whole are traced in the mind of the statesman, as the relative positions of different countries are traced upon a map. The balance sheet discloses the chief branches ; other accounts exhibit the minute details. Nor is it superfluous to consider public questions in a money point of view, if it do not quench all other considerations. Every end is to be measured by the cost of the means. A nation may purchase its object,—as its success in war,—by too great cost. If a war lead to debt and difficulty, the statesman will keenly examine the degree of necessity involved in the supposed exigency. There have been statesmen who seemed to disregard expenditure, as if it were no part of the inquiry. We are now suffering the consequences ; but need not, therefore, be guilty of resorting to the other extreme of attaching sole importance to expenditure, to the exclusion of all other considerations.

The evil under which the country has suffered, has been that the power which the executive possessed, it employed for bad or useless purposes. The representatives had not the power to prevent the misappropriation. Now the system is reversed. It will not be unreasonable therefore to take a view of the general scheme of expenditure, and of the prospects of retrenchment in each branch. In the course of this rapid survey, will be indicated some of the principles which ought to determine the question of the capability of retrenchment, and the place, the mode, and the degree in which it should be made.

*An account of the total amount of fixed charges in the public expenditure for the United Kingdom in 1831 (as nearly as possible), which are not at present susceptible of reduction ; and of charges which are, more or less, open to reduction.*

#### I. Fixed Charges.

Public Debt. Interest of Permanent Debt	£24,027,666	
Terminable and Life Annuities	...	3,346,489
Exchequer Bills	... ..	655,330
Management	... ..	273,296
		<hr/>
		£28,302,781
Civil List, including 75,000 <i>l.</i> Pensions	... ..	510,000
Pensions and Annuities to the Royal Family	...	212,375
Ditto on Consolidated Fund and Gross Revenue	...	348,275
		(carry over)



Half-Pay, Pensions, and Retired Allowances of all  
Descriptions, viz.

Forces. Army	...	...	...	2,921,605	
Navy	...	...	...	1,626,704	
Ordnance	...	...	...	355,904	
					4,907,219
Diplomatic Service	...	...	...	...	44,614
Revenue Departments	...	...	...	998,915	
Other Civil Departments	...	...	...	58,611	
					457,526
Pensions to Emigrants and others, voted by Parliament	...	...	...	...	15,920
					<u>£34,798,704</u>

II. Charges in which Reductions may be made.

Effective Establishment of the Army	£4,808,362	
Navy	4,243,846	
Ordnance	1,062,913	
		10,115,121
Diplomatic Service	...	254,211
Courts of Justice	...	986,747
Charges of Collection, and other Payments out of the Revenue.	...	3,230,248
Public Works	...	825,210
Improvements, &c. paid out of the Land Revenue	...	254,434
Bounties for promoting Fisheries, &c.	...	173,956
Other Civil Services of all descriptions	...	1,936,673
		<u>£17,776,060</u>
Total of fixed Charges	...	£34,798,700
Charges susceptible of Reduction	...	<u>17,776,600</u>
Total Expenditure in 1831	...	<u>£52,575,300</u>

In the last item of the second branch of the Table 'Other Civil Services of all descriptions, 1,936,673*l.*'—are included, 247,722*l.* Expenses of Legislation; 220,357*l.* Colonial Charges; 129,463*l.* Civil Contingencies; 195,000*l.* Civil Government Charges; 100,373*l.* Expenses of the Stationery Office; 100,374*l.* Miscellaneous Payments; besides some other charges.

The analysis above given is compiled from the accounts of 1831. It would be impossible to form such a table from the accounts of the last year, as they are not yet accessible. In Table II containing the items susceptible of reduction, 2,000,000*l.* or thereabouts, should be deducted on account of the retrenchments effected in the course of the year 1832, of which nearly one million was in the Navy department.

This table will give a rough notion of the capability of retrenchment. It appears that above thirty-four millions are placed beyond the reach of immediate reduction. From the other seventeen millions, a deduction of nearly two millions is to be made as stated above. Probably, two millions more may be retrenched by consolidation in the various public offices; and, though that sum forms but a small portion of our burthens, the minister may be able, by its means, to give up some injurious taxes.

Retrenchment may do much. Improved methods of taxation may also be of service; but our distressed condition does not depend entirely upon one, or the other, or both of these expedients, nor on many others which different sects of politicians are disposed to name as the sources of all political evil.

Public intelligence has been led to look into its affairs;—let inquiry be made, and withal let us patiently await the issue of measures, which can only develope their effects after a lapse of time. This remark is especially applicable to retrenchment; for none hitherto has been presently operative, since the parties who have been thrown out of employment have received compensation, until indeed the ineffective in several departments exceeds the amount of the effective.

On this point of compensations occasion will be found to speak hereafter. The practice, arising from what principle it may, leads to the most onerous public engagements; and it may admit of question whether the persons thereby cast out of their old occupations, ought not to be employed in others for which the government may at any time require assistance. Thus value would be received for the charge, while no impediment would be offered to the prosecution of improvement.

**THE DEBT.** This is the mill-stone of the public burthens; and subtracted from the total amount of income, it leaves a narrower field for retrenchment than economists have led the public to suppose.

Portions of this debt consist of terminable annuities, which will expire in a given period. But beyond this method of diminishing the burthen, no feasible method presents itself in the present state of the public finances.

The old fictitious sinking-fund is abandoned; and the quantum of reduction of the debt in each year by the commissioners of the national debt, is determined by the actual surplus of the last year's income above expenditure. This surplus is not likely to be large for some years to come.

'Equitable adjustment' will find few advocates among the intelligent classes of the community, till every method has been tried of ameliorating the condition of the country by the extension and improvement of trade. It is a fact admitting of no dispute, that if an accurate account were taken of the transactions between the public and its creditor the fundholder, the balance due would be found to be in favour of the creditor.

*Civil List.*—This branch of expenditure is fixed for the life of the reigning king; in which period it may be hoped the nation will have learnt many useful lessons of state policy and practical economy. No more will therefore be said on this branch of expense, though there are some parts of it capable of being reduced without injury to the sovereign or his dignity, and which now only augment the amount of the civil list, and assist to bring into question the whole subject of the cost of monarchy.

*Pensions.*—To abolish life-claims on which parties have relied, is harsh, and the importance to the public comparatively small. The same motives therefore which sanction the payment of compensation where offices are abolished, plead also for the continuance of the pensions to the actual holders. Present pensions to a few 'nasty tax-eating women,' as the member for Oldham calls them, are a drop in the bucket if only a stop can be put to more hereafter; and what are the 'nasty tax-eating women' to do, if they are turned into the streets? Let all future Rosa Matildas be fairly laid upon the table of the House of Commons, and there will be little risk of their accumulating to a dangerous amount.

On the general policy of permitting the executive to exercise the power of granting pensions at all, the brief answer is, that it should be done with consent of parliament. Parliament may not be a perfect check; but it is the best we are likely to have. And for parliament to give away money to be bestowed in pensions without its consent, is giving money to be used to cut its own throat and the public's.

The secret service money has been reduced in amount; the regime say, to an inconvenient extent. But it is wiser to depend on the overt efforts of the laws, on their prompt and faithful administration, and on the removal of all incentives to the violation of law, than on the assistance of spies; and

there are few other services which require extraordinary aid. For such services, few will deny the policy of conceding to the ministry a certain latitude, provided the amounts expended are laid before parliament at its next meeting.

*The Army.*—Care must be taken not to confound the two questions of a standing army, and the cost of such a one as may be deemed requisite. At present the army is divided into pretty nearly three equal portions. The colonies employ one third, Ireland another, and Great Britain the remainder; a portion of that in Great Britain being a sort of body of reserve for both the colonies and Ireland. The question then becomes threefold. Do each of these portions of the empire require the quantity of armed force now maintained there, and is it necessary that they should continue to require it? All this holds manifestly of the question, of what *fightable* materials there are in those respective quarters, and *why* there should be such.

Of the expenditure of the army everybody will be disposed to consider that some diminution might be effected. Here again the dead weight must be separated from the current cost. In the expense of different regiments, some of which exhibit a higher charge than others, the sources of the differences are to be ascertained. The terms on which food, forage, and clothing are furnished, and the cost in detail of each officer and soldier, may be obtained without difficulty, and from one example a clear apprehension of the aggregate expenditure be formed.

On one hand it is maintained that the officers are in greater numbers proportionately than the soldiers; that the system of half-pay has led to a continual fixed burthen upon the country; that we have useless generals, and sinecure colonels. On the other hand, it is contended that the distinctions and rewards thus bestowed are due to gallant services, and that no other means of rewarding them can be found. These are questions of fact which admit of investigation; and the contending parties should meet on that ground. Reiterated assertion serves only to confirm prejudice, and to mingle just and unjust distinctions.

The same system of consolidation which has enabled Sir James Graham to effect so large a saving in the administration of naval affairs, might be applied in a similar manner in the army. The ordnance and commissariat might be placed under the same control and superintendence with the rest of the military departments, and with the similar result of greater efficiency.

*The Navy.*—Appears to be in the hands of vigorous and honest reformers. The past gives good promise of future benefit. When those who have the control of the army, (for it

seems that Whig principles are not to be found in any person competent to take the command), feel the pressure of the general impulse towards reformation, the army will be as extensively reformed as the navy. It is desirable that the concurrence of the officers of the army in the investigation of the subject should not be reluctantly conceded; for the reforms would in that case be carried to an extent more injurious to themselves, and perhaps prejudicial to the service.

The dead weight of these services forms the gravest part of their charge. A distinction has been taken between the officers of the army and of the navy in respect to the necessity of providing for them by the system of half-pay. It is contended that in the case of the navy, sailors may find other occupations congenial to their former professional habits, but that the facts are the reverse with the soldier; as in whatever degree merchants or others may want the services of sailors, nobody requires the services of soldiers except the nation. To a certain extent the objection may be true. But the true solution is in the existence of a compact. No community wanting an army or navy, has chosen to trust itself to such as could be raised or kept together without engaging to give pensions to the wounded and worn-out, and half-pay to the officers when not provided with employment. The Americans could not do without; the East India Company could not do without; they were all conscious, that engagements of this kind go far to make the difference between a regular force and an armed mob. Those who prefer armed mobs, should put the question upon that issue; and if there is anybody who thinks an army or navy can be officered without half-pay, let them keep compact with the old, and try the experiment with new. At the same time there is no excuse for fraud; and the gross every-day fraud of introducing new officers while hundreds of old ones are receiving half-pay and anxious to be employed,—is just such an operation on the public, as would be practised on a banker in Lombard Street, if on business diminishing he had put twenty clerks on half-pay, and when it increased again, he was forced to take on twenty new ones at full pay, and keep the others on half-pay besides. How to cut down an army of 300,000 men to one of 100,000, with the least subsequent expense of half-pay, is a problem that ought to be solved by some military man who has more knowledge than his horse; and the solution would be found in the obsolete practice of *second-ing* (or as the proper pronunciation in a mess-room is, *segoond-ing*). But it is scarcely likely to be put in practice under a monarchy.

These remarks extend only to the personal of the army or

navy. There are many parts of the machinery which call for revision, especially in those departments which are employed in providing the material. Here there can be no question as to the policy of interposing economy of the strictest kind.

*The Diplomatic Service.*—This is the favourite service of the aristocracy. The allowances appear to exceed all reasonable calculation. Yet some of the claims which have been urged for them are founded in truth. It has been said that the cost of living, as well as the necessity of entertaining Englishmen abroad, and of displaying some sort of style in the eyes of foreigners, requires the large allowance. America has been appealed to for a contradiction to this supposed necessity. But it must be obvious that in this as in other cases, the salaries and allowances are fixed, not on the scale of competition, but of the general rate of living in the country.

*Courts of Justice.*—From the amount it might be supposed that the item 986,747*l.* included the whole of the expenses of courts of justice ; but this is very far from being correct. Many courts, for instance the ecclesiastical, and a multitude of inferior jurisdictions, are not included. Besides, a very large, perhaps the greater part, of the revenue of the greater number of our courts of justice, is derived from fees. By the proposed chancery reform bill brought into the House of Lords by the Chancellor at the end of last Session, it is provided that annual accounts of the revenue and expenditure should be laid before parliament. It would be desirable that the same measure should be extended to all courts of justice whatever. It has been calculated that the administration of justice in this country does not cost less than two millions a year, a sum sufficiently great to provide courts both local and general ; and true economy would direct its energy to diminishing this huge amount.

Our judicial system owes many of its imperfections, and the tardy progress of reform, to the want of a system of superintendence exclusively devoted to it. The Home Office is charged with this department of public service ; and the result corresponds with the injudicious mingling of too many and diverse duties. The plans for law reform are delayed from year to year until delay is no longer practicable ; and those plans only are adopted, which are forced upon attention by some pressing and peremptory emergency. The secretary of state for the home department may properly enough hold the control of the police, as well as those duties which concern municipal government generally ; and surely the labours of such an office would task abundantly the talent and application of any individual. Even when the promised reform of corporations

has been attained, the necessity of an active superintending control will be requisite to keep the law in active force.

But how is it possible that this officer should find either time or strength to watch over the workings of the judicial system, the most complex and extensive of all the functions of government? The machinery of the institutions for the administration of justice comprises the least portion of that function. The watching over the administration of the laws, demanding as it does the highest qualities of the mind,—the power to scan the present, and as far as may be gathered from the past, the future exigencies of the subject matter of the law, and to devise the most apt and efficacious provisions that it may not exceed the occasion, or give warrant to inconsiderate attempts to trench on the general liberty of the subject,—has a claim to undivided attention and the benefit of an independent source.

When it is considered that besides the overcharged duties of their respective departments, our high public functionaries are as cabinet ministers charged with the duty of superintending, controlling, and sanctioning the operations of each other, it is not surprising that the government is capable of doing so little, and that the little is often so ill done.

It is not enough to inquire whether salaries are too large or too small; but what is the nature of the several duties of the office, whether they are incompatible, and the public service would be benefited by a more extensive division of labour.

What prudent man would desire, that men upon whom is fixed the responsibility of determining whether laws shall be made or measures recommended, by which extensive classes or even the whole nation may be affected in life, liberty, or property, shall be in a perpetual state of feverishness,—that the Chancellor or other minister, after having spent the period of the day allotted to labour, in the diligent discharge of the duties of a laborious office, should be required in a state of exhaustion to hasten to the cabinet or the legislature, to devise, debate, and determine upon laws, which would demand months of patient thought and anxious investigation to understand them in all their bearings immediate and remote.

Much of the rashness of views advanced, and the defects of measures brought forward, may be attributed to this cause. But it might be removed. Let the 100,000*l.* which goes to maintain officers of the household as useless appendages to the dignity of the monarch, or any other funds be withdrawn from quarters where economy could find a field of operation, and an ample fund would be raised for the maintenance of useful and necessary functionaries.

In the lower departments of the service, the evil is not the same. There is too much division of labour in the lower departments of the public service, and not enough in the higher. Those whose labour is but in a slight degree above that of the hands, have time enough and to spare; but where the mind is the instrument of labour, which requires quiet, leisure, and freedom from pressure unfavourable to exertion, more labour is attached to the office than any man of the utmost grasp of mind, or of the most confirmed habits of application, can perform.

Here the reformers may trace the source of many of the obstacles to the progressive and prompt application of remedies to abuses as they arise or are discovered. The instruments of reform are overlaid with work,—they see, confess, the existence of the abuse,—lament it, and promise the remedy; but as new evils rise up to their view in rapid and almost endless succession, and all who suffer urge their own case as if it were the solitary grievance, nothing is done, and evils whose magnitude is beyond all computation in money are suffered to continue.

*Costs of Collection.*—It has been usual to compute the costs of the collection by applying the salaries of the collectors as a per-centage on the net amount of revenue. But the amount of money so expended does not include the entire cost. The manufacturer or tradesman who is exposed to the extortions of the subordinate officer, is compelled to charge himself with loss arising from that cause. Some wine-merchants compute the loss of wine and spirits consumed by the officers and their friends on their visits to the cellars, at several hundred pounds a year; and where the article does not give opportunity for this species of robbery, the necessity of entertaining in some other manner these functionaries, is productive of considerable expense. Of course the public which is the consumer, reimburses the dealer for these expenses, and they are tantamount to a tax.

But these extortions do not furnish forth the full measure of injury. The laws of customs and excise are so ambiguous, so multifarious, and like most other acts of the legislature, so wanting in practical fitness, that the poor dealer often violates them from oversight, from misunderstanding, or from necessity. He is involved in penalties, and law proceedings, and their cost. This is the position which extorts compliance with the exactions that have been mentioned. The conduct of the Commissioners depends upon the report of the officer, and without being supposed to cast unjust imputations upon a class which like all others will be found to contain its admixture of good and bad, it may be inferred that the latter will not forbear to requite any disap-



pointments by the least favourable construction. But it is an evil of no small magnitude to be subject to the caprice of a class of men, ignorant and often rapacious, and who are so much dependent upon promotion as to be often induced to display an activity which borders upon eagerness, to make the most of inadvertency in the master, or ignorance in the servant, in order to ingratiate themselves with their superiors.

That the evil exists to a very great extent, it might be said universally, would be shown by the evidence of all men of business under the surveillance of the customs and excise, if they were not deterred by the risk encountered from volunteering their testimony. The casualty of inadvertent error may expose them to misconstruction; and that this misconstruction is the probable and frequent, rather than the rare event, will be easily imagined, when it is considered that it depends upon the ignorance or malice of a man often ill-educated, and whose pursuit is not calculated to call into exercise a very large class of virtues. Can it be wondered that in such a state of things traders should live in a ceaseless state of apprehension?

Yet another evil is found. The processes prescribed by the law in particular trades or manufactures, though at the period of the enactment of the law the prevailing processes, are often superseded by inventions or improved arrangements. But the law forbids a departure from its provisions, and improvement is proscribed. Even experiment is prevented by the jealousy of the exciseman, and thus are in effect prohibited those economical arrangements which every prudent tradesman seeks to establish, in order to counterbalance the reduction of profits produced by competition. The vices of monopoly are gratuitously introduced, and the whole community experiences the loss of that skill and enterprise, which would afford on the one side a larger supply at a cheaper rate of the various commodities in request, and on the other occasion a demand for the labour of that portion of the population whose only property and source of subsistence is their toil.

It may be proper also to allude to the character of that tribunal to which all appeals from the Excise and Custom laws are directed. The friends of liberty will be surprised to learn it is as despotic as the will of any arbitrary monarch, and by whatever rules its decisions are governed, the mode of inquiry is such as the most absolute monarch would pursue.

In the common course the petition is addressed to the Commissioners. They refer the matter to the Supervisor or Collector of the district for his report, and determine the case accordingly. But the petitioner often seeks the mercy of the superior jurisdic-

tion, the Treasury; and then that jurisdiction refers itself to the Commissioners for the report of facts, and governs itself by such report.

Cases have happened in which the Lords of the Treasury have, on a reiterated appeal, when the conduct of the Commissioners has been impugned, again referred to the same functionaries, and without further inquiry decided upon their evidence.

This strange conduct results from the ignorance of the Lords of the Treasury; the junior lords rather, on whom this branch of duty devolves. Young men, having no previous practical acquaintance with the matters submitted to them, nor the aptitude which would qualify them to acquire in a little space of time the competent skill, it is not surprising that they submit to the more experienced heads of the subordinate boards.

This fruitful field of intrigue and private influence has been one principal instrument of bribing parliamentary men, by compliance with their intercessions; and he who knows aught of members and constituency, cannot be blind to the fact that tories, whigs, and radicals, when the penny is at stake, will not scruple to employ in their behalf, the solicitations of their members. This is, in truth, the real secret service fund. Penalties are remitted; compromises allowed; proceedings stopped;—everything, except money returned.

The Court of Exchequer formerly was the tribunal for the determination of cases of this kind; and it would relieve the Ministry from much embarrassment, if an open court were established to exercise the functions performed by the Treasury in secret, in ignorance, in partiality, and with all the other bad concomitants that attend the proceeding of a jurisdiction of that nature. Even the suspension of duties ought to be the act of open deliberation and decision. Few official acts, relating to trade and taxes, pass the legislature, which do not contain powers of which the people are not aware, and whose aggregate magnitude renders it very questionable whether such powers should be retained by the executive without the wholesome corrective of publicity.

This is one of the cases where a wise economy would exert itself to remodel the present, or substitute a more efficient and controllable jurisdiction,—a species of court of revision, whose duty it should be to administer the law of revenue in equity, with a due regard to the nature of the case, determining whether its peculiar character entitles it to be wrested from the operation of the law, or whether the law itself, being found to be opposed in practice to the manifest intention of the

legislature, do not demand that it should be suspended till the opinion of the legislature can be obtained ; and lastly, whether new circumstances, entirely diverse from those contemplated by the legislature, having arisen, wisdom does not require that the executive should interpose. That such a power ought to exist, has been proved in practice ; but it ought not to be permitted to exist in secret.

*Public Works.*—The practice of government in regard to public works in past times, does not afford any means of controverting the generally received opinion, that no government can execute them with economy. They have been jobs of the very worst description. But if there be any value in the reformed parliament, the new power acquired by the people should be directed to check, rather than to take away, powers which properly belong to the functions of government. All enterprises which are likely to be adopted by individual capitalists, without the intervention of government, it is folly to undertake ; but there are works which are not likely to be undertaken by individuals, as they afford but slight or remote, if any chance, of profit. The source of the misadventures of government enterprise arise from two causes ; the incompetence of the heads of departments to control the undertaking, inasmuch as they know little or nothing of business not official, and are therefore disposed to enter upon them with the recklessness of amateurs ; and secondly, the surveyors are paid in the manner most calculated to give them an interest in the increase of cost, viz. a per-centage on the charges. If the surveyor was paid a round sum, or only the per-centage on his estimate, and so much per cent. were deducted from that payment if the actual cost should exceed the estimate, the estimate would probably be furnished in a complete state in the first instance, and nothing be heard of any after excess.

By what means can the public accomplish its general purposes, but by the instrumentality of some official agent ? Whether the undertaking be local or general, the same necessity arises. Perhaps in no instance where the public acts, can its object be effected at so little cost as the undertakings of individuals ; for where the latter would employ *themselves* in the superintendence of the works, the public must employ others. Publicity must in this case be brought into the service. If the accepted contract were published, other competitors would be able to discover whether their own more favourable terms had been rejected for some sinister purpose. At the same time a comparison would be made between the cost and market price of material, during the same period. Rival architects and rival

builders would quickly detect any incorrectness of plan, or of conduct ; and the public would have the advantage of the disclosure, if not, more probably, of the prevention of the entire mischief. With these precautions, let the surveyor be paid in the manner already suggested. Until every arrangement calculated to ensure a successful issue to the public undertakings be made, by obtaining a correct estimate, by entering into the most advantageous contract, by paying the surveyor on proper terms, and by disclosing to the public the minutest particulars of the proceedings, it is rash to impugn the undertaking of public works by the government, where they fall properly within the province of its functions. Besides, in that case, if the work be left undone, the public is injured, and no remedy is left. The most reasonable course of proceeding, therefore, is to use every practicable method of counteracting the evils, which can be derived by experience of the past ; and this is the especial business of parliament.

*Legislature.*—The pecuniary charge attached to this head ought to be sufficient, it would be imagined, to give the country the benefit of the most matured acts of legislation. Hitherto however, little success has attended this large expenditure. But this may perhaps be attributed to the defective arrangements of the House of Commons. No permanent measures are taken to insure the improvement of the acts of that body by previous investigation, or by vigilant examination of their machinery and the terms in which they are couched. Probably no part of the government requires remodelling so much as this. The judicial institutions, the public offices, traders, and the people at large, suffer much irremediable inconvenience, and often severe injustice, from the defective character of the laws. The multiform character of the objects which claim the attention of the senator, will not permit him to bestow the attention upon the minute portions of each of the acts of the legislature, which would seem to be implied by these observations ; but a well arranged system might obviate the effect of the desultory mode of action of a popular assembly. Committees appointed for the permanent superintendence of particular branches of the duties of the legislature, are perhaps an available expedient. They would lead to that universality of information which now confers a species of ascendancy upon a few members, who are reputed to be in the possession of peculiar information, however scanty such information may be. Several of the economists have gained the privilege of free speaking, on matters but indifferently understood by them. More than ordinary strength, and greater application than many

are apt to bestow upon details, may empower a member to make a considerable figure upon a small stock of materials. But it should be the policy of the legislature, to place before its least informed members, a clear exposition of that information, upon which their decision should be framed. The publications of the House of Commons and other appliances, are very slight aids; and their cost is in no degree commensurate with the meagreness of their information.

*Other civil services of all descriptions.*—This item includes the expenditure of the general government. With the new modelling of the offices of receipt and payment and the offices of check, will come necessarily a change in some portions of the other offices, especially in that branch of them which concerns the payment and receipt of monies. But this is the groundwork. Without a good system of accounts, neither state nor merchant can keep their affairs clear of embarrassment, and with such a system no abuse will escape detection.

After this first of all reforms is accomplished, the subordinate departments may be subjected to scrutiny. The accounts will tell when and where to retrench, or at least afford a clue. But the claims of subordinate persons are to be regarded. Men who have entered offices where the promise of promotion was held out, should not be disappointed; especially as such infliction falls heaviest on the most deserving, who having been admitted for their working qualifications and not by the help of patronage, are likely to suffer the common fate of those who have not patronage. All or most of these individuals might be absorbed, on the same principle as the half-pay; but then it must be at the expense of those who hold in fee the right of dealing out the public money to new applicants. Nor can a superior officer, unaccustomed to the duties of a particular department, decide from any return of the duties of the officers of that department, the extent, importance, or responsibility of those duties. A word on paper may express the labour of a day; many words will not explain the business of an hour. Talent may be required, and so may integrity and well tried respectability, and these may be in request where the office will not supply occupation for the entire year, or for months, or for the whole of each day. But the service of such a man is wanted—his whole time—he is retained, and must be ready to take his post at the calling of every occasion, or wait there in attendance upon the chances or the uncertainties of it. The government must pay what such a man ought to have, his talent, integrity, responsibility, and his rank in life being considered. The nature of the service is not his fault, nor can he

remedy it. It is the time as well as the labour, and the qualities of the individual as well as the nature of the service, which must be paid for.

Moreover it must be recollected, that the higher salaries of the superior functionaries of a department, are usually the object of attraction to the young man, who enters with a salary scarcely sufficient to support existence in any degree of respectability. After ten, twenty, or thirty years, to find the reward of his labours cut down to the smallest scale, affords sad encouragement to the man of talent to enter the service of government. The public of this country is far from desiring that any oppressive scheme of parsimony should obtain in its scale of public rewards; it would be the most impolitic scheme of economy; and there is no insuperable difficulty about the subject, if only the saddle can be set upon the right horse.

Let the appointments of all government functionaries high and low be gazetted; and in the case of promotions the services of the promoted. A check on the capricious and corrupt conduct of the superior is wanted here as elsewhere. Publicity is the best guarantee of official responsibility, and should be employed wherever the public service would not be endangered by the divulgement of the motives to public measures.

If such announcements were further to be signed by the officer in whom the appointment is vested, responsibility would be fixed on him. It is above all things necessary that economy should be founded in justice, and few will question the policy that it should be exercised with consideration for the feelings of individuals. If there was no other reason for it, there is this, that it may in this manner be carried further, by the exact amount of the opposition that is neutralized or weakened. It is above all things necessary that the economists should vindicate their designation, by an unflinching adherence to all that it implies; that, with the earnest of all practicable saving, they should aim to establish a practical fitness in the mechanical arrangements of government; and then, despite the sneer of the Tory and the half service of the Whig, their merits will be recognized by the nation in the distinguished usefulness of their labours.

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ART. IV. —. *Three Years in North America*. By James Stuart, Esq.—Edinburgh, Cadell. 2 Vol. post 8vo.

**M**R. STUART possesses numerous claims on the attention of the reader, as an observer of the United States. First, his visit is not a hasty one; three years, though not a sufficient

period for enabling a man to make a complete report on any country, is as much as can be expected from a traveller. A longer time makes a man a resident; when, though his judgment may be improved, the differences of manners and habits fade on his mind; and what he gains in correctness, he more than loses in vigour of description. In fact, after a man has long been familiar with almost any peculiarities of manners, customs, or costume, he altogether forgets the sources of his first surprise, and wonders what it was that so vividly attracted his attention. Again, Mr. Stuart is not a young man; he repairs to the new country, after considerable experience in the ways of the world in the old one. After a pretty general familiarity with good society, after extensive dealings in the capacity of a northern landed proprietor, joined to the duties of the legal profession as practised in Scotland, he may be supposed to know something of life, and be able to compare what he has left behind, with what strikes him on a visit to a country which more than any other requires the organs of perception to be assisted by knowledge. Mr. Stuart moreover approaches a republic, without prejudice. He might not be pleased to have it said, that he prefers that form of government; but as an old liberal, he has been so long accustomed to consider the people as the source of supreme power, that he sees no harm in any form that an enlightened people has deliberately chosen; more especially one which, in parliamentary phraseology, has worked so well hitherto as the government of the United States. Some travellers have passed through North America, seeing in every thing the lamentable effects of doing without either king or privileged aristocracy, and in the social equality of citizens have detected nothing but the signs of mob-law, the rudeness of democracy, and the inconvenience of a too powerful public opinion. Mr. Stuart knew better how to interpret the language of a free people; there was in fact no predisposition or prejudice, which incapacitated him not only from judging justly but from seeing correctly, as had been most lamentably the case in other instances.

The view which his travels enable him to take of the United States is pretty general, though neither universal nor yet minute. Mr. Stuart landed in New York; the season was too far advanced to make the examination of that city pleasant; he consequently followed the tide of summer visitors up the Hudson, visited the Falls of Niagara, a part of Canada, and commenced subsequently a more leisurely survey of the neighbourhood of New York. He thence visited New England and the Eastern States, and spent some time at Boston. After making

New York again for some time his head quarters, he left it for a lengthened tour to the south, making the seat of government his first grand stage. From Philadelphia, Baltimore, and Washington, he descended upon the slave states; traversed the Carolinas; sojourned at New Orleans; and ultimately ascended the Mississippi, father of waters, as high as Louisville; an excursion to be equalled in no other part of the world. After a brief pause in Kentucky, the traveller commenced his more deliberate survey of the new districts. After visiting St. Louis and the different settlements in the new countries of the West, among others the much heard-of establishment at Harmony, he passed through Pittsburg and crossed the Alleghany Mountains, whence he proceeded to New York, and resumed his residence and visits on the Hudson and the vicinity. When the vast extent of the United States, and the variety of objects, natural and social, that claim the observer's attention are considered, it will be seen that the three years of Mr. Stuart's stay in America were amply filled with interesting occupation.

It was on the 16th of July 1828, that Mr. Stuart accompanied by his wife, set sail from Liverpool, in the packet ship *William Thomson*; the very vessel that Mathews has made familiar upon the stage. Some account is given of the voyage, not because it is a subject of peculiar interest, but because, as is truly observed, it is very difficult to find any practical information respecting it. It was only, for instance, on his arrival at Liverpool, that Mr. Stuart learned the days on which the packet sails, which it may be as well to record, are the 1st, 8th, 16th, and 24th days of each month. The voyage home averages twenty-five days; that out, occupies generally forty days; the passage, including provision of every and the best description, is respectively thirty and thirty-five guineas.

On the 23rd August, the packet in which the author sailed, passed Sandy Hook; and the same evening the voyagers found themselves in the harbour of New York. The first view of New York and its bay, made a lively impression upon Mr. Stuart. He considers the approach to this city from the sea, as one of the most magnificent scenes in the world. 'Neither the bay of Dublin, nor the Isle of Wight, nor the Firths of Forth or Clyde, present the works of nature on a grander scale, or in more varied and interesting aspects.' Half a dozen rivers, which in other countries would be called arms of the sea,—the Hudson, the Rariton, Long Island Sound, the Passaic, the Hackensack, pour their waters into this bay; the shores of which, and of the islands, are covered with ornamental villas and orchards.



During Mr. Stuart's first short stay in New York, his observations are necessarily confined to the exterior of this extensive city, and such statistical information as was most readily accessible. The increased temperature produced an immediate effect on leaving the vessel; and so overpowering did the party find it, that though they had at first proposed to spend some time in surveying the remarkable objects of New York, they were obliged to give up the plan on the fourth day, and arrange a journey to the north. New York has increased more rapidly than any city in the States. In 1783, and for a dozen years previously, its population had been stationary at 22,000; it is now 200,000, and has 100 places of worship. London has its 500 for a population of a million and a half; the proportion of numbers at least, being in favour of the American city. The rapid increase in the number of inhabitants, is to be attributed to its admirable position for the carrying on both of inland trade and foreign commerce, its connexion with roads, canals and steam-boat navigation, its fine harbour and its central situation in the line of coast. The town has a neat and gay appearance; its pavements are wide; its promenades well frequented, and its shops well supplied; the houses externally of Dutch propriety, with their red brick paint and white lines; and its streets, though flat, affording some fine views of the bay. The hotel visited by Mr. Stuart, seems to have abounded in every accommodation, except those which, till very lately, were in every European city save London. The luxuries of the English dressing-room are alike wanting; and, indeed all that relates to the portion of life spent in sleep and purification, is in a very backward state. This is Mr. Stuart's first complaint, his perpetual one, and nearly his only one. The City Hotel, at which he stayed, in the Broadway, the principal street of New York and three or four miles long, has two entrances, the one for the American, the other for the European part of its inhabitants. Thus, at the first step, a confession of a great difference of manners is made. The difference is not greater than between French and English manners; and this in Paris is almost similarly provided for, there being several British French Hotels, into which no Frenchman would venture. No doubt the European side of the City Hotel, in the New York Broadway, is similarly avoided by the genuine United-States-man. To make the matter complete (in all save the never-to-be-enough-lamented deficiencies so constantly mourned over by Mr. Stuart), there is at this City Hotel an English waiter; and not merely an English waiter, but one who once bore his napkin proudly at Brookes's Club House. The general system at the American hotels, is for the

whole of the inmates, besides others who only board at the table, to eat together at fixed hours. The meal times, at even the City Hotel at New York, would hardly suit an Englishman of the upper classes; breakfast at eight, dinner at three, tea and coffee at six, and supper at nine. The charge is at a fixed rate, which is some comfort; the misery of an English house of entertainment being, that persons of moderate means, never can be aware of the sum total of their expenses. The Americans know but one step of rank, that of citizen of the United States, the number of whom is down in the census; all of them fare alike, and all are charged the same. There are ranks in hotels, but not in men; if a man's means enable him to consult his tastes, he goes to one hotel; if not, to another, where he fares more coarsely or less plenteously, but in all it is *à prix fixe*, so that the sojourner enters the house of entertainment without any harassing comparisons between the length of his purse and that of the innkeeper's conscience. At the City Hotel, New York, the charge per diem for board and lodging is a dollar and a half (6s. 4d. sterling), which includes everything. A separate dining-room may be had by a party of five or six. This is only, be it remembered, on the European side, and in deference to the usages of England. The president of the United States would not seek any such luxury; for whether by steam-boat, coach, or inn, he claims no distinction beyond any other citizen. The fare of the hotels of the United States may as far as *matériel* is concerned, be accounted in the highest degree luxurious. In no country is so large a proportion of animal food consumed; and Mr. Stuart, Scotchman though he be, is disposed to confess that such breakfasts as those the Yankees universally give, are not equalled in the old world. At breakfast the Americans turn out the contents of an egg into a wine-glass, and mix them up with salt. Mates of merchant-men do the same in England; the Americans will give it over when they find out it has more of ugliness than comfort. All the personal particularities assigned to the Americans, are those of men in England who have not had much time to think of 'sacrificing to the graces.'

Phraseology has been made a fruitful source of satire with regard to the American States. A separate experience will necessarily produce a separate mode of expression; a very great variation from the standard involves a charge of corruption, a slight one is a fine subject for ridicule. It is the same in other things. On the first night of the Reform parliament, a member in addressing the House, in the eagerness of his discourse, gradually advanced into the middle of the floor, and the assembly

was convulsed with laughter. It was the smallness of the difference, that made the joke. It is the very small difference that exists between the phraseology of England and the States, that has raised all the small wits and cast them into a grammatical army of observation. Mr. Stuart makes but a single remark on the subject of language, and that is in the very outset of his career. 'In point of language,' he says, 'we could not observe any very perceptible difference between that in general use at New York and in many parts of England, certainly not so great as between that spoken in the west end of the town, and in parts of the *city* of London.'

Mr. Stuart was struck by the innumerable quantity of newspapers in New York ; on rising in the morning they may be seen lying at every door, evidently like things too necessary to be dispensed with, but too common to be stolen or abstracted. 'They contain a great deal of statistical information, of intelligence and remarks respecting their local elections, and their public works in progress ; but little attention seems to be paid to the collecting of domestic news or occurrences, reports from the police courts, or courts of law. Advertising is so cheap, that the newspapers are much more generally than with us, used as advertising vehicles.' One of the assured results of the abolition of our stamp on newspapers, will be an improvement in the quality of their information ; in which point, if not in others, the American papers have got the start of us.

The voyage from New York to Albany, a distance of 154 miles, only occupied on an average ten or eleven hours ; it takes the traveller through scenery which Mr. Stuart is inclined to class with the most beautiful river scenery in the world. 'We feel,' says he, 'as having seen more of the beauties of nature in one day than we have ever done before, far too much to allow us accurately to recollect all that passed before us, or to give even a sketch of it.' He does however succeed in conveying a very pleasing idea of the beauties of the Hudson, as seen on this and other occasions. The steam-vessel in which he took his passage is called the North America, 'the most beautiful and swift of the floating palaces on the Hudson.' It has been known to carry a thousand passengers. There are several decks in the American steamers, and as the machinery is all on the upper deck, a greater space is necessarily left for the accommodation of travellers. The company was sociable and pleasant, and not inquisitive, as the traveller had been led to expect. Attention was shown to Mr. Stuart's party in their quality of strangers, on this occasion and almost every other during his sojourn in the States. It was generally the practice to assign them the best

seats at table. The fare on board was admirable ; and the appointments in all respects complete. The presence of spitting-boxes here and elsewhere is remarked ; they are necessary contrivances where the abomination of tobacco in its different forms is universal. Mr. Stuart observes, we should not be too nice, for spitting-boxes have only disappeared in Scotland within thirty years. They are in fact a sort of refinement upon nastier habits ; the concentration of the nuisance is a step preliminary to its abatement. It argues *at least a growing sense of decency.*

The passage-money to Albany is only two dollars ; the two sumptuous meals of breakfast and dinner are charged half a dollar each ; thus twelve shillings and ninepence pay the entire expense for one of the most luxurious days a social man of taste could possibly enjoy.

Mr. Stuart makes the same remark that other travellers have done, on the rapidity with which the Americans despatch their meals. In twenty minutes the steam-boat company had descended into the dining apartment, consumed two courses of various viands, with the addition of water, qualified by brandy placed profusely on the table in small bottles, and had again ascended, grace over and dinner done. Not a person remains at table either to ruminate, or to converse, or to drink ; and this is the universal practice all over the States. Time is mightily begrudged ; meals are despatched as if they were necessary evils ; a practice which has probably arisen in the busy and hard-working origin of the North Americans. Their ancestors were neither shepherd-robbers or feudal warriors, nor yet serfs or bondsmen. With persons of those classes, time is something to be killed, a meal is a resource or an excuse. With enterprising freemen altogether dependent upon their own resources, with all nature before them rude and uncultivated, out of which not merely their fortunes but their livelihoods were to be earned, with such men time is all ; it is the treasure to be employed with all possible frugality. The men who have handed down the present manners of the Americans, were characters of this description. The daily habits of the citizens of the United States bear the deep impression given to them by the condition of their forefathers, not only in this but many other points. That the originators of them were men from the middle and lower classes of the old country may also be detected, or more properly, that they were provincial and agricultural people rather than dwellers in cities ; and hence come many of the sneers of the ill-bred, half-informed persons who have been visitors from England.

These domestic habits have now become national, and as such are entitled to respect. There is not a single point of them that may not be paralleled by our provincial habits, or the prevailing manners in our small towns. The Americans are accused of drinking; Mr. Stuart, however, never saw an instance of drunkenness, save one, and that was in an Indian. Dram-drinking or tippling seems to be not uncommon; that is to say, brandy-and-water of a feeble strength is a sort of universal beverage, of which men take a drink in their little intervals of employment; enough may perhaps be taken to injure health, but not to affect the head. This practice is to be set off against our conviviality. It is totally un-American for a party of persons to sit down to drink together; they drink as they smoke, solitarily, and without any reference to social enjoyment. Both these practices have arisen, as well as others, from physical causes; the cigar was supposed to neutralize the effects of malaria, and the spirit destroyed the poisonous effect and improved the taste of bad water, which is by no means uncommon in the States.

Albany is a town near the top of the tide navigation, and is for this and other reasons a place of great resort and bustle. The population has quintupled in thirty years. The basin of the Erie and Champlain canals is formed near this place. It is likewise celebrated as giving the only titular honour which has survived the revolution. The Patroon of Albany is the descendant of a Dutchman, Van Rensselaer, to whom their High Mightinesses of Holland, when this country belonged to them, gave an area of most valuable land on the banks of the Hudson, twenty-four Dutch miles square. The superiority over this property the present General Van Rensselaer retains entire.

From Albany Mr. Stuart started for the Falls of Niagara, a distance of 118 miles. The Erie canal is the obvious route; but owing to the number of locks in parts of this great work, portions of the traject are passed by travellers in stages. In the stage from Albany to Schenectady, one of the passengers was the Chancellor of the State. There is no such thing as post-chaise travelling; all descriptions of persons proceed by the same conveyance, and while travelling, eat together. There is no fear of delay, for an extra coach or coaches are invariably provided for even a surplus of one passenger. This would appear sad levelling in England; if Earl Grey, were seen getting into a coach at the White Horse Cellar, there would be something like a pretty general cry of *tout est perdu*. Mr. Adams, the President at the period of Mr. Stuart's visit, whose residence is near Boston, 'travels,' says the author,

‘to Washington, the seat of the government, by steam-boat, and the regular stage.’ It was not considered that there was any humility in this ; but if the Duke of Devonshire were to go by mail to Chatsworth or Lonsborough, his companions would never forget the distinction, nor he the defilement. The truth is, that the artificial will not bear too nice an examination. Too near approach, like familiarity, breeds contempt. Assumption of unearned superiority, and the appropriation of privilege on this supposed ground, must be nicely managed in the light and shade so as to keep up an imposing appearance ; for which object, distance is necessary. If the House of Lords travelled in public conveyances, the peerage would be put in imminent jeopardy. It has been said that no man is a hero to his *valet de chambre* ; it meant a hereditary hero. The persons waiting at the doors of the hotels on the road,—for every the most trifling inn, or house of public entertainment, is styled hotel,—very civilly handed tumblers of water to the passengers, without payment of any kind. The conversation of the passengers was far more unrestrained than it probably would have been with foreigners—more especially the chief judge of the state being one of the party,—in an English stage-coach ; nor did the judge presume in the slightest degree on his high official situation.

From Schenectady to Utica, the conveyance was the track-boat on the Erie canal. ‘Although the passengers were in different ranks in life, as we should think, little or no distinction was observable among them in the perfect freedom with which they entered into conversation, or gave their opinion on any subject which was started. All spoke with equal ease, and seemed on a par. The canal works, and the beauties of the country, were of course pointed out to the strangers ; but the engrossing subject is the election of the president of the United States, to be decided two months hence, which was the topic of warm but perfectly good-humoured discussion.’

Men not only seem to be on a par in the United States, but *are* so, except when nature has given a superiority of ability, or the accident of education. These however are distinctions, that are never taken for granted ; and a man must shew his credentials every time he opens his mouth, if it be his wish to prevail. There are no differences of rank in the country ; there are different modes of gaining a livelihood, and some imply greater profits, better style of living, or a better education ; but these advantages do not pass for more than they are intrinsically worth. The difference of ranks, the existence of privileged classes, and the fact that

many divisions of society live upon the others, cause public assemblages in this country to be generally dull, taciturn, and reserved. A difference of opinion is a serious thing here; for, whether it relate to church or state, it may go, if acted upon, to deprive one of the party of the means of subsistence. Hence much of the intolerance witnessed. Retrenchment might cut off a sinecure which has maintained a fine race of young sinecurists, one of whom may be the very man that is maintaining the beauty of Toryism. It is not for an opinion that he is so warm; he is fighting *pro aris et focis*. Heresy in theological matters is not a mere difference in a proposition regarding the other world; it has an immediate reference to tithe pigs, and as such is worthy of the stake. In the United States there is far more worship, spiritual communion, and true piety than here; there is in short, far less hypocrisy. The reason is plain; the profession of a creed has no reference whatever to this world's gear, and it is marvellous to see with what composure a heresy is listened to, which only goes to endanger the heretic's own soul. There are no temporalities in jeopardy, no supremacy to struggle for, nor church-in-state matrimony to hold inviolate; so that preachers and professors of all denominations meet in peace and charity, may hold communion together, and do not disdain to make the same pulpit bear different fruit, perhaps on the very same day.

'Nothing,' Mr. Stuart adds a little farther on, 'struck me more than the ease with which people of the lowest description, as we should view them from their appearance, entered at once into conversation, and delivered and enforced their sentiments' (p. 76). Why not? If a man is educated, depends on no individual but the public generally for his livelihood, and has an intellect, why should he not express and enforce his sentiments; more especially when they relate to some public duty enjoined him by the state? What has his coat, the costume of his business or the index of his profits, to do with the operations of his brain. In this country it has been so long the case that he alone who could afford to wear fine clothes and give himself supercilious airs, might 'enforce' his sentiments, or could 'deliver' them with ease, that there is nothing surprising in Mr. Stuart's astonishment.

Among the author's fellow travellers to Auburn, was a gentleman of large property at Rochester, one of the most thriving of the villages on the Erie canal. It now contains 13,000 inhabitants; in 1818, it had but 1,000. This gentleman's son, a lad of

eighteen, was the first child born in the settlement; and Rochester now has six or seven churches, eleven flour mills, cotton-works, power-looms, woollen factories.

Auburn is a thriving place, situated on the outlet of the Oswego lake, conveniently for manufactures, containing about 4,000 inhabitants, and being the situation of one of the two great state prisons of the State of New York; circumstances certainly different in some respects from those of the Auburn of Goldsmith. The plan of the Auburn prison, is that as regards rest, leisure, and exercise, the imprisonment shall be solitary; but that the working hours and meal-times shall be spent in company, if that may be called company in which all intercourse by voice or sign is rigorously forbidden, and the slightest infringement upon the regulation punished instantly by the lash. In a confinement of this description there is abundance of time for reflection, for study and education; an ordinary number of hours are spent in work of such an efficient kind, as supports all the establishment; the labour in community, is some relief to the tedium and privation of this painful life, and though it does not allow of communication, it prevents the intellect and the health from suffering from utter solitude. There is something to humanity so refreshing in the sight of the face of fellow-men, that this ingredient infused alone into the bitter draught of solitary imprisonment, renders that wholesome which would otherwise be destructive. It will be observed, that this plan renders all classification unnecessary, or rather it carries it to the utmost limit by classing every prisoner by himself; and no harm can possibly result to a person of a minor degree of guilt, by the spectacle of the most flagrant criminal pursuing his work or eating his food. The details by which this plan is carried into effect, may be learned from a perusal of Mr. Stuart's ample notes on the subject. One passage alone will convey a sufficient idea of their general character.

'When convicts arrive, they have their irons taken off, and are thoroughly cleaned, and clad in the prison dress. The rules of the prison are explained to them, and they are instructed by the keepers in their duties,—to obey orders, and to labour diligently in silence,—to approach all the officers of the institution, when it is necessary for them to speak, with respectful language, and never to speak without necessity, even to the keepers; never to speak to each other under any pretence; nor to sing, dance, or do any thing having the least tendency to disturb the prison; never to leave the places assigned to them without permission; never to speak to any person who does not belong to the prison, nor to look off from their work to see any one; never to



work carelessly, or be idle a single moment. They are also told, that they will not be allowed to receive letters, or intelligence from, or concerning, their friends, or any information on any subject out of the prison. Any correspondence of this kind, that may be necessary, must be carried on through the keeper, or assistant keepers. A Bible is, by order of the state, put into each cell. The bodies of all criminals, who die in the state prisons, are, by order of the legislature, delivered to the College of Physicians when they are not claimed by their relations within twenty-four hours after their death. The state prisons being in the country,—at a distance generally, it must be presumed, from the residence of the relations,—such a claim can, it is obvious, be but rarely made.'

'For all infraction of the regulations, or of duty, the convicts are instantly punished by stripes inflicted by the keeper, or assistant keepers, with a raw hide whip; or in aggravated cases, under the direction of the keeper, or his deputy alone, by a cat made of six strands of small twine, applied to the bare back alone. Conviction follows offences so certainly, and instantaneously, that they rarely occur; sometimes not once in three months.'

'At the end of fifteen minutes after the ringing of a bell in the morning, the assistant keepers unlock the convicts, who march out in military order in single files to their work-shops, where they wash their faces and hands in vessels prepared in the shops.'

'New convicts are put to work at such trade as they may have previously learned, provided it be practicable; if not, or if they have no trade, the keeper selects such trade as appears, on inquiry, best suited to them. The hours of labour vary according to the season. In long days, from half-past 5 A. M. to 6 P. M. In short days, the hours are so fixed as to embrace all the daylight.'

'At the signal for breakfast, the convicts again form in line in the shops, and are marched by the assistant keepers to the mess-room, which they enter at two different doors, face around by their plates, standing till all have got their places, when a bell is rung, and all sit down to their meals: but, as some eat more, and some less, waiters, provided with large vessels, pass along constantly between the tables, taking food from those who raise their right hand in token that they have it to spare, and giving to those who raise their left hand to signify they want more. The tables are narrow; and the convicts, sitting on one side only, are placed face to back, and never face to face, so as to avoid exchanging looks or signs.'

'When the steward perceives that the convicts have done eating, or have had sufficient time for it,—generally from twenty minutes to half an hour,—he rings the bell, when all rise and march to their work-shops, those going out first who came in last. Twelve o'clock is the hour of dinner. The proceedings the same as at breakfast. Before quitting labour, the convicts wash their faces and hands,—form line, according to the number of their cells,—and proceed, in reversed order from that of coming out in the morning, to the wash-room, where, without breaking their step, they stoop, and take up their supper

vessels and water-cans, and march to their galleries, enter their cells, and pull their doors to. Each gallery is occupied by one company, which is marched and locked up by one assistant keeper.'

'Assistant keepers are constantly moving around the galleries, having socks on their feet, that they may walk without noise, so that each convict does not know but that one of the keepers may be at the very door of his cell, ready to discover and report next morning for punishment the slightest breach of silence or order. The house, containing between 500 and 600 convicts, is thus perfectly still. The convicts are required, by the ringing of a bell, to go to bed upon their framed flat canvass hammocks, with blankets, and are neither permitted to lie down nor to get up without a signal. After the convicts are rung down at night, all the locks are again tried by the assistant keepers.'

'On Sundays the arrangement is the same, with this difference, that, instead of working, the convicts are marched to the chapel, where divine service is performed by the chaplain. Such of them as are ignorant attend the Sunday school, which is admirably taught, and gratuitously, by students belonging to the theological seminary at Auburn. The keeper and assistant keepers must be present at divine service, and at the teaching in the Sunday school.

'The rations for each man per day are, 10 oz. pork, or 16 oz. beef; 10 oz. wheat flour, the wheat to be ground fine, and not bolted; 12 oz. Indian meal;  $\frac{1}{2}$  gill molasses,—a ration. And 2 qts. rye; 4 qts. salt; 4 qts. vinegar;  $1\frac{1}{2}$  oz. pepper;  $2\frac{1}{2}$  bushels potatoes,—each 100 rations.'

'From these provisions the convicts are supplied in the morning with cold meat, bread, a slice of cold hominy, (a preparation of Indian corn,) hot potatoes, and a pint of hot rye coffee, sweetened with molasses. For dinner, they have meat soup made from the broth, thickened with Indian meal, bread, hot potatoes, and cold water for drink. And for supper, a portion of mush, (porridge made of Indian meal,) and cold water. This quantity of food for each man is considered to be indispensably necessary when the labour is hard and constant, and not more than sufficient to enable the convicts to perform it, and to remain in the enjoyment of health. Labour, only interrupted by the time necessary for meals, is required from the convicts for eleven hours per day, when there is enough of daylight.'

'The agent makes contracts for the labour of the convicts, with persons furnishing materials, so that all risk of loss is avoided, and much private capital and enterprize are brought into action. Strict rules are enforced, preventing a contractor from speaking to a convict. His wishes must be expressed to one of the keepers.'

'There must be at least one assistant keeper in each mechanic department, who is master of the business pursued in it, to instruct new convicts, and see that the whole make first-rate work. The instruction is chiefly given by showing, and not by verbal direction.'

'The convicts are so arranged in the shops as not to face each other, and have their work entirely separate. A shop and business of a hundred are so managed, that hours frequently pass without a word

being spoken. Spectators are taken through the inspection avenues in the rear, which surround all the shops, where they have a full view of the convicts without being seen. They are not allowed to speak so loud as to be heard by them. There are separate shops for carpenters, masons, coopers, tool-makers, shoemakers, tailors, weavers, blacksmiths, machinists, gunsmiths, chair-makers, cabinet-makers, and basket-makers. We saw some cabinet work beautifully finished. Indeed, all the work seemed to us well arranged, and systematically carried on. Carriage-making, polishing stone, and comb-making, have been begun during the year 1828.'

'The gains of the convicts during the last year averaged 29 cents, or 1s. 2½d. sterling per day, some of them earning as much as 50 cents, and others not more than 15 cents per day. The amount was sufficient to defray the annual expense, including the whole salaries of the keepers and other officers, the guard, and all the other officers. The inspectors and keepers have no doubt that the earnings will increase in subsequent years,—many of the workmen who are under sentences of long confinement having, from practice, become much more perfect in their trades and occupations. The convicts are never, on any pretext whatever, permitted to work on their own account, nor to receive any food, except the prison fare. Neither fermented liquor of any kind, nor tobacco, are allowed to be brought within the precincts of the prison. Nothing is bought or sold within the prison walls, so far as the prisoners are in any way concerned, except their labour.'

'The regulations for the officers of the prison, for preserving it and the cells quite clean, and respecting the dress, cleanliness, and health of the convicts, are extremely minute, and well judged, and seem to be strictly enforced. A very well-informed person, one of the assistant keepers, accompanied us through every part of the prison, except the work-shops, which we saw from without, unseen by the inmates. It is, I have no doubt, truly observed in one of the recent publications on the subject of this prison, that "the whole establishment, from the gate to the sewer, is a specimen of neatness, and that the unremitted industry, the entire subordination, and subdued feeling of the convicts, have probably no parallel among an equal number of criminals."

'The degree of health which has prevailed ever since the introduction of the present system, probably surpasses any thing ever known of an equal number of convicts,—between 500 and 600; the number of patients confined to the hospital being about one per cent, and the number of deaths one and a half.'

'No convict has been discharged since the present system was commenced who has not, previous to his liberation, communicated details of his previous history,—how he was brought up,—what instructions he enjoyed,—his employment,—his residence,—his general habits, &c. and also information respecting his confinement, how he considers himself to have been treated, &c. A very curious body of facts will in this way be obtained, especially as means are taken to procure, as far as it can be done, a knowledge of particulars respect-

ing the after lives of the convicts. Of 160 convicts discharged from Auburn, of whom accurate accounts have been obtained, 112 have turned out decidedly steady and industrious, and only twenty-six decidedly bad. It is generally admitted by the convicts, that, being deprived of all intelligence of their friends—of the affairs of the world—and of all means of intercourse and conversation with each other,—occasions them more suffering, and tends more to humble them, than every thing else,—that they are necessarily driven to reflection in their solitary cells, and through all the unvarying routine of their labour and rest. They allow, that the desire to converse is so great, and the temptation to it so strong, that they will risk the hazard of speaking to each other whenever there is any probable chance of escaping detection, but that the vigilance of the keepers is such, that they are never able to carry on a connected discourse. It is not an uncommon thing for a convict when discharged to state, that he did not know the names of his fellow convicts, who had for months worked by his side, and who had lodged in adjoining cells.'

The system introduced at Auburn is making rapid progress in the United States. The state of New York has erected a state prison, with 1000 cells, at Sing Sing on the Hudson river, about thirty miles from New York ; and the States of Massachusetts, Connecticut, Vermont, Maryland, and Kentucky, have adopted, generally, the Auburn plan. It may be observed, that the only new feature in the Auburn plan, is silent labour in common ; this is the essential point, and unless it be preserved, it is absurd to call a prison an imitation of Auburn or Sing-Sing, any more than of our Penitentiary. It is the grand point of difference between Auburn and Mr. Bentham's Panopticon, the origin and foundation of all modern improvements in prison discipline. The present British minister at Washington, Mr. now Sir Charles Vaughan, after a critical examination of the institution at Auburn, is said to have declared in ardent language, that he hoped in God that it would be made the model of imitation, not only for this country but for all Europe. The people have even yet so little to say in the management of their own affairs, that there is little more to do, than with Sir Charles Vaughan 'hope in God.' Such must be the fervent aspiration of every man who compares the self-supporting and reforming prison of Auburn, with our costly nurseries of crime, and absurd plans of criminal colonization.

It is not necessary to follow Mr. Stuart in his visit to the far-famed falls of Niagara ; his is only the thousandth description of their stupendous features, neither is it as a picturesque traveller that he is to be valued. His inroad into Canada was likewise hasty, and his account of it is not of the same satisfactory kind with the more deliberate remarks on his experience in the States.

On Mr. Stuart's return, at Ballston Spa he witnessed an election by ballot, for a president and vice-president of the United States ;—*item*, at the same time, for the governor and lieutenant-governor of the State of New York ; for a senator, and representative to the Congress of the United States ; for three members of the Assembly of the State of New York ; for a sheriff ; four coroners ; and the county clerk. What a constellation of matter for a parliamentary orator.—Ballston Spa is the county town of the county of Saratoga, which consists of twenty townships, the whole population of the county being about 37,000, and that of the township of Ballston about 2,000. The officers had in the course of three days to collect the lists for ballot boxes from about 2,000 people ; at Ballston itself, probably from a smaller number than 800.

'It was on the 5th November that I was present at the election at Ballston Spa, held in one of the hotels, about the door of which twenty or thirty people might be standing. My friend Mr. Brown introduced me, and got me a place at the table. I must confess that I have been seldom more disappointed at a public meeting. The excitement occasioned by the election generally was declared by the newspapers to be far greater than had ever been witnessed since the declaration of independence in 1776. And at Ballston Spa, any irritation which existed had been increased by an attack made a few days previous to the election by the local press, and by hand-bills, on the moral character of one of the candidates,—a gentleman who had filled a high office in Congress, and who resided in the neighbourhood. I was therefore prepared for some fun, for some ebullition of humour, or of sarcastic remark, or dry wit, to which Americans are said to be prone. But all was dumb show, or the next thing to it. The ballot-boxes were placed on a long table, at which half a dozen of the inspectors or canvassers of votes were seated. The voters approached the table by single files. Not a word was spoken. Each voter delivered his list, when he got next to the table to the officers, who called out his name. Any person might object, but the objection was instantly decided on,—the officers having no difficulty, from their knowledge of the township, of the persons residing in it, and to whose testimony reference was instantly made, in determining on the spot, whether the qualification of the voter was or was not sufficient. I need hardly say, that I did not attend this excessively uninteresting sort of meeting for any long time ; but I am bound to bear this testimony in its favour, that so quiet a day of election, both without and within doors, I never witnessed either in Scotland or England. I did not see or hear of a drunken person in the street of the village or neighbourhood, nor did I observe any thing extraordinary, except the increased number of carriages or waggons of all kinds, three or four of them drawn by four horses, one by six. We were residing close by the hotel where the election took place, and in the evening the tranquillity was as complete as if no election had occurred.'

'The county canvassers for the twenty townships of this county of

Saratoga afterwards met, and made up their returns for the county, in all of which, as well as in the whole of the state, the same quietness and perfect order prevailed. The number of votes given in this state for the electors of the president was 276,176, in a population of upwards of 1,800,000; and that this part of the election was most keenly contested, is obvious from the recorded fact, that the majority for Jackson over Adams in this state only amounted to 5350. The total number of votes given in the presidential election on this occasion was afterwards ascertained to be nearly 1,200,000, in a population of about twelve millions, of which the whole states are composed.

‘Thus, in a state far exceeding Scotland in extent, and almost equaling it in population, the votes for the chief magistrate of the United States and his substitute,—for the governor and lieutenant-governor of the state,—for a senator and representatives to Congress,—for three representatives to the State of New York,—for four coroners, a sheriff, and a clerk to the county were taken,—and the business of the election finished with ease, and with the most perfect order and decorum, in three days. All voted by ballot, which is here considered the only way to obtain independent and unbiassed votes; and if so in this country, how much more in the British islands, where the aristocracy and higher orders are so infinitely more powerful, influential, and numerous.’—  
Vol. i. p. 237.

Instead of returning direct to New York, Mr. Stuart diverged to the east in order to visit Boston. He passed through New Lebanon and gives an interesting account of that singular people the Shakers, who have one of their principal establishments there. At Peru, a place probably not set down in any European map of the States, the party passed the night in a good country hotel. The hotels on this road seemed to be faultless. The travellers were not shown into a parlour of the stage houses where they stopped, in which there was not a very tolerable library in history, philosophy, religion, and novels. Paley, Rollin, Sir Walter Scott, Dr. Robertson, and Cooper [Cowper?] were almost always on the shelves of a book-case, and there was a piano in the room much oftener than in Britain. p. 295.

Mr. Stuart’s praise of Boston is high. The population is nearly 70,000; and yet, he ‘did not observe a single individual in the streets of the city, who was not well apparelled, nor an individual of what we call the lower orders.’ ‘All are, or seem to be, in the full enjoyment of the necessaries of life, and all busy, active, and employed. What a contrast in these respects between this city and the city of Dublin, which, in the month of July 1827, I saw crowded with beggars almost naked, even in the heart of it; and on the arrival of a mail-coach in Sackville Street, scrambling for the few halfpence which the passengers threw among them.’

The Bostonians, like all the rest of their countrymen, live upon most substantial food, and are served with it in the utmost profusion. Mr. Stuart boarded with Mr. Smith, a Scotchman, who keeps a pleasant and hospitable house, where, be it known, a respectable person may dwell for 260 dollars, that is about 65*l.* per annum; or if he be what is called a transient boarder, the charge is a dollar a day. Here the savoury memory of a haggis betrays Mr. Stuart into a mention of cookery. Sometimes at this board there were haggis, and sheep's head, and minced collops; but alas! the Yankees care for none of these things. They stick to the thoroughly old English diet of beef-steaks, roasted turkey, and apple-pie, varied American-wise with pie of pumpkin. There was one American male servant at this house; he was not wanting in civility, and thoroughly understood his business; but would rather have had his head taken off than have touched his hat to one of the boarders.

In his walks by the sea side, Mr. Stuart got acquainted with a seafaring person of the name of Sheaffe, who had a small boat, and appeared to get his living by fishing, and ferrying passengers over to and from the island in the bay on which Fort Independence is situated. On occasion of an accident which had confined the traveller to the house, fancying the hours of convalescence might hang heavily on his hands, Mr. Sheaffe made him an offer of the use of his library. The ferryman's library! He mentioned various historical and philosophical works as in his possession, and also a set of the *London Examiner*. Mr. Stuart was studying the history of the last war, was anxious for the *Gazettes* of 1813 and 1814, and caught at the offer.

'I doubt whether such an occurrence as this could have happened anywhere else in the world. I found that Mr. Sheaffe, whose house is as humble-looking a wooden cottage as any one in the neighbourhood, had formerly been a seaman in a merchant ship, and had been to England; but the explanation is easy. Education is open to all in this country; and all, or almost all, are educated. It was lately ascertained by reports accurately taken, that out of a population of about 60,000 persons in the state of Massachusetts, only 400 beyond the age of childhood could not read or write. And more especially, by returns from 131 towns presented to the legislature, that the number of scholars receiving instruction in those towns is 12,393; that the number of persons in those towns, between the ages of fourteen and twenty-one, who are unable to read and write, is fifty-eight; and that in one of those towns, the town of Hancock, there are only three persons unable to read or write,—and those three are mutes.'—Vol. i. p. 323.

The non-existence of any rabble or mob in the United States, is partly to be attributed to the universal education of the

people. The order, decorum, nay solemnity which distinguishes the elections of the United States, owns in part a similar cause. An admirable system of education by free-schools, obtains all over the country. They are supported in the old states by donations of land, many of which have now become valuable; but the appropriations for schools in the new states, have been regulated by congress, and their extent is immense. Every township of the new lands is divided into thirty-six sections, each a mile square, that is to say 640 acres. One section of every township is devoted to the purpose of popular education, besides other reservations for institutions of a higher description than common schools.

On his return to New York, Mr. Stuart conceiving it probable that circumstances would speedily terminate his visit to America, made a hasty trip to the capital city of Washington by way of Philadelphia and Baltimore. On the 2nd May 1829, he accordingly set off for Philadelphia, distant about ninety-four miles from New York. The passage is performed by steam-boat, except about twenty-seven or eight miles from New Brunswick to Trenton in New Jersey. The fare is four dollars, besides the expense of two meals, each half a dollar. Mr. Stuart is most praise-worthy particular in stating his expenses; from his work, calculations may be made with all necessary exactness, of the cost of a tour or a residence in most parts of this magnificent continent. Philadelphia may be reckoned a sort of middle point between the north and south; it is celebrated for the abundance of its market, which revels in the productions both of the hot and the temperate climates of the state. At Baltimore, a port celebrated for its ship-building, Mr. Stuart saw in the docks the *Pennsylvania*, which is now constructing; built for\* 200 guns, and is 220 feet long by 58 broad. Her complement of men is 1,400. The forty-two pounders for her were in the yard. The fastest vessels in the world have been built at Baltimore; it will now be famous for the largest. The vast mansions in the cities of the United States, do not belong as with us, to

\* Yet in the same page appears the following description of her decks and ports. 'She has five entire decks, spar, orlop, and three gun decks.

On the spar deck she has	..	..	..	..	44	ports
On the upper gun deck	..	..	..	..	44	
On the second ditto	..	..	..	..	42	
On the lower ditto	..	..	..	..	32	

					162	
Deduct for stern and bridle ports	..	..	..	..	22	

Remain	..	..	..	..	140	
--------	----	----	----	----	-----	--



individuals of sounding title and overgrown wealth ; when such present themselves, they are for the accommodation of the public. And not only in the cities, but in the retired districts, among the beauties of nature, and on sites commanding prospects, the traveller is sure to find that the palace which crowns the region, is the public's ; it owns neither lord nor duke for its master, and is devoted to the entertainment of the sovereign people when his majesty passes that way. Thus one of the grandest buildings in Baltimore is the City Hotel, capable of accommodating 250 inmates at once. 'The party at dinner was very large ; Mr. Barnum, the landlord, a very portly figure, sitting at the top of his table, and doing the honours in the same manner that a private gentleman would do in his own house in the country. It would be considered quite as rude to make any appeal to him as to any private individual, if the dinner was not reckoned good by any party.' The curse of this and of almost all others of the public palaces, is the constant use of tobacco, which is the damning stain upon American manners, as slavery is upon their morals and politics. Mr. Stuart was indeed so annoyed at this City Hotel by the tobacco-plague, that on his return he went to another establishment.

The dinner is not a social meal in America ; it occurs in the busiest part of the day. At other times, there is neither a want of conversation nor sociality.

'An invitation to dinner is generally given in such words as these : "I will be pleased to see you at two o'clock." Frequently no change whatever is made in the dinner supposing you to accept. Your friend knows that there is always abundance of good food upon his table. That degree of attention is shown to you which a stranger meets with everywhere, in seeing that his plate be filled in the first instance with what he likes, but no pressing or entreaty are used to make him eat or drink more than he likes. If wine is produced, it is left to him to partake of it or not as he chooses. There is hardly any talk about the dinner, or the quality of the wine, which you are not provoked to drink, by being told how many years it has been in your friend's cellar, or to what vintage it belongs.'—Vol. i. p. 473.

Mr. Stuart, at the same time that he allows that this apparent indifference means anything but inhospitality, states his preference for the 'warmth of manner with which (whether apparent or real,) a British landlord exerts himself to induce his guests to partake liberally of the good things, both eatable and drinkable, which he has prepared for them, by agreeable conversation, and by descanting on the feeding of his beef, or the age of his mutton, or the excellence of his wine.' It is

singular to find that the manners of the unpolished Yankees and those of our mirrors of dinner-givers very exactly coincide. Whatever may be the warmth of the landlord beyond the Tweed, however earnest he may be upon the age of his mutton or the vintage of his wine, the decrees of fashion have long since banished such vulgar activity from tables served as tables should be. Mr. Stuart will probably find that the 'merely passive and indifferent looking manner' of the American host, is now the very height of *ton*; and as *ton* travels slowly but surely into the country, it will soon be found that the hearty descanter on his viands will disappear as completely from the provinces as he has done already from the places known in the topography of the Morning Post. The board is spread, the viands smoke, the instruments of consumption are placed at hand, and obsequious attendants wait the nod;—why then should the host commence a series of well-meant but most impertinent solicitations and recommendations? Such manners can only have arisen when food was scarce, when provisions of different qualities were produced at the same table, when in short some were placed below the salt and some in the seat of honour, when the repast was not merely a meal but a ceremony. Now, at a finished table in this the most luxurious of capitals, the code runs that everything shall be of the best that money, which commands everything, can procure,—that nothing shall appear to have cost anything, as if the host was above calculation,—and that inequality, fear, or favour is unknown. It is curious to see how different causes in America produce the same effects. The best things are so plentiful that it is taken for granted there can be no defect in quality in any article supplied to the table. The same reason would make the idea of any dish being begrudged, perfectly ridiculous; for though no man pretends to despise money in America, a miser would scarcely think of hoarding the necessities of life, in a country little less rich in eatables than the land of Cockaigne. Thus in both cases the guest is left to his choice, and the host to his own dinner.

Mr. Stuart on his return to New York, instead of being summoned to England as he had expected, found he had leisure previous to his main expedition to the South and West, to spend the remainder of the year in a tour on each side of the Hudson. He picked up, as usual, some useful information, and scatters over his diary numerous observations on the manners of the people. The materials for satire or ill-nature may be detected in abundance; Mr. Stuart however turns them all to pleasantness. They will afford to others good texts for phi-

losophy, more especially the incident of the astronomical lecture at New Rochelle, where all the people far and near came in their waggons, dearborns, and sulkies to hear the history of the solar system. The maid-servant of the inn was present, and indeed everybody in the village. Hannah, Mr. Stuart's servant, made him wait tea on account of Mr. Dennys's lecture. But, says Mr. Stuart, 'a strange incident' took place;—it may be justly called one of the most revolting and disgraceful occurrences that could happen in a civilized country.

'A man of colour, perfectly well appalled, entered the room, and was coming forward with a view to hear the lecture, which had commenced. Mr. Dennys addressing him, told him to go out, saying "we want no people of colour here; they are very well in their own way, but we don't mean to make them astronomers." The poor fellow was obliged to comply. After the lecture I ventured to remonstrate with Mr. Dennys on the gross impropriety of his conduct; but his answer was quite satisfactory as far as he was concerned,—the fact being, as he stated, that he had no alternative. The people connected with the schools, and his audience generally, would have left the room if he had allowed a man of colour to remain.'—Vol. ii. p. 17.

*This comes of low connexions.* There are families where it is counted uncivil to name a rope; and on the same principle, no American can stand what calls to mind his relationship, to the only disgraceful occupation upon earth, a slave-master. The proudest noble of Europe, the descendant of the elected monarch of a free people, can sit at the same board with any variety of humanity the universe can furnish,—and the spawn of a negro-driver shall be thrown into fits by the mere *mala conscientia* of the filthiness of his origin. This is genuine galley-slave; it is a branding in the inward self. A man might be over head in tobacco spit, and be a gentleman; but this thin-skinned consciousness is the mark God set on the blackguard that smote his brother.

On the 29th January, 1830, Mr. Stuart set out on his long projected expedition to Charlestown, New Orleans, the Mississippi and the Ohio. In commencing this journey he proceeded over part of the ground he had already trod at a different season of the year, but this time at Washington had the advantage of finding the Congress in session. Mr. Stuart attended the debates of the House of Representatives with assiduity, and has made some interesting remarks on the mode of conducting business, and the more remarkable speakers. He had also an interview with the President. Access to the chief Magistrate of the Republic is not difficult for those who have any claim to that distinction.

‘ We found no guards at the door of the palace. A porter opened the door, when we ascended the steps, and a single servant ushered us into a plainly, but comfortably furnished, large parlour, at the fireside of which the president, and General Macomb, the commander-in-chief of the army of the United States, and General Atkinson, were seated. The president rose as soon as he observed our entrance, and advanced toward us. Mr. Smith introduced me as a stranger travelling through the country, and at present on my way to the southern parts of it. The president took my hand, expressing himself with frankness as glad to see me; and, turning to Generals Macomb and Atkinson, introduced me severally to those gentlemen. Some private correspondence then took place between the president and the generals, after which they departed.’

‘ The president again said he was happy he had the pleasure of seeing me, and entered familiarly into conversation with me, in the course of which I took occasion to express to him the great gratification it afforded me to have an opportunity of witnessing, in the course of my travels through the United States, the happiness and prosperity of the people, certainly the best educated, fed, and clothed in the world. The president answered, that he was much pleased to hear this. He had not been in Europe, which he regretted, but his conviction from all that he had learned was the same.’

‘ Mr. Smith then remarked, that he had not been previously prepared to find that the education of the Scotch was not as general as in any part of the United States; and the president, who concurred in this observation, added, that he had supposed education to be quite as universal in Scotland, which was now the country the most remarkable for men eminent in literature, and for literary works.’

‘ I explained, that, although in the higher ranks, and with persons destined for the learned professions, our course of education was even more laborious, and of course occupied much more time, than in the United States, the education of the mass of the people was limited to reading, writing, and accounts, and that even those branches were taught gratuitously as a favour, only on proper application being made and granted; whereas in the northern and populous states of the union, the education of the rising generation not only embraced those branches, but the living languages, geography, history, mathematics, natural philosophy,—everything, in short, which should be taught till the age of seventeen, fitting a young person then to enter advantageously on the active business of life, and was placed, without distinction, in the power of all gratuitously.’

‘ After some further conversation with the president, especially respecting my journey to the south, in which he recommended me not to leave the American continent without being in the State of Tennessee, and at Nashville, we took our leave. I need hardly say, that my reception seemed to me to be exactly what it ought to be from the chief magistrate of such a republic, easy, unaffected, and unreserved, and at the same time not wanting in dignity.’—Vol. ii. p. 77.

Washington, the capital of the republic of the west, is situated in Maryland, a slave-holding state. In every state to

the south of this, between the Atlantic and the Alleghany mountains, slavery is also the law. In Maryland, says Mr. Stuart, it appears in its mildest form ; as he proceeds in his journey, it will be seen how far a people jealous of their own equal rights, can and will degrade and maltreat their fellow-men.

At Halifax in South Carolina, while the horses were changed, Mr. Stuart sat down in the portico of the inn, for the day was very hot ;—

‘ I was accosted by a gentleman, who requested me to let him know what was the number of slaves for sale at the court-house to-day. I explained his mistake to him, and I then asked him some questions with respect to the slave market here. He said the price generally given for a young man was 375 dollars, though for the best hands 400 dollars are sometimes given ; that 250 dollars was the price for a fine young woman, until after she had her first child, after which she became more valuable, as she was then more to be depended on for increasing the stock. He never, he said, separated husband and wife, but some people did separate them, as well as children, and then they had a crying scene, that was all.’—Vol. ii. p. 113.

Almost every resting-place furnishes an anecdote of the atrocity of slavery, told too by one evidently not disposed to go out of his way to make a case, though he must have all credit for his deep hatred of the institutions under which such horrors are permitted.

‘ In the course of this and the following day, we crossed no less than seven ferries, over considerable rivers, called the Great Pedee, Lynch’s Creek, Black River, and the Santee, before we got to Cooper’s River, adjoining to Charleston. I made a stop on my way at a pretty large plantation, where guests were admitted ; and though there was a considerable number of people in the house, I succeeded in getting a comfortable bed and a room to myself. As soon as tea and supper were over, I went to my bed-room, and told the slave to whom I gave my shoes to be cleaned, that I was so much fatigued that I did not intend to appear next day until eleven o’clock, and I adhered to my intention, although the landlady sent me a message that eight was the breakfast hour. I, however, found an excellent breakfast prepared for me when I did appear, and was not a little surprised, when I sat down to partake of it, to find one female slave fanning me from the opposite side of the table, with a fan of peacock feathers, while another brought me what I required at breakfast. My stopping-place was on a rice plantation, so unfavourably situated during the unhealthy season of the year, that the planter and his family always leave it. The slaves were numerous, and were, I had reason to believe from what I afterwards heard, as well treated as they generally are in this country ; but it did not seem to me that their want of education, and the want of ordinary comforts, place them in

a situation much removed from the brutes. They had little clothing, all of one drab colour ; and not one of them had bed-clothes. I had full leisure to talk with them, but of course I was bound to do so with prudence. Every one of them, however, with whom I had an opportunity of conversing, declared themselves unhappy and miserable in their situation. A certain task is allotted to each of them, and if this is not done, they are subjected to one of three punishments, whipping, wearing irons, or putting in the stocks. They detest nothing so much as to be punished by a black overseer—by one of their own race ; they view the degradation to be comparatively trifling when the punishment is inflicted by the master himself. I was told here, on authority which seemed to be quite unquestionable, that of a wealthy planter who lived in this neighbourhood, that a planter, whose estate is at no great distance from the high road which I was travelling, was in the habit of punishing his slaves, when he thought that they required severe discipline, by putting them in coffins, which were partly nailed down, and that this punishment had again and again resulted in the death of the slaves. The gentleman who communicated this information to me spoke of it with horror ; but upon my asking him why such conduct was not punished since it was known in the neighbourhood, by virtue of the law which declared the killing of a slave to be murder, he replied, that his neighbour took very good care of himself. The punishment was inflicted only in the presence of slaves, whose evidence was inadmissible. He added, however, that the coffins had been seen, and that the slaves, who it was said had lost their lives, had disappeared, and that no doubt was entertained that their deaths had been occasioned by their being shut up in coffins. The same person who has recourse to this savage punishment works his slaves on Sundays, though contrary to law, taking care that no white man sees them ; but the usual practice in the West Indies is not only to allow Sunday to the slaves, but also part of another week day. The slaves here, as in other countries, speak a broken language peculiar to themselves,—the consequence of their total want of education,—but still many of them go to church, and are admitted to church privileges. The church is ten miles distant from the plantation where I stopped. Still many of the slaves go to it ; but I have seen enough, even already, to be satisfied that, generally speaking, they are brought up in such ignorance, as well as in a way so repugnant to moral feeling in the earlier part of their life, that it is surprising to see so many marks of civilization among them. Marriage among the slaves is generally allowed ; but where a young man has a fine family, the planter very often, with a view to the increase of his stock, forces him to have many wives ; and in the same way married females are often obliged to receive more husbands than one, as the planter may order. In fact, the slaves are as much obliged to obey the commands of their masters, in respect to sexual intercourse, as anything else, the effects of which upon their morals may be easily conceived. Such a system is no doubt discouraged by many of the masters whose dispositions are humane ; but that this evil does exist to a great extent is unquestionably true.—Vol. ii. p. 117.

Do men from that country ever come among Englishmen? Is there any danger of ever sitting by one in a coffee-house?

The road from George Town to Charles Town was enlivened by the following conversation between a doctor and a planter.

'The planter and the doctor seemed to be on intimate terms, which rendered their conversation tolerably unreserved. The doctor asked the planter, what could have induced him to stay at such and such a plantation during the unhealthy season. I shall never forget the *sang froid* with which the question was answered by his friend. He said, he found that half a dozen of the girls could not longer be trusted without a husband, for one of them had been already seized by the blacksmith at his gate; and that he thought it was not only for his interest, but that of the plantation generally, that he [*the planter*] should be the first husband [*meaning, that he should be the father of the first children of them all, with the consequence of giving mulatto slaves to the estate instead of black*]. This answer, of course, gave rise to a great deal of merriment among the friends; and the doctor, who gave us accounts of his management of his own slaves of a similar kind, of course admitted the validity of the reason. In the course of the conversation which followed, it turned out, that this planter was frequently waited upon at table by his own children, and had actually sent some of them to the public market to be sold as slaves.'—Vol. ii. p. 127.

Mr. Stuart has made the above unintelligible to half his readers, by a sort of false delicacy. It is hoped the commentary inserted will supply the defect.

The cold-blooded worms and no-men!—and one part of the excuse they put forward for their baseness, is, that there is a constitutional difference between the races which makes it impossible to get over a *natural aversion*. Even Mr. Stuart appears to have in some degree fallen under the effects of this fraud, though his evidence, being sifted, cuts curiously the other way. Speaking of Liberia, he says,

'One reason exists in the United States for the establishment of such a colony as this of a very peculiar kind. The white people, in the greater part of the country, have invincible prejudices to the intermarriage of persons of different colours, and to any intermixture between them. Nothing is more repugnant to the feelings of an American, than the mere idea that any female relation should be connected with a man of colour. The mere emancipation of the slaves, therefore, would still leave them a totally separate, and, of course, an unhappy set of beings.'—Vol. ii. p. 94.

The immediate inference from this is, that the American young ladies or certain of them, have no intrinsic objection to a dark Othello, though it is not wonderful that their male relations should be repugnant, so long as men of that complexion

cannot walk the streets without a pass from some white Iago in their pocket. Suppose by way of parallel, it had been stated, that 'nothing was more repugnant to the feelings of an English aristocrat, than the mere idea that any female relation should be connected with a footman.' Would it establish the fact that there was an aversion 'of a very peculiar kind' to the genus footman; or would it establish on the contrary, that the objection was to the *status* and not to the animal, and that as far as the mere flesh and blood was concerned, it had been found to be rather a temptation? And as concerns the aversions of American *young gentlemen*,—every fifth man in their streets is a walking commentary.

When an Englishman gives into such an error, there is no wonder an American should; for it is an established fact, that any given falsehood may be dinned into men's ears, till even sensible people, especially if born under it, believe it. President Nott of Union College in the State of New York, evidently a man sincere and on the right side, theorizes as follows; and there are most meritorious men in broad brims, traversing this country at the present moment, and holding forth in like set terms, on the invincible aversion of their countrymen to that peculiar modification of female beauty which the colloquial language of mixed countries denominates black velvet.

"To sustain such an abuse, (says Mr. Nott,) is impossible. There needs no domestic insurrection, no foreign interference, to subvert an institution so repugnant to our feelings, so repugnant to all our other institutions. Public opinion has already pronounced on it; and the moral energy of the nation will sooner or later effect its overthrow. But the solemn question here arises, in what condition will this momentous change take place? The freed men of other countries have long since disappeared, having been amalgamated in the general mass. Here there can be no amalgamation. Our manumitted bondsmen have remained already to the third and fourth, as they will to the thousandth, generation,—a distinct, a degraded, and a wretched race. When, therefore, the fetters, whether gradually or suddenly, shall be stricken off,—and stricken off they will be,—from those accumulating millions yet to be born in bondage, it is evident, that this land, unless some outlet be provided, will be flooded with a population as useless as it will be wretched;—a population which, with every increase, will detract from our strength, and only add to our numbers, our pauperism, and our crimes. Whether bond or free, this will be for ever a calamity. Why then, in the name of God, should we hesitate to encourage their departure? It is as wise as merciful, to send back to Africa, as citizens, those sons of hers whom, as slaves and in chains, we have to our injury borne from thence."

"The existence of this race among us,—a race that can neither share



our blessings nor incorporate in our society,—is already felt to be a curse; and though the only curse entailed upon us, if left to take its course, it will become the greatest that *could* befall the nation.”—Vol. ii. p. 95.

The most illiterate American would not have made such a mistake in treacle. But they must not mystify the old country. It may do for the single ladies; but all Englishmen who know what a mixed population is, will laugh in their faces. It shall be demonstrated on opportunity, that Providence has not made a race of human salamanders for nothing; and that all settlers in hot countries, are doomed by the agency of irresistible causes, to blacken according to God's ordinance in their posterity, and be thankful for the dispensation that enables them to mend the breed by crossing.

Charleston is one of the great capitals of bondage; half the population is the property of the other.

‘When I returned to the hotel in the evening, I found the streets totally deserted. I hardly met a person of whom I could ask my way home. This is owing to a regulation, which requires that none of the coloured people,—that is about one-half of the population,—shall be out of their houses or residences after nine o'clock in the evening [*Par Dieu*, they are treated like Irishmen]. On opening the hotel door, the male servants of the house were, I found, already laid down for the night in the passages with their clothes on. They neither get beds nor bedding here, and you may kick them or tread upon them as you come in with impunity.’—Vol. ii. p. 132.

At his hotel here, on first looking out of his window in the morning, the traveller detects the virago of a landlady, Mrs. Street, in giving a young man (a slave) such a blow behind the ear, as made him reel. Mr. Stuart afterwards found that it was her daily and hourly practice to beat her servants male and female, either with her fist, or with a thong made of cow hide.

In the following extract, Mr. Stuart refers to the calculations of his friend Dr. Tidyman, on the comparative cost of free and slave labour. Were the calculation correct, it has no force; unless it be allowed that there is no harm in human degradation, provided it is done at a saving of money. The last part of the paragraph will effectually ‘nullify,’ to use a word fashionable at Charleston, any effect such calculation might produce, supposing it correct, which it is not. Four hundred dollars may be the outlay on a slave, but he may die the day after he is transferred into his new hands; sickness may greatly impair his efficiency, and as men are never known to work vigorously under the motive of the lash, there can be no comparison between the results of a free and a slave operative. Their ailments would, if introduced into the calculation, make a

serious difference in the result. The fact is, if the profits on slave labour were such as are represented by Dr. Tidyman, the price of a slave would instantly be quadrupled.

‘Dr. Tidyman, in a late publication, relating chiefly to the establishment of the recent tariff, states the expense of providing clothing, food, &c. for a slave, on a well-managed plantation, to be about thirty-five dollars per annum. He also states the amount of the wages of a labourer, a white man, in the United States, to be three times as great as in Europe. Now, supposing the price of a slave to be 400 dollars, and 40 dollars a year’s interest at ten per cent on his price, the prodigious saving of employing slaves is obvious. The wages of a white man cannot be reckoned at less than 500 or 600 dollars. Dr. Tidyman mentions that, with kind masters, the condition of slaves is rendered as happy as a state of slavery can admit of. This is unquestionably true. Indeed I myself have seen instances of quite as strong, if not stronger attachment, on the part of a slave, than I ever saw on the part of a white man to his master,—but the master may, at pleasure, be guilty of abuse of power to his slave; and it is quite notorious in the southern parts of America, that even the greatest slave proprietors, whose interest ought to lead them to treat their slaves well, treat them the worst. I could easily refer to many instances. One, however, is so well known, that there is no impropriety in mentioning it, viz. that of General Hampton, one of the greatest, if not the very greatest, slave proprietor in the United States, a South Carolinian, with, however, the chief part of his property situated in Louisiana. He not only maltreats his slaves, but stints them in food, overworks them, and keeps them almost naked. I have seen more than one of his overseers whose representations gave a dreadful account of the state of slavery on his plantations, and who left his service because they would no longer assist in the cruel punishments inflicted upon his slaves; but I do not mention such a fact as this merely on such authority. General Hampton’s conduct towards his slaves is matter of notoriety.’—Vol. ii. p. 137.

Were a particular order of men ever heard to calculate—‘the prodigious saving’ of taking what they may want upon the highway?

Mr. Stuart had more personal experience of the treatment of slaves in Charleston; and these, be it observed, are domestic slaves—‘the mildest form of slavery.’ The free people of colour do not get much by their liberation as long as they remain in the United States.

‘My driver was a free man of colour. He gave a frightful account of the treatment to which he and all the people of colour, whether free or slaves, are subject in this state. He had been accustomed formerly to go every season to the State of New York during the period when, owing to the inhabitants leaving the city, business was almost at a stand; but, by an act passed a few years ago, it is declared that a free person of colour leaving the state, though merely crossing the boundary, shall

never be allowed to return ; and as this person driving me has a wife and family, he feels himself really and truly a prisoner in the State of South Carolina. The same law declares, that it shall not be lawful for free persons of colour to come from another state into this. If they should be brought in a vessel, they are immediately confined in gaol, till the vessel is ready again to proceed to sea,—the captain paying the expenses of their detention. It is now contrary to law that even free persons of colour should be educated ;—they are incompetent witnesses in any case where the rights of white persons are concerned ; and their trials are conducted by a justice of the peace and freeholders, without the benefit of a jury. So far as respects the slaves, they are even still in a worse situation ; for, though their evidence is in no case admissible against the whites, the affirmation of free persons of colour, or their fellow-slaves, is received against them. I was placed in a situation at Charleston which gave me too frequent opportunities to witness the effects of slavery in its most aggravated state. Mrs. Street treated all the servants in the house in the most barbarous manner ; and this, although she knew that Stewart, the hotel-keeper here, had lately nearly lost his life by maltreating a slave. He beat his cook, who was a stout fellow, until he could no longer support it. He rose upon his master, and in his turn gave him such a beating that it had nearly cost him his life ; the cook immediately left the house, ran off, and was never afterwards heard of,—it was supposed that he had drowned himself. Not a day, however, passed without my hearing of Mrs. Street whipping and ill using her unfortunate slaves. On one occasion, when one of the female slaves had disobliged her, she beat her until her own strength was exhausted, and then insisted on the bar-keeper, Mr. Ferguson, proceeding to inflict the remainder of the punishment.—Mrs. Street in the meantime took her place in the bar-room. She instructed him to lay on the whip severely in an adjoining room. His nature was repugnant to the execution of the duty which was imposed on him. He gave a wink to the girl, who understood it and bellowed lustily, while he made the whip crack on the walls of the room. Mrs. Street expressed herself to be quite satisfied with the way in which Ferguson had executed her instructions ; but, unfortunately for him, his lenity to the girl became known in the house, and the subject of merriment, and was one of the reasons for his dismissal before I left the house ;—but I did not know of the most atrocious of all the proceedings of this cruel woman until the very day that I quitted the house. I had put up my clothes in my portmanteau, when I was about to set out, but finding it was rather too full, I had difficulty in getting it closed to allow me to lock it ; I therefore told one of the boys to send me one of the stoutest of the men to assist me. A great robust fellow soon afterwards appeared, whom I found to be the cook, with tears in his eyes ;—I asked him what was the matter ? He told me that, just at the time when the boy called for him, he had got so sharp a blow on the cheek bone, from this devil in petticoats, as had unmanned him for the moment. Upon my expressing commiseration for him, he said he viewed this as nothing, but that he was leading a life of terrible suffering ;—that about two years had

elapsed since he and his wife, with his two children, had been exposed in the public market at Charleston for sale,—that he had been purchased by Mr. Street,—that his wife and children had been purchased by a different person ; and that, though he was living in the same town with them, he never was allowed to see them ;—he would be beaten within an ace of his life if he ventured to go to the corner of the street.’—Vol. ii. p. 141.

The Duke of Saxe Weimar describes the instrument of torture he found in the Charleston gaol in December 1825.—‘ The machine consists of a sort of crane, on which a cord with two nooses runs over pulleys ; the nooses are made fast to the hands of the slave and drawn up, while the feet are bound tight to a plank ; that the body is stretched out as much as possible,—and thus the miserable creature receives the exact number of lashes as counted off.’ To this torture any slave may be sent by his master, and here he is whipped and beaten as that master desires.

‘ The following extract of a letter from a gentleman at Charleston, to a friend of his at New York, published in the New York newspapers while I was there, contains even a more shocking account of the public sales of slaves here.—“ Curiosity sometimes leads me to the auction sales of the negroes. A few days since I attended one which exhibited the beauties of slavery in all their sickening deformity. The bodies of these wretched beings were placed upright on a table,—their physical proportions examined,—their defects and beauties noted.—‘ A prime lot, here they go !’ There I saw the father looking sullen contempt upon the crowd, and expressing an indignation in his countenance that he dare not speak ;—and the mother, pressing her infants closer to her bosom with an involuntary grasp, and exclaiming, in wild and simple earnestness, while the tears chased down her cheeks in quick succession, ‘ I can’t leff my children ! I won’t leff my children !’ But on the hammer went, reckless alike whether it united or sundered for ever. On another stand, I saw a man apparently as white as myself exposed for sale. I turned away from the humiliating spectacle.”

“ At another time I saw the concluding scene of this infernal drama. It was on the wharf. A slave ship for New Orleans was lying in the stream, and the poor negroes, handcuffed and pinioned, were hurried off in boats, eight at a time. Here I witnessed the last farewell,—the heart-rending separation of every earthly tie. The mute and agonizing embrace of the husband and wife, and the convulsive grasp of the mother and the child, were alike torn asunder—for ever ! It was a living death,—they never see or hear of each other more. Tears flowed fast, and mine with the rest.”

‘ Charleston has long been celebrated for the severity of its laws against the blacks, and the mildness of its punishment towards the whites for maltreating them. Until the late law, there were about seventy-one crimes, for which slaves were capitally punished, and for which the highest punishment for whites was imprisonment in the penitentiary.’

'A dreadful case of murder occurred at Charleston in 1806. A planter, called John Slater, made an unoffending, unresisting slave, be bound hand and foot, and compelled his companion to chop off his head with an axe, and to cast his body, convulsing with the agonies of death, into the water. Judge Wild, who tried him, on awarding a sentence of imprisonment against this wretch, expressed his regret that the punishment provided for the offence was insufficient to make the law respected,—that the delinquent too well knew,—that the arm which he had stretched out for the destruction of his slave, was that to which he alone could look for protection, disarmed as he was of the rights of self-defence. But the most horrible butchery of slaves which has ever taken place in America, was the execution of thirty-five of them on the lines near Charleston, in the month of July 1822, on account of an alleged conspiracy against their masters. The whole proceedings are monstrous. Sixty-seven persons were convicted before a court, consisting of a justice of the peace, and freeholders, without a jury. The evidence of slaves not upon oath was admitted against them, and, after all, the proof was extremely scanty. Perrault, a slave, who had himself been brought from Africa, was the chief witness. He had been torn from his father, who was very wealthy, and a considerable trader in tobacco and salt on the coast of Africa. He was taken prisoner, and was sold, and his purchaser would not give him up, although three slaves were offered in his stead. The judge's address, on pronouncing sentence of death on this occasion, on persons sold to slavery and servitude, and who, if they were guilty, were only endeavouring to get rid of it in the only way in their power, seems monstrous. He told them that the servant who was false to his master would be false to his God,—that the precept of St. Paul was to obey their masters in all things, and of St. Peter, to be subject to their masters with all fear,—and that, had they listened to such doctrines, they would not now have been arrested by an ignominious death.'

'The proceedings of this trial made some noise at the time. An official account of it was published, in which the execution of so great a number of persons was justified by the precedent of George the Second, who executed fifty-four of the first men in Britain for the rebellion of 1745.'

'The existence of slavery in its most hideous form, in a country of absolute freedom in most respects, is one of those extraordinary anomalies for which it is impossible to account. No man was more sensible of this than Jefferson, nor more anxious that so foul a stain on the otherwise free constitutions of the United States should be wiped away. His sentiments on this subject, and on the peculiar situation of his countrymen in maintaining slavery, are thus given in a communication to one of his friends:—"What an incomprehensible machine is man! who can endure toil, famine, stripes, imprisonment, and death itself, in vindication of his own liberty, and the next moment be deaf to all those motives whose power supported him through his trial, and inflict on his fellow men a bondage, one hour of which is fraught with more misery than ages of that which he rose in rebellion to oppose. But we must await with patience the workings of an overruling Providence, and hope that

that is preparing the deliverance of these our suffering brethren. When the measure of their tears shall be full,—when their groans shall have involved Heaven itself in darkness,—doubtless a God of justice will awaken to their distress, and, by diffusing light and liberality among their oppressors, or at length, by his exterminating thunder, manifest his attention to the things of this world, and that they are not left to the guidance of a blind fatality.’—Vol. ii. p. 144.

Mr. Stuart now enters Georgia, where whatever may be the other social and natural advantages of the country, there is no mitigation of law—no softening of the heart—no amelioration, moral or political, for the poor slave. The law thus denounces him and all his fosterers and well-wishers.

‘The laws on the subject of slavery in the state of Georgia are as tyrannical as in any of the states.’

‘In case any slave, or free person of colour, teach any other slave, or free person of colour, to read or to write either written or printed characters, the free person of colour, or slave, is punished by fine or whipping; and a white person so offending is punished with a fine, not exceeding 500 dollars, and imprisonment in the common gaol.’

‘Any slave, or free person of colour, or any other person, circulating papers, or bringing into this state, or aiding in any manner in bringing into the state papers for the purposes of exciting to insurrection, conspiracy, or resistance among the slaves, or free persons of colour, against their owners, or the citizens, is to be punished with death.’

‘All ships coming into any port of this state having on board any free negroes, or free persons of colour, whether passengers, or in any other capacity, are subject to quarantine for forty days. This regulation is obviously intended as a prohibition of free persons of colour from entering the state by sea.’

‘Cutting off the ears and the pillory are punishments for slaves sanctioned by the legislature of Georgia; but the universal punishment is whipping. The infliction of this punishment, to the extent of twenty lashes, on the bare back, is deemed in a great variety of cases of insufficient moment to claim the investigation even of a single magistrate. Any white person, a drunken patrole, an absconding felon, or a vagabond mendicant, are supposed to possess discretion enough to interpret the laws, and to wield the cow-skin or cart-whip for their infraction; and should death ensue by accident, while this slave is thus receiving moderate correction, the constitution of Georgia kindly denominates the offence justifiable homicide.’—Vol. ii. 163, 164.

At New Orleans again, the frightful evil of slavery presents itself in more than its ordinary monstrosity. The following is Mr. Stuart’s abstract from the diabolical code of this slave state.

‘The laws respecting the slaves are as cruelly strict and tyrannical here as at Charleston, or in Georgia. The state legislature have now, on the 6th and 17th days of March, passed two acts not many days

before I reached New Orleans, containing most objectionable provisions.'

'The first act provides, *1st*, That whosoever shall write, print, publish, or distribute any thing *having a tendency* to create discontent among the free coloured population of this state, or insubordination among the slaves therein, shall, at the discretion of the court, suffer death, or imprisonment at hard labour for life.'

'*2nd*, That whosoever shall use language in any public discourse, from the bar, the bench, the stage, the pulpit, or in any place, or in private discourse or conversation, or shall make use of signs or actions *having a tendency to produce discontent* among the free coloured population in this state, or to excite insubordination among the slaves therein, or whosoever shall knowingly be instrumental in bringing into this state any paper, pamphlet, or book, having such tendency, as aforesaid, shall, at the discretion of the court, suffer at hard labour not less than three years, nor more than twenty years, or death.'

'*3rd*, That all persons who shall teach, or permit, or cause to be taught, any slave in this state to read or write, shall be imprisoned not less than one, nor more than twelve, months.'

'The second act provides, *1st*, For the expulsion from the state of all free people of colour, who came into it subsequently to the year 1807 ; and then confirms a former law, prohibiting all free persons of colour whatever from entering the State of Louisiana.'

'*2nd*, It sentences to imprisonment, or hard labour for life, all free persons of colour, who, having come into the state, disobey an order for their departure.'

'*3rd*, It enacts, that if any white person shall be convicted of being the author, printer, or publisher of any written or printed paper within the state, or shall use any language with the intent to disturb the peace, or security of the same, in relation to the slaves or the people of this state, *or to diminish that respect which is commanded to free people of colour for the whites*, such person shall be fined in a sum not less than 300 dollars, nor exceeding 1000 dollars, and imprisoned for a term not less than six months, nor exceeding three years ; and that, if any free person of colour shall be convicted of such offence, he shall be sentenced to pay a fine not exceeding 1000 dollars, and imprisoned at hard labour for a time not less than three years and not exceeding five years, and afterwards banished for life.'

'And *4th*, It enacts, that in all cases it shall be the duty of the attorney-general and the several district attorneys, *under the penalty of removal from office*, to prosecute the said free persons of colour for violations of the act, or, *whenever they shall be required to prosecute the said free persons of colour by any citizen of this state*.'

'These acts are signed by Mr. Roman, speaker of the House of Representatives ; by Mr. Smith, president of the Senate ; and by Mr. Dupre, governor of the State of Louisiana, all in March 1832.'

'Nothing can be more clear than that neither the liberty of the press, nor the liberty of speech, exist in a state or country where such laws are to be found on the statute-book. The following occurrence proves, pretty convincingly, the truth of this observation. It took place on one

of the last days in March, while I was at New Orleans:—A slave was hung there for some trifling offence, but none of the newspapers took the slightest notice of the execution; the editors being naturally afraid that their doing so might be construed into an offence against the laws passed only a few days previously. I only accidentally heard of the execution some days after it happened, and was told there were not thirty persons present at it.'

'What makes the severity of those laws even more galling is, that their retrospective effect forces into banishment many citizens of New Orleans,—free, men of colour,—who were among the most conspicuous defenders of the state during the invasion of the British in 1814.'

'The enactment against writings was intended to be enforced against the only liberal paper at New Orleans, "*Le Libéral*," which occasionally inserted articles favourable to the black population.'

'The publication of newspapers is not a thriving speculation in the despotic states of the union. I view South Carolina, Georgia, and Louisiana decidedly in that light, because in those states the liberty of the press is denied altogether to the coloured, and, in a very considerable degree, to the white population. Compare the increase of newspapers in some of the free states with their present condition in the three slaveholding states to which I have alluded, and the result will go far to establish my proposition. Sixty-six newspapers were published in the State of New York in the year 1810: 221 are now published. Seventy-one newspapers were published in Pennsylvania in 1810: 185 are now published. Fourteen newspapers were published in Ohio in 1810: sixty-six are now published. But in South Carolina ten newspapers were published in 1810, and only sixteen now. Thirteen newspapers were published in Georgia in 1810, and only the same number now. Ten newspapers were published in Louisiana in 1810, and now *only nine* are published. Louisiana is the only state in which the number has decreased during the last twenty years, and yet during that period the population has increased from 20,845 to 215,272, that is to say, the population is *nine* times as great as it was in 1810, and the effect of the arbitrary laws has been such, as to render the number less for 215,000 inhabitants than for 20,000,—so much for slavery and a government despotic, so far as concerns a great part,—more than one-half of its population.'—Vol. ii. p. 244.

One question to Europe, or such parts of it as this may ever reach. Is it creditable that a resident from such a country as this, should be received by any government, except on the same kind of terms as a messenger from the King of the Cannibal Islands? Will any man, royalist or republican, legitimate or lazzarone, risk his personal character on affirming, that the region where things of this kind are originated, does or by possibility can come within the pale of national law, or is anything but a horde of robbers bearing the *caput lupinum*, and to be put down whenever Providence in its goodness shall give the power? Take the worst of the bad governments of



our Europe, and see what splendid virtue it is, in comparison of these nests of felons under the abused title of *republics*. There is no flinching upon the matter; the man who robs his fellow of personal freedom, is a felon of the darkest grade;—look the words out in the dictionary, if there is any doubt about their meaning. These are the men who have made us as dirt in the eyes of our enemies, and given the same kind of blow to every liberal in Europe, that the royalists of France received when their heroine of romance turned out with child. Truce with the Cossacks, peace and fraternity with the Algerines; there is neither tyrant nor barbarian but in America. Mrs. Trollope, and the rest of the musquito-fleet, just scratched America. But Mr. Stuart has squashed the character of the Southern States for the next two generations; which is as early as a civilized man would feel comfortable in the presence of New Zealanders at table, and get rid of the horrible idea of their picking their teeth of remnants of humanity.

But the urgent thing, is to do something towards getting rid of the dishonour. And here first, consider the nullity of military strength, which must exist among a people who have an equal or superior number of oppressed men within their borders, burning for justice and revenge. Our West-Indian plunderers have threatened us, with transferring their allegiance. Suppose the thing done; and calculate the smallness of the force, that with a single proclamation would raise a black army in the house of each of the blusterers who are just now insulting their countrymen with that peculiar compost the gazettes of the Slave States call 'eloquence,' and which appears to have been inflicted on them that their speech may bewray them. It may be asked, what would the other States be doing? But why should not they be asked to join? What could be more for the welfare and consolidation of America, after taking the mote of the stupid Tarif out of their wholesome eye, than such a combined point upon the slavers holds, followed by an evacuation the moment all classes of the population were invested with the privileges of humanity. How differently would the name of American stand in the world, after such an operation. And it would be great mercy to those who would most resist. If they are not abated in this way, they will in a worse. The coloured population multiplies like the Israelites; and Europe and America are on their side, and anxious to assist in raising up some black or mulatto Spartacus with better fortunes than his prototype. In South America the dark races are rapidly rising to power and command. It will not be long before black generals hover on their frontiers; and then it may be predicted, that

the cause of humanity will be too strong for the armies of the book-keepers. The plea of property, is like a man's pleading property in Cholera; it can be calculated to a fraction of per-centage, how much substantial loss is inflicted on a State and on the Union, by the rotting ill of slavery. Hear the opinions of Americans on this point. Near Cincinnati, Mr. Stuart says,

'The party in the stage on this occasion was a very agreeable one, several of them Kentuckians, and all reprobating slavery as the great bane of this fine country, and wishing that it may speedily be put an end to.'—Vol. ii. p. 473.

Now fair play for Kentucky. The fact is that in England,—on no better foundation perhaps than some random jest in a stage-play,—the notion is that the Kentuckians are the wild men of America. The dozen words above, are enough to show the difference; and it is of more use to notice it, lest it should be supposed there was any lurking ill-will for the great beating Kentucky helped to give an unfortunate English army some years ago. Let him but assist to get rid of this shame attaching to our common blood; and then let him come over in his hunting-shirt and leather stockings, and see how his cousins in the old country will behave to him.

ART. V.—*Essai sur la Statistique Morale de la France, avec Cartes.*  
Par A. M. Guerry. Paris. 4to. 1832.

UPON the subject of statistical inquiries, there is wanted in England the union of two circumstances, in each of which separately, this country is surpassed by the United States of North America, and by France. If the French neither collect nor publish enough, they arrange skilfully what they collect; and the Americans, who neglect arrangement and do not collect enough, publish most liberally. What, however, all countries want, is that all details necessary towards forming the public judgment, should be arranged with the utmost exactness, and published with the utmost regularity, in every place in which they are to be brought under consideration.

A knowledge of statistics was sought with avidity in France at an early period of the first revolution. Napoleon did not neglect the subject, but he was too well aware of the arguments which it afforded against his system, to permit the free extension of inquiry; and at the restoration of the Bourbons, it was for a time still more rigorously checked. In 1816, a vote of money was required to pay for statistical returns, which a shortsighted royalist opposed for the following strange reasons, 'Our idle

economists,' said he, 'may bid adieu to statistics. Wise men make a laughing-stock of those romances upon the state of the country, which were so often the torment of credulous statesmen. Statistics have had their day; or at any rate are so brought within bounds, as to permit the dismissal of those crowds of public officers, who were more properly artists than clerks, and did nothing but draw plans, or boast of their inventive faculties when they found a fresh column to fill up. The days of illusion are gone, and we shall in future attend to facts instead of fables.'—*Speech in the Chamber of Deputies, reported in the Moniteur, 30th March, 1832.* -

This is the language in all countries, of men who have a royal road to political wisdom. What would have pleased the speaker, would probably have been a return of the peasants that shouted *Vive le Roi*. But at length even the Bourbons discovered, that to collect and arrange facts is useful. From 1825 inclusive, yearly accounts of criminal justice have been made with great care in France and printed. In 1829 an officer was appointed to make full collections and improved arrangements of facts, for the double purpose of stimulating the public functionaries, and of framing tables of the moral statistics of Paris. This establishment was broken up in 1831, and is not yet revived in the same form; but in October last, a fifth class was added to the Institute of France, upon the original plan of 1790, which comprehended statistics.

M. Guerry the officer appointed in 1829 to collect the moral statistics of Paris, was before known as the colleague of M. Balbi, in publishing a statistical map, showing the extent of education, compared with the extent of crime, in France. A letter upon the same subject by the same author, was published in 1831, by M. Quételet of Brussels, in a curious statistical work with maps, entitled 'Researches into the Disposition to commit Crime at different Ages of Life.' M. Guerry has therefore had good training to his task of writing this new work on the Moral Statistics of France.

A peculiarity in recent inquiries of this kind, is the addition of pictorial illustrations. Maps shewing the distribution of crime and education, have been used by the author, by his coadjutor Balbi, by Quételet, Dupin, and others. In the present work that vehicle of information is much improved in execution, and applied to several more subjects than before.

'In order to place the results in a more striking light, several maps have been framed which have peculiar advantages, not found in tables of figures. The shades of colour present comparative views of facts more rapidly to the mind than could be gained from tedious calculations. The

comparative amounts are expressed without the least incorrectness, and the eye instantly receives from the outlines, a lasting impression of the truth. If the authority of a great name be wanted to justify this use of maps, that of Alexander de Humboldt may be adduced. He has often resorted to it with much effect, and has declared his sense of its advantages to science. "Whatever, says Humboldt, relates to extent, or quantity, may be shewn by geometrical drawings. Statistical scales, which address the eye without fatiguing the mind, have the merit of fixing attention at once upon a great number of important points\*." In 1786 an English writer conceived the same thought, which is expressed in the following terms, perfectly corresponding to my purpose. 'The giving form and shape to what otherwise would only have been an abstract idea, has often rendered easy and accurate, a conception that was in itself imperfect and acquired with difficulty. Men of great rank or active business can only pay attention to general outlines; nor is the attention to particulars of use any farther than as they give a general information. And it is hoped, that with the assistance of these charts, such information will be got without the fatigue and trouble of studying the particulars of which it is composed†.'

The materials upon which the inquiry is mainly founded, are six quarto volumes of documents, entitled '*Comptes généraux de l'administration de la justice criminelle*,' and presented every year, since 1825, by the Garde-des-Sceaux to the King of France. The accuracy of these documents has been questioned in England, but probably without reason. They are drawn up from quarterly returns prepared, in all parts of France, by public prosecutors, who are provided for that purpose with uniform printed forms; and when occasional inaccuracies are discovered, they are corrected under the double supervision of local superiors, and of the chief administration of criminal prosecutions in Paris.

Out of the subjects comprised in these high official documents, the author selects the number of commitments (*accusés*), not the number of convictions, for the basis of his calculations. The ground of M. Guerry's selection deserves to be noticed. 'Some errors,' he says, 'must arise as to the real amount of crime in the country, whichever basis is chosen. But the number of accusations is nearer the truth than the number of convictions. Except in political charges, the public prosecutors in general give way to few circumstances which produce any want of uniformity in their prosecutions; whereas the verdicts of juries vary surprisingly, both according to the neighbourhood

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\* *Essai politique sur le royaume de la Nouvelle-Espagne*, t. 1. Introduction. See also his *Mémoire sur les lignes isothermes*.

† Playfair's Commercial and Political Atlas. London. 1786.

where the trials take place, and also according to the subject matter of the trials.'—p. 6.

To an objection, that the distribution of crimes throughout France in maps divided into departments must be incorrect, on account of the probability of the criminals having been strangers and not natives, M. Guerry replies from the *Compte Général* of 1828, in which year the point was first specially inquired into, that it is ascertained that seventy-two in every hundred of the accused are uniformly natives of the departments where accused, and that ninety-seven in every hundred of those accused in all France are natives of France. The foundation therefore for comparison is sure.

As soon as the comparative uniformity of crime in short intervals, as for instance from year to year, shall have been established as indicated in what next follows; the interesting subsequent inquiry will be to find how it varies in longer periods, and to connect this with moral and political causes. All of which must be supposed to have been in the author's mind.

'When facts shall once be fully and clearly established, and divested of all accidental circumstances, criminal statistics will become equally certain with other sciences which depend upon observation. Results will be seen to recur steadily, uninfluenced by chance. Every year will produce the same number of crimes, in the same order of succession, in the same districts. There will be a uniform distribution of offences, according to the differences of age, sex, and seasons; the whole being regularly attended by collateral circumstances, of little apparent force, and difficult to be explained. It will be easy to give proof that facts, hitherto thought to be too subtle for any fixed law, thus steadily recur. Let France be supposed to be divided into five great regions, namely, the north, south, east, west, and centre, each composed of seventeen departments, and containing respectively 8,757,700,—4,826,493,—5,840,996,—7,008,788, and 5,238,905 inhabitants. Then, if the whole of the crimes committed in all France in a year be called one hundred, the proportions for the five regions will stand thus;—

*Crimes against the Person.*

	1825	1826	1827	1828	1829	1830	Average.
North .....	25	24	23	26	25	24	25
South .....	28	26	22	23	25	23	24
East .....	17	21	19	20	19	19	19
West .....	18	16	21	17	17	16	18
Centre .....	12	13	15	14	14	18	14
	100	100	100	100	100	100	100

*Crimes against Property.*

	1825	1826	1827	1828	1829	1830	Average.
North .....	41	42	42	43	44	44	42
South .....	12	11	11	12	12	11	12
East .....	18	16	17	16	14	15	16
West .....	17	19	19	17	17	17	18
Centre .....	12	12	11	12	13	13	12
	100	100	100	100	100	100	100

‘ These tables show how little the average amount of the number of crimes is ever exceeded, robberies and murders recurring with more uniformity than the harvests.’

‘ The like regularity exists as to sex. Out of every hundred criminals, the average number of men is 78, of women 22. The actual number of men in five years ending in 1830 being 79, 79, 78, 77, and 78; and the actual number of females for the same period being 21, 21, 22, 23, and 22.’

‘ So, as to age; out of every hundred accused of theft in 1826, there were 37 in number, between sixteen and twenty-five years of age; in 1827, 35; in 1828, 38; in 1829, 37; and in 1830, 37; the average of 37 being very little exceeded. And out of every hundred also accused of theft in 1826, there were 31 between 25 and 35 years of age; in 1827, 32; in 1828, 30; in 1829, 31; and in 1830, 32; the average of 31 being also never much exceeded.’

‘ So, as to the seasons; out of 100 attacks for the purpose of violation [*attentats à la pudeur*], there were committed in the three summer months of 1827, 36; of 1828, 36; of 1829, 35; and of 1830, 38; [*nearly double the average left for all the other quarters of the year\**]. In 100 cases of wounds, there also happened in the three summer months of 1827, 28; of 1828, 27; of 1829, 27; and of 1830, 27; giving the same steadiness of average.’

‘ Now, if the infinite variety of circumstances which lead to crime be reflected upon, together with the extraneous or personal influences which constitute its greater or less depravity, these unvarying results are what nobody would have dreamed of; and it is matter of astonishment that acts of free will should rigorously assume so uniform a character. On such a view there is no reasonable ground to deny, that moral as well as physical events are subject to invariable laws, and that in many respects judicial statistics afford a sure guide to the judgment. In spite therefore of the frequent misuse of statistics by some reasoners, and of the objections of others whose speculations this science does not bear out, it has naturally attracted general attention, and given a new direction to criminal legislation, and to the inquiries of the moral philosopher.’—p. 11.

\* Subsequently (p. 29) this extraordinary difference is stated more in detail. 36 in summer, 25 in spring, 21 in autumn, 18 in winter.

The substance of the volume is distributed into tables and remarks under the following heads.—1. The crimes committed in France every year, arranged according to their nature and number. 2. The influence of sex on the commission of the various crimes. 3. The influence of age on the same. 4. The influence of the seasons. 5. The motives of capital crimes. 6. The motives of crimes against the person. 7. Account of the map in which the crimes against the person, committed in France in a year, are distributed by departments. 8. Account of a similar map for crimes against property. 9. Account of a map showing the distribution of education in the departments of France. 10, 11, 12. Accounts of three other maps, showing the distribution of natural children, of charitable donations, and suicides, in the same departments. The 13th section describes another map, showing, in waving lines, the different ages at which various crimes are committed; and the text closes with a statement of certain general results. The maps, handsomely executed with copper plates, are annexed.

The great question upon the increase of crime in modern times is thus discussed.

‘It is often asserted,’ says M. Guerry, ‘that the darker offences have become alarmingly more numerous of late than heretofore in France. But no means of comparison exist for any years before 1825. It is therefore only by opinions, and not proofs, that the point must be decided. Probably crimes against the person have not increased in number. Formerly courts of justice were secret, and beyond their walls everything was imperfectly known. Now, the public have access to the courts, and newspapers are every where full of law reports in all stages of prosecutions. Advantageous as this publicity is for other reasons, it gives to society at present an unfair appearance, which has misled many, of crime being more prevalent. Others maintain that morals have improved, and that since the restoration of the Bourbons crimes are lessened. This opinion is founded on the doubtful fact, that the number of criminals condemned to the galleys is diminished; and also on the decrease of expense incurred for keeping prisoners. But the absence of documents render the former ground of argument weak, and as to the latter, it is forgotten, that the saving has arisen from improved management of gaols. Indeed truth can be ascertained only by a rigorous examination of facts. The returns for the years 1825 to 1830, shew a gradual diminution of the worst crimes against the person, from the number of 2,069 committed in 1825, to 1,666 committed in 1830; but the same returns shew a gradual increase of the worst crimes against property, from 5,018 to 5,552. One of the great causes of the increase in France, as in England, is the want of good prisons for reforming young offenders. Gaol discipline was long despised by governments as the reverie of benevolent men in their closets. And when adopted,

it was adopted more upon chance than upon system. Thus it still remains, and the consequence is that every third criminal is one who has been punished before. Incredible as it may appear, gaols said to be well regulated have actually produced more second commitments than the galleys. The existence of these evils has been demonstrated by judicial statistics; and it remains for governments to correct them. The first step is to abandon all prejudices; and to collect all the facts extant respecting the prisons, in order to consider all the improvements needed in them. Probably such inquiries would save enormous expense in making experiments, which must be given up as soon as made.'—p. 16.

M. Guerry's work affords some remarkable inferences on the effect of poverty in reference to crime; and he takes great pains to point out the true use of the common sort of education, and to expose the error into which many have fallen in thinking that merely teaching the people to read, write, and cast accounts, is enough to repress crimes.

He first gives two Tables, which show that in every hundred of young men entered upon the military service of all France, the number of those who can read and write in the eighty-six departments ranges from twelve per cent to seventy-four per cent; and also that on an average of six years from 1825 to 1830, the number of persons accused of great crimes against the person, in all France, ranges for the eighty-six departments, from one in 2,199, to one in 36,014. These tables correspond with two maps coloured in departments, with shades from white to black according to the extent of education, and the amount of great crimes. Upon these the author observes.

'It has been said that ignorance is the main cause of crime, and that to make men better in happiness, education only is wanted. This opinion has been pronounced in the Chambers, repeated at the Royal Prison Society, and is adopted throughout France. Since the results of criminal justice have been published, it has been repeated with so little hesitation and in so many shapes, that it has become one of those common-places which no man thinks of proving. M. Malte Brun first noticed (in 1823) a fact worthy of serious attention, that a distinction exists in regard to the extent of education, between what have been since denominated *dark* France and *enlightened* France. The only ground of M. Malte Brun's observations was, the number of boys at school. Those who have repeated the observations, have confined themselves to this ground. But it was probably an incorrect basis; and since 1827 the Minister of War has caused all the young men liable to serve in the army, to be examined as to their being able to read and write. This examination has been made during three years, and as the young men belong to all classes in society, the number in every hundred who can read and write affords an exact scale of the comparative state of education throughout France. According to this sure test, the educated



or *light* departments, are the thirty to the North East. Those of the Meuse, the Doubs, the Jura, the Haute-Marne, and the Haut-Rhin are the lightest. There nearly three-fourths of the young men can read and write. It is not however in the South that the most ignorance is found ; it is in the West and Centre, in Brittany, in Berry, and in the Limousin, where a twelfth, a thirteenth, and even a fourteenth only can read and write. In Corsica, which was supposed to be greatly behind in education, half can read and write ; which is beyond the proportion of sixty other departments. But more crimes are committed in Corsica, in Alsace, and in the South East, than in any other part ; being the parts of France where there is the least ignorance. On the contrary, the fewest crimes are in the West and Centre, where there is the most ignorance.'

'The geographical distribution of crimes, however caused, is now exactly known ; and its course is uniform every year. That some other cause than the difference of education must be resorted to in order to explain the inequality of the distribution, will be clear upon the inspection of the three following tables.'

### EDUCATION.

Young Men classed for the Army. Number out of every hundred who could read.				Number of every hundred of the criminally accused, who could read.				Boys at School in propor- tion to the whole Popula- tion.	
1827	1828	1829		1828	1829	1830		1829	
East	51 ..	56 ..	58	East	52 ..	52 ..	53	East	1 in 14
North	48 ..	53 ..	55	North	49 ..	47 ..	47	North	1 .. 16
South	32 ..	33 ..	34	South	31 ..	28 ..	30	South	1 .. 43
West	26 ..	27 ..	27	West	29 ..	25 ..	24	West	1 .. 45
Centre	24 ..	25 ..	25	Centre	25 ..	23 ..	23	Centre	1 .. 48

'By two of these tables the eastern region of France is twice as well educated as the centre, and by the third the proportion is three-fold ; so that it is demonstrated that the comparative amount of crime does not depend on education.'

'The argument in favour of popular education hitherto thought irrefragable, deserves consideration. It is this ; both in England and France, half, or even two-thirds of all the prisoners cannot read. But to give force to this argument it should be known whether the rest of the people were better taught ; and this fact is quite unknown. If three-fourths of the prisoners could neither read nor write, but four-fifths of the whole population of the same age and sex were equally illiterate, then the culprits would be proportionably better instructed, and ignorance could not be held to be the cause of their crimes. It has been said very lately that the number of young criminals has gone on decreasing since 1828, when the accused under twenty-one years of age in France were 1,421 in number ; in 1829, they were 1,243, and in 1830, 1,275 ; and in these years the education of the young has greatly

increased. The public returns however shew that in 1826, the number of the same class of criminals was only 1,226 ; and in 1827, it was 1,258 ; so that the numbers have gone on increasing.'

'The same result has been recognized in other countries where education is highly appreciated, but where additional remedies are earnestly desired to lessen the ills which afflict society.'

'It would however be a new error to suppose that instruction is proved by statistical inquiries, to have a tendency to increase crime. Instruction, meaning thereby reading, writing, and casting accounts, is only an instrument of which a good or bad use may be made according as the morality of the people stands high or low from other causes. It is an excellent instrument in regard to the material advancement of popular interests ; and if its uses have sometimes been exaggerated, those uses really understood, and applied to improving men's minds and destroying prejudices, deserve all the care which they have received of late years.'—  
p. 42.

The degree of connexion between education and the frequency of crime, is likely to turn out a more complex affair than was expected. It would have been very grateful to the friends of education, that among other good consequences, all crime should have vanished on the apparition of 'Reading Made Easy.' But as it does not, they must not therefore give up the case, or cease to watch it narrowly. There are several sources of erroneous conclusion, which it seems necessary to guard against. If Corsica, for instance, produces a large amount of crime, and a large proportion of Corsicans can at the same time read and write ; this is no evidence that reading and writing produce crime in Corsica, for it is well known that crime in Corsica arises from perfectly distinct sources. What would really point to that conclusion, would be the evidence that reading and writing had increased in Corsica, and with them crime. Again, if it was established that an extraordinary proportion of thieves, could read and write ; this would not prove that reading and writing were the cause of theft. The real question would plainly be, whether since the introduction of reading and writing, thieving had increased. For example, if since the extension of reading and writing the number of thieves in proportion to the population was reduced one half, but every thief was found to be a perfect clerk ;—would this go to prove that reading and writing had increased thieving, or to prove directly the contrary ? The pictorial representations of M. Guerry afford an excellent opportunity for a *coup d'œil* ; which, there can be no doubt, may be pursued with advantage into the details. The gross or general inference seems to be, that the connexion between the arts of reading and writing and crime, is in a state of chaos ;—that the inferences from one part are contradictory

to the inferences from another, and though it is most probable that the average, if pursued throughout, would fall on one side or other of zero or neutrality, such a result would be of small practical importance, on whichever side it fell. The first striking fact, is that the reading and writing portions of France lie to the north-east of the line drawn from somewhere about St. Malo to Geneva. In the matter of crimes against property, this part of France as a whole is certainly not brilliant; on the contrary, though there is a considerable quantity of thieving in other departments, it must be allowed to be rather dark. In the matter of crimes against the person, on the contrary, it is of the average lightness of the comparatively harmless parts; the south and south-east of France appearing to be the places where criminality of this kind concentrates itself. It certainly does look, as if 'Thou shalt not steal' was the commandment to be impressed with double vigour on all the subjects of public or charitable education. At the same time there are some exceptions. Meuse for instance is the very brightest department in the matter of instruction; and it holds a very respectable rank in the scales both of thieving and murder, being 65 from the climax of guilt (out of 86) in the first, and 62 in the other. A great number of very tolerably instructed departments, seem also to be very tolerably clear of crime in both kinds. The only part where the balance turns decidedly against the instructed people, is in the matter of thieving, in the departments round Paris, and in Alsace and Lorraine. Crimes against the person, as before intimated, concentrate themselves in the south and south-east; and in point of instruction, though not of the very darkest, these portions are of the next shade to it. A dark portion in the matter of instruction in the direction of Ushant, is of average badness in theft, though rather clear of murder. The dark and uninstructed patch in the centre of France, has a leaning to murder, especially on the south and south-east, and to theft on the north-west. But one department of this region (Creuse) is made to exhibit the phenomenon of being as dark as midnight in the matter of instruction, and as white as milk in the matter of crime of both kinds; while it displays a blacker spot than any of its neighbours, in the affair of *enfants naturels*. It must be the terrestrial paradise of the Frères Ignorantins.

The Chart of suicides exhibits some remarkable results. The instructed parts, in the main, are those which produce suicides. The ignorant portion in the centre of France, attack other people's throats, but take especial care of their own. On the subject of suicide, they present a great white patch.

Some other parts of this visual arithmetic present curious results. A greater quantity of crimes against the person are committed in summer; of crimes against property, in winter. Men begin to commit crimes earlier than women; but leave off rather sooner. Of men who shoot themselves, considerably above a quarter are between the ages of 20 and 30; of such as hang themselves, above a quarter are between 50 and 60, and nearly another quarter between 60 and 70. Nevertheless gentlemen above 80, seem to die by pistol. The probability is, they were unable to get upon a stool.

The killings or attempts at killing, that arise out of adultery, present remarkable results. A *mari adultère*, is never killed at all. Out of 1,000 cases, 22 are where the *femme adultère* is killed by her husband, and 11 by her partner in sin. 437 are where the *mari outragé* is the killed; of which 77 are by the wife, 177 by her partner in sin, 166 by the wife and partner together, and 17 by the wife and some strange hand. 282 are where the injured wife is killed; of which 177 are by the peccant husband, 55 by his helpmate in adultery, and 50 by the two together. In 34 the guilty husband's partner in sin is killed; of which 17 are by the offended wife, and an equal number by the relations of the discreditable husband. In 138 the seducer of the wife is killed; of which 110 are by the affronted husband, 11 by the faithless wife and some strange party, and 17 by the relations of the faithless wife. 39 are where the children of adultery are killed; of which 22 are by the adulterous mother, and 17 by the affronted husband. 16 are of legitimate children; of which 5 are by the adulterous mother by herself, and 11 by her and her partner in guilt conjointly. 21 are of other parties; of which 16 are by the wife's partner in adultery, of somebody who was in his way; and 5 by the injured husband, of somebody he conceived to be accessory.

The Section upon the crimes of poisoning, and other murders committed or attempted in consequence of debauchery, seduction, and concubinage, contains the following commentary upon a table in which these crimes are analysed.

‘ More than three-fourths of the numerous murders committed or attempted in consequence of debauchery, seduction, and concubinage, are upon females. The wish to stifle complaint, and to escape the scandal and risk of prosecution, is the most common motive. One sixth portion are committed against females who are either faithless in a culpable connexion, or want to put an end to it; and another equal portion, to get rid of women who are in the way of the marriage of their former acquaintances. One seventeenth portion are committed without intending to do more than procure abortion. In marriage, the infidelity of the wife

does not cause more than one twenty-third portion of the attempts against her life ; in concubinage, infidelity of the female causes one-sixth of the cases that arise. The vengeance taken by offended relations leads to half the attacks on the seducers. About a thirty-third portion of the attacks on the lives of men take place in houses of ill-fame. Add to these consequences of personal profligacy, one-fourteenth of the cases of incendiarism of which the motive is known, a great number of duels, of cases of insanity, particularly among the women who live by prostitution, all the cases of infanticide, and almost all the suicides of young women, and a true picture will be afforded of the evils arising from immorality of this kind. It is but too common in modern times to think lightly of irregular connexions between the sexes. The principles of duty have been weakened in this respect, and it is become of the first importance to bring to their support considerations of interest and utility ; to prove that the consequences of such irregularities will be inevitably the same, whatever may be our opinions of their innocence or guilt. So true it is, that examined deeply, views of true utility and of moral duty will ever be found inseparable and identical.—p. 36.

M. Guerry's remarks upon the influence of different degrees of poverty are curious and cautious. 'In proportion to the numbers of the people, he says, crimes against property are commonly more frequent in populous towns than in the thinly inhabited districts. Hence it has been thought, that a condensed state of the population tends to increase crime. The conclusion is too hasty. In the departments in which the great towns of Nantes, Bordeaux, Nismes, Toulouse, Montpellier, and Marseilles, are situated, fewer crimes are committed against property, than in the departments in which Troyes, Chalons, Arras, Evreux, and Chartres, less populous towns, are situated. The error has arisen from effects being attributed to a condensed population, which are attributable to some other concurrent, but not necessarily connected circumstances. There is considerable difficulty in distinguishing from each other, results which have had a simultaneous origin. *Wealth indicated by the amount of direct taxation*, is more frequently than a condensed population, coincident with an increased proportion of crimes against property ; it would therefore seem to be indirectly the cause of these crimes. If the maximum of wealth occurs in those northern departments where the greatest number of crimes are committed against property, and the minimum in the central departments where they are fewest, and if also in the south the mean amount of wealth is almost on a level with that in the north, how does it happen on this principle of wealth being the indirect cause of crimes against property, that the crimes in the south are not equally numerous with those in the north? It would not perhaps be very illogical to conclude, that extreme poverty is *not* the

chief cause of crimes, when the poorest departments are found to contain the fewest criminals against property. But while I do not absolutely reject this conclusion, further direct proofs are necessary to establish the point beyond all doubt. The poorest departments may not be those in which there are the greatest number of poor inhabitants; and certainly where there are the greatest private fortunes, there usually is at the same time a portion of the people in the deepest misery. It is a more difficult question than at first appears, what degree of influence wealth or poverty may exercise upon crime. In order to resolve it, the comparative numbers of the needy and of the beggars in each department must be ascertained much more correctly than has yet been effected. The results of inquiry are noted upon the maps which accompany the work, in reference to the distribution of *patents* over France; and it will be seen, *that wherever there are most patents taken out, there the greatest number of crimes are committed against property, except in Corsica; and where the fewest patents are taken out, the fewest crimes are committed.* There are but a few exceptions to this last remark; as in a part of Brittany, where with little means of employment, thieving is very common; and on the contrary, in Ardennes, in Meuse, in Côte-d'Or, with great activity of trade, there is little thieving. This apparent general relation of crimes against property, to the greater or less degree of industry and trade in a country, requires further and more careful examination than it has yet received. It is not in France alone that it has been noticed. In various reports of the British House of Commons, curious details may be found respecting it. (*Report from the Select Committee on Criminal Commitments and Convictions, July 1828, p. 5. Ib. on Secondary Punishments, 1831, p. 103, and ib. June 1832, p. 64.*) In Paris and the neighbourhood, and also in all the great commercial towns and sea-ports, a large proportion of the crimes against property are committed by people who make thieving a business. In all France there are more than thirty thousand people of this kind. Among them are many young persons who took their first lessons in the infamous trade, in what are called Houses of Correction. The criminals who have undergone their sentences in the Bagnes, rarely commit the more atrocious crimes after their release, as is commonly supposed. They know the law too well to risk capital conviction by being guilty of capital offences; but they become regular plunderers of property.'

Enough has been given of the work of M. Guerry to prove that the contents are of substantial interest and importance. It may not be useless to add, that without being expensive, it is from

its size and plates entitled to rank among 'show books,' and on the whole eminently calculated to lie on the tables of members of parliament and others, who to the possession of competence unite a taste for legislative inquiries.

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ART. VI.—*Free Trade, as it affects the People. Addressed to a Reformed Parliament.* By Henry Booth.—Liverpool; Wales and Baines. Hurst; London. 1833. pp. 40.

**T**O gather up and put forward whatever can be turned to the support of principles deemed just and right, is the limited service of a Review. And the readiest of all ways is by a running commentary.

'It has been too much the custom to regard the question of Free Trade, as one of abstract principle and speculation; as a branch of the recondite and somewhat formidable science of Political Economy; interesting as a subject for discussion and argument, but proper, at the same time, to be approached with salutary caution, and with especial distrust, in reference to any practical results; as plausible in theory, but in no wise to be depended on, in the application of its principles to the ordinary routine of trade and commerce.'—p. 3.

What is 'abstract principle,'—and 'abstract speculation'? It is true enough that it has been the custom to regard, or more correctly, to describe, the question of Free Trade as one of 'abstract principle and speculation;' but can the describers tell what they mean by these phrases,—or do they know themselves,—or can they produce a specimen of an 'abstract principle' or an 'abstract speculation,'—or show the face of a living man who ever acted, or advised anybody else to act, on either?

The truth is, the logicians made a most unfortunate blunder in a name; and upon this blunder, all who have any interest in disguising truth and persuading men to act irrationally, have been living ever since. When the logicians found out or observed, that if two and two made four in Europe, they did the same in China;—that if the various northings and southings of a vessel, added together respectively and one sum taken from the other, gave its whole nothing or whole southing in the Mediterranean, they did the same with equal certainty in the Red Sea, and may be trusted for doing so on the Lake Dabbie whenever the vessels of an African Navigation Company arrive there;—they by some strange fatality, if not by that direct inspiration of the demon which is stated to bring prisoners to the Old Bailey, called such instances,—not *universal*, as was manifestly their proper

title,—but *abstract* conclusions. They made the mistake of confounding *everything* with *nothing*; and instead of calling such truths by a name which expressed the fact of their holding good in all possible cases and situations, they gave them a title which was easily construable by a stupid or dishonest man, into there being no necessity for their holding good at all. Fancy now, that some unfortunate supporter of things as they ought not to be, should undergo the misfortune of having his notes for speaking altered by a wag, and afterwards hold forth in the House of Commons or elsewhere in the style that follows.—‘I rise, Sir, to protest against the application of *universal* truths. I am a plain practical man, and cannot give into the absurdity of being led by conclusions *which necessarily hold good everywhere*. I decline to submit, Sir, to the ‘*crazy generalities*’ of gentlemen on the other side, who because they think they have established in some individual cases that taking ten per cent from the principal leaves only ninety per cent behind,—insist on applying it to the case where I and my honourable friends are interested. We deny that there is any justice in affirming, that the more we take from other people, the less we leave them for themselves. We assert the contrary, and that our taking away is really and truly the measure of their gain. We bar all reference to *general* principles. We appeal to ‘*plain fact, physical and arithmetical proof, sober reason, and humble expediency*,’ and we deny that any of these lead in the slightest degree to the conclusion, that because in some other case a man had only ninety per cent left when ten was taken away, the same is true when *we* are to be the takers.’ This would not be a bad representation of the spirit, and the letter too, of some of the exhibitions of the practical men.

‘It is obviously the interest of those who enjoy a monopoly, whether partial or complete of certain departments of trade, to excite a prejudice against any change, as theoretical and untried; and the delusion has been the more easily kept up, owing to the partial and desultory manner in which, on some occasions, and the too learned and abstruse method in which, on others, the great practical question has been treated. The principles of Free Trade have been ably expounded in various works of the highest authority; but these are sealed books to the generality of readers. Again, the question, as included in distinct branches of trade, has been powerfully but separately illustrated. The Corn Trade, the Silk Trade, the Sugar Trade, the Timber Trade, the Export of Machinery, the Shipping Interest, the East and West India Interest, &c. &c. all have been discussed. The abstract reasoner is satisfied that the argument is incontrovertible; and the merchants, or parties interested, are no less dissatisfied with the unavoidable conclusion. Each subdivision of



the great question has been debated, and each has been considered as involving a point for subtle discussion between the economist and the merchant or manufacturer, engaged in the particular trade under consideration. But all this time, the most important view of the subject has been in a great measure overlooked. **THE PEOPLE** have been too much forgotten. In the following observations we shall endeavour to treat the question as one of popular interest and high practical importance ; as intimately affecting the substantial well-being of the nation.'—p. 4.

It only requires to be proved that in each of the several cases of 'the Corn Trade, the Silk Trade, the Sugar Trade, the Timber Trade,' &c. all that is gained by the monopolist is lost twice over by somebody else ; and then there seems little more chance of oversetting the 'abstract' reasoner's final conclusion on the subject, than there would be if each of these interests proceeded by the way of taking one shilling from the sufferers for themselves, and a second to be thrown into the sea.

'The following axioms we shall consider as established, and that it would be a waste of time to offer proof of their truth and correctness :—p. 5.

The procedure by axioms is unfortunate. One of the first steps that will be made in the coming age, will be to revolt and utterly cast the gorge at the notion of axioms. If a thing can be proved, let it ; if it cannot, then say nothing about it. There is no such thing as a self-evident proposition ; unless perhaps, that 'whatever is, is.' Whenever a man professes to build on axioms, an even bet may be taken that some of them are wrong.

'1st. If you prevent imports, by prohibitory duties, you prevent exports to the same extent.'—p. 5.

This would be better for being accompanied by the proof ; which is, that the imports must either be paid for by exports of some kind, or be got for nothing. Another important point is also missing ; which is, that in addition to the loss to the export trader that *should* have been, and the loss of the difference of price to the consumer (which two together make a perfect balance to the advantage to the trader in whose favour the prohibition is issued), there is a gratuitous loss of the same magnitude as the consumer's, which falls on those traders with whom the difference of price would have been spent if it had been left with the consumer. Hence 'the Corn Trade, the Silk Trade, the Sugar Trade, the Timber Trade, the' &c. are all so many ingenious inventions for creating a national loss to

the amount of the difference of price proposed to be put into the pockets of the monopolists.

'2d. A business or manufacture, protected by high duties on importation, will not, on that account, yield more than the ordinary rate of profit,—otherwise every one would engage in it, which is an absurdity. The public, therefore, *suffer* from being constrained to purchase a *protected* article at a high price, while the manufacturer *does not benefit*.'—p. 5.

This is wrong. A business protected by duties, *will* yield an increased rate of profit, till the increased number that apply to it, brings down the rate. And all the time this process is going on, it will be what is technically called a *better business*; and those who are already engaged in it, will have the benefit of this, and moreover all the chances of appropriating to themselves an *increased share* of the business when profits shall have been reduced to the old rate. In the same manner, to take the contrary case, if a monopoly be opened by the removal of the prohibition, there is no doubt of the trade becoming a *worse trade*. Profits will be reduced in it, till the weakest go out; during which process, all the engaged must lose; and it will depend moreover on the degree in which the existing traders approach to equality of strength, whether the diminished demand does not fall on all and every of the engaged, in the shape of a diminution of business; and if it does not, all that one escapes, must fall in the shape of additional weight upon some other. In all of which, it is necessary to keep in view, that any of the *gains* or *losses* so arising to the monopolists, is accompanied by a double *loss* or *gain* to the rest of the community. It does not seem to be generally understood, that there are two ways in which a trader may gain, either separately or both at once;—one, the having a greater rate of profits on a given quantity of business, the other, the having a greater quantity of business at a given rate of profits. And the contrary, in the case of loss.

'3d. Food is the basis, the *sine quâ non* of population; that is, of life and all its enjoyments: population being limited only by the limitation of food; for manufacturers, and workmen of all descriptions will increase and multiply, if you will furnish food in return for their labour.'—p. 5.

The plenty of food leads to population; and the power of populating, is the measure, the gage, of public happiness. It so happens that populating is the very first thing men like to expend their competence upon. The public in fact, takes out its happiness in population. It is true that this populating tends directly to reduce its own materials; and so does eat-

ing, a pudding. But the eating is the happiness. There are those who counsel, there should be no pudding; because, they say, eating will reduce it. The best of puddings, they are prepared to prove a temporary blessing; whence they infer, that the whole race is naught. This is not an unfair representation, of some arguments afloat on corn.

'4th. In order that a whole community may obtain the greatest possible quantity of the conveniences and comforts of life, it is necessary to allow the merchant to make his purchases wherever he can procure his commodities of the best quality, at the cheapest rate.'—p. 5.

This rather surpasses what even Euclid has ever tried to huddle into an axiom. It is true however; but it is in strictness a corollary from the first proposition, which was, that in every case of monopoly, an amount equal to the difference of price to the consumers, is thrown into the sea. For if this is true, 'the greatest possible quantity of the conveniences and comforts of life' is reduced by said amount. In all cases therefore where the monopolists parade the gains to their respective trades from their monopolies,—or point out the losses that would arise from their destruction;—hear them out, and then tell them, that this is the exact amount of the gain that would arise to the whole community by the removal;—*not to the community after deduction of the monopolists*, but to the whole community, themselves and monopoly interests included. There is a page in one of Blackwood's Magazines, would make a striking figure under a process of this kind.

'Of the innumerable articles of commerce or manufacture which have, at different periods, become the object of mercantile adventure, the *food of man* is beyond measure, the most important. To this object, therefore, we shall direct our chief attention, taking merely a rapid glance at the system of policy pursued with respect to a few other commodities, in the first instance. We shall begin our preliminary investigation with *Timber*, and inquire how far the Legislature, with reference to this article, has complied with the rule above laid down, of allowing the merchant to purchase it wherever he can obtain it of the best quality, and at the cheapest rate. The best timber in the world for building purposes, is that obtained from the Baltic: the worst timber in the world is that obtained from the British settlements in North America. Our merchants are prohibited purchasing the best timber under a penalty of 2*l.* 15*s.* per load; and they are enticed to purchase the worst timber, by the comparative trifling duty of 10*s.* per load. And what is the result? An immense amount of capital during the last quarter of a century has been attracted to the North American timber trade, for the purpose, or with the effect, of compelling the people of this country to use the worst description of timber;

while, at the same time, the capital so employed has not yielded a larger profit than if it had been allowed to flow into other channels, and had been the means of procuring the best timber, and at a lower rate. Thus there has been an enormous waste of property: the public suffers grievously, while the merchant does not benefit.'—p. 5.

To put the case in its brevity, the man who uses Canadian timber has 2*l.* 5*s.* per load taken from him in the goodness of his timber, to be given to a man who has timber he wants selling in Canada; and besides this, some other English traders lose to the same amount of 2*l.* 5*s.*, which would inevitably have been laid out with them if the money had been left with the right owner. To say that the Canadian also will lay out the money on somebody, is met by the fact that the disappointed traders would equally have laid it out on somebody. The fraud to be kept up is, to evade or conceal the circumstance of there being a pure and unbalanced loss to the amount of 2*l.* 5*s.*, which would not have taken place if the Canadian had not been allowed a legal robbery. And the whole after all, is only a roundabout exhibition of the fact, that a greater price is given for bad timber than needs; which, it requires no ghost to tell, is throwing away the difference.

All the other frauds are of precisely the same nature; the *Sugar and Coffee* fraud, the *Train Oil* fraud, the *China* fraud, the *Silk* fraud, the *Woollen* fraud, the *Leather* fraud, the *Cotton* fraud, the *Iron* fraud. Our commercial policy is a mass of confluent frauds; by which everybody robs everybody, and throws half the booty into the sea. But they all yield in individual importance to the great master pustule, which is the *Corn* fraud. By this, a gross sum of twelve millions and a half per annum is thrown away, in order that a certain other sum, amounting probably to five millions, may be taken from the men who work for it, and given to the landlords whose first principle of law, physic, and divinity, is not to work at all. In other words *seventeen millions* a year are torn from the mouths of the suffering manufacturer and his starving children, in order that *five millions* of it may find their way into the pockets of a dishonest and tyrannical class who have got a law that nobody but a land-owner shall be in parliament. When pressed upon the point, they bully and appeal to their humanity and charity. The charity is easily defined;—they take with a bucket and give with a spoon. They take seventeen millions a year out of the pockets of the industrious and the poor, and urge in return that they sometimes give a guinea to an old woman at Christmas. They can hardly be said to be personally responsible; for they labour

under the misfortune, like the slave owners in the West Indies, of having been brought up under the persuasion that they were the born lords and tyrants of those whom they oppress. But the oppression is not the less for that; nor will be longer endured for it. And not content with this burning wrong, they appear to have been curious in the grievous and the horrible. Could the art of man have gone further, than to invent the idea, that a per-centage should be taken out of the portions of the widow and the orphan of the industrious classes for the service of the state, and *that the robber class should exempt themselves?* View too the insulting pretext on which this is defended. If a per-centage were taken upon the value of a landed estate, by repetition an amount equal to the whole value of the estate would come into the hands of the government! *As if a per-centage upon the pittance of the widow and orphan of the industrious man, would not do the same in exactly the same number of repetitions.* Examine too the delusive and totally unstatesman-like nature of the representation altogether. If one per cent (for instance) were taken out of the value of a landed estate, a hundred repetitions, it is said, would take an amount equal to the value of the whole. The blunder in the mind of the stater of this, most probably was, that in the course of a hundred repetitions the whole estate would be absorbed and gone. But (to say nothing of the fact that if this was true it must be equally true of the inheritance of the industrious man), is there a shadow of reality about the statement at all? Suppose that of a landed estate the yearly rent be four or five per cent upon the value, and that every twenty or thirty years one pound is taken out of these four or five;—does that absorb the estate?—has it the smallest tendency to do it?—does it take one single step towards such a consummation?—if it went on for millions of years, would it have made the slightest progress towards it, or have done anything but what all taxation must do, take away a portion from the present enjoyment of the payers. Well may the world still admire *Quantâ sapientiâ regitur.*

What the people have to do is clear. To avow their intention of employing the legal and recognized power they possess, not only to procure the abatement of the two nuisances, but, First, to make the best attainable calculation of what has been substantially taken from the community by eighteen years Corn Laws, and *lay a tax which, calculated to perpetuity, shall be of precisely the same value and amount, upon the rent of land;*—And Secondly, to estimate in the same manner the probable amount of legacy duty of which

the land-owners by the gross and mean trick of making themselves their own lawgivers have defrauded the public, and *lay an extra legacy duty which, calculated to perpetuity, shall be of precisely the same value and amount, upon the descent of landed property.* Some persons may think there is something difficult or mysterious about the calculation ; they may therefore be usefully informed, that there are individuals called *actuaries*, whose profession it is to make calculations of this kind, and who if the grounds (that is, the different sums paid or withheld, with the dates) be given them, will for a moderate fee give precise answers, upon principles which nobody can gainsay, and which in fact are recognized daily by the courts of law, on the declaration of this same class of professional persons. Six years ago, the people might have accepted something very different ; but their circumstances are not the same as six years ago,—they had not the Reform Bill. No man ever got anything by giving up his just right where he had power to enforce it. To give up a part to save the rest, is a perfectly different question ; but the people have no occasion to give up a tittle here. They have only to understand the thing, and use the means ; and, first or last, their enemies must be at their feet. And whenever that happens, they will overturn the most cruel, dishonest, and insulting structure of human wrong, that with the exception of the West-Indian tyranny, has sullied the page of history. The landlords will call this, setting one part of society against another. Is not the New Police, setting one part of society against another ? There is no use in mincing phrases ; the people are trampled on by the rank and gross oppressions of an insolent order, who push their injustice to the cottage of the starving man and the bed-side of the dying, and feed their hounds on the blood and sinews of the industrious population. Two points are their law and their gospel ; one, that they will not pay taxes and other people shall ; the other, that fortunes shall be made for them at the expense of other people. All this they consider as their birth-right ; and they turn like hunted wild beasts upon anybody who talks of taking it from them. The people have the legal and parliamentary means of relieving themselves, if they have union and sense. The question therefore reduces itself, to whether the people have union and sense. A man of forty-Secretary-power, (though not always right, yet thoroughly right here), has laid hold of one of these subjects, and has got at least one eye open to the other. If he ever lets go while God gives him life and strength,—if he does not appear year after year and session after session, speaking his printing and

printing his speeches, till he carries the Abolition of this agrarian Slavery,—he will deserve to be buried under piles of his departed Registers, like the Roman virgin under the shields of her countrymen. As the military Instruction-book says to lieutenants of hussars,—Why does he delay any longer to make himself famous? He has all the game in his hand; and if he leaves the oppressors a fragment of their wrong, he is bound at least to charge them an eighth for salvage.

The argument for the Corn Laws derived from the alleged fact that the British grower is the manufacturer's best customer, is reducible to the question of whether he is so good a customer that it is for the manufacturer's interest to let him take money out of his till to expend it at his shop. No manufacturer would be deceived by such a plea in a particular case, and no robber in grain would be impudent enough to advance it; but it is marvellous how men are perplexed when the proposal is to rob them in society. And one more word to the manufacturers. If it is true that the interests of the manufacturers and land-owners are so bound together, that it is for the benefit of the manufacturers to allow the land-owners to prevent the exchange of manufactures for foreign corn,—why should it not be equally true that it must be for the benefit of the land-owners to allow the manufacturers to lay a tax on home-grown corn and so increase the quantity that must be bought with their manufactures abroad? If the connexion is so intimate, turn and turn about is only fair. Would it not be clear, that if the manufacturers were benefited by a tax on home-grown corn, the land-owners also must have the benefit of the improvement in the condition of their best customers? If they say, 'But you cut off part of our custom from us;'—so do the land-owners now. Try this; within the next twenty years, there might be somebody found to ask the question in the House of Commons.

There are some mistakes in the book; as for instance, that 'the result of tithes is to inflict on the soil an artificial sterility, to the extent of the tithe.' It inflicts a degree of artificial sterility, but probably not to the extent of much above a twelfth part of the tithe, and this from what may be called accidental causes; the error arising, from supposing that there can be any difference in the price of a given quantity of corn in the market, whether it be sold for the benefit of the tithe-owner or the grower. It is in fact the obsolete mistake of Mr. Ricardo; which has been driven out of the field, and nearly given up by all supporters, in England, in France, and everywhere. But inaccuracies on insulated points, need not spoil the rest; and therefore great good may be the consequence of the circulation of Mr. Booth's popular treatise on Free Trade.

ART. VII.—*A few Words on the Effects of Abolition and Commutation of Tithes.* Tait's Edinburgh Magazine for March 1833.

SINCE 'request' has been made that the Reviewer (meaning, as is apprehended, the writer of the Article on the Bishop of Bath and Wells's pamphlet in No. XXXV, and on the Improvement of Condition of the Clergy in No. XXXII), would 'examine carefully the probable effect of that measure on our prospects as to the Repeal of the Corn Law;' it is impossible that he should not do his best to accede to the demand.

It has always been stated, that the Commutation of Tithes would throw a certain advantage into the hands of the landlords, or the church, or both, as they could agree to divide it. And there can be no hesitation in closing with the suggestion of the Northern Liberal, that it would be quite fitting and desirable that the government (supposing it to have any honest intention on the subject at all) should take advantage of this to make the commutation of Tithes and the removal of the Corn Laws contemporaneous, rather than give the landlords anything however small with one hand, for the sake of encountering an increased opposition to taking away with the other. But the Whigs will never do this; they will do directly the contrary. They will jump at any prospect of increasing the difficulty of whatever they take in hand. If the Northern editor can persuade them to be wiser, he will be luckier than there is hope for; but he will be most welcome. When anything was said of the unadvisableness of refusing to abate an evil on pretence of at some time effecting 'the removal of a greater,' it was nothing of this kind that was in view; alas for Mother Church, it was the removal of herself.

At the same time in a case of this nature, a great deal turns upon the absolute magnitude of the object in question; and if individuals differ in their estimate of this, they of course differ in their judgment of the importance of the object. Now the absolute value at issue was stated at something like 25,000*l.* a year; and though there is no need not to do the prudent thing with 25,000*l.* a year, yet when viewed with relation to the comparative effect to be produced by it in increasing the resistance of the landed interest, it does a little resemble the charity which should be on the watch to prevent a pea from being thrown in at London Bridge, at a time when there was an inundation in China. The writer in the Northern Magazine however appears to think its magnitude greater, in the proportion of 2*s.* 1½*d.* to 4*d.*; and therefore he has a full right to estimate its effects as equivalent to six peas and a fraction. Which of the two esti-



mates is the true one, must be settled by reference to the grounds on which they are respectively supported. On which it seems not superfluous to add, that the estimate at 2s. 1½d. does not appear to be supported on any grounds at all, or at least on any that are given. No precise reason presents itself, why the scale of soils might not have been one that should produce 4s. or 1s. And there would be no danger in asserting, that all estimates built upon measuring the price of corn 'by the expense of raising it on the lowest soils cultivated,' are wrong except by accident. Instead of 'every civilized mortal' agreeing in any such principle, a large and increasing number in all countries, who know no reason why they should be convict of incivility, maintain openly that it is *ab initio* a fallacy the mother of fallacies, and utterly untrue in the sense and manner in which it is applied; that it is a pre-posterous and entirely baseless argument, and that there is no instance in nature of such arguments producing truth except by chance. There is no use in trying to destroy such an opinion by hints at what is done by all civilized mortals. Always doubt a man in anything he seems to think indubitable; it is a capital rule. This is always the sore place; no man is taken in by what he doubts of, but always by something he thinks nobody *can* deny.

But there is another reason for deducting from the effect; which in fact operates proportionably on the whole field of the corn-laws. Suppose the corn trade free, and men rioting on all the corn that could be found from the Vistula to the St. Lawrence, and increasing their numbers at the rate which would be the consequence, whatever it might be. What would be the result to the owners of the lands which would no longer pay for growing corn? Devastation and barrenness, will say the corn-law defenders. Nothing of the kind, will say the men who look a little before their noses; but on the contrary much multiplication of mutton. Man was not made to live on bread alone; and the moment you place him at increased ease on the important article of bread, he will put forth his feelers with augmented zeal in search of the next important article of something to make it savoury. As corn, for its bulk, happens to be one of the most easily transportable articles by sea, so beasts, of all kinds that chew the cud and divide the hoof, happen to be the least. There will not be the slightest practical danger, of a glut of mutton from Odessa; nor even of veal from Hamburgh entering into any serious competition with the calves of Essex. It would be very weak to try to persuade the owners of the poor lands that they would be no pecuniary losers; for of all things the weakest is to try to persuade a man in his own craft of what is not true. But it would be no mistake to impress upon these

owners, that they are not to be allowed to cry out devastation and barrenness, without a discount to the uttermost penny for the produce of their land in mutton.

The probable effect of a Commutation of Tithes on the prospects as to the repeal of the Corn Law, would therefore, it is held, be exceedingly small, and in fact very near to inconsiderable, from the source of danger above discussed. Other questions there are, of much greater importance, and bearing on the same point. For example, it would be highly advantageous, if nothing hindered, that the commutation should be made in a way that would disengage a numerous and influential body, the clergy, from interest, or conceited interest, in the Corn Laws. This would be done by lodging their commutation-money in the funds. The effect of such a proceeding would be, not only to disengage them from an interest in the Corn Laws, but to give them a visible interest the other way. The only objection to it is, as stated in the first of the Articles in the Westminster Review named in the outset, that the other fundholders would not consider the Church a desirable fellow-passenger. But there is a peculiar reason which considerably diminishes the danger from the clergy. No orders of landholders except those who have the right of having their families supported at the public expense, and fellows of colleges who have no families at all, have any substantial and ultimate interest in the maintenance of the Corn Laws. It is all only increasing their money income by fifty per cent, and the demands upon it for the establishment of their families by a hundred; and this is what is in the way of being proved upon them, first or last, to their completest satisfaction. Now the clergy in general, are very far from being behindhand in one essential to being prepared to receive this verity,—the families. They are moreover for the most part either possessed of some capacity for investigating a somewhat complicated connexion of causes and effects themselves, or in the way of receiving impressions from those that are. The whole case is within their reach with vastly more ease than the First Book of the Principia, and by the exercise of something like the same faculties of quiet separation, comparison, and combination. There is in fact no race of men whom it will be so easy to persuade of the miserable final policy of the Corn Laws, as the mass of the existing English clergy.

To return to technicals,—the intimation that

‘The dispute, in respect of the abstract point, is one of mere words; they [one side] name the whole *residuum* of landed money produce, after deducting expenses of cultivation, *rent*, and then say that tithe is paid out of rent,’—p. 700.

is of no correctness. The thing asserted was, that the opponents confounded one sense of the word rent with another, and what was true of one applied to the other. The case in reality was of this kind. *A* comes into the expectation of a segment of a plum cake; the remainder being kept back to pay the expenses of baking, or any other cause. *B* carries off two-thirds of the segment *in transitu*. *A* complains thereof to *C*; who replies, 'Simpleton, how can that be; there is not so much as you talk of, left.' It may be permitted to wonder what *C* would have said, if the complaint had been that *B* had left none at all. But this is precisely the mistake fallen into many years ago by the author of the Article on Taxation in the Supplement to the Encyclopædia Britannica, in the memorable and never acknowledged instance of the tithe of the acre of carrot-seed\*; and as sheep follow sheep, so men are going upon it still. Dr. Chalmers has just pointed it out† as existing (if he is rightly understood) in the last or nearly the last Numbers of both the Edinburgh and Quarterly Review; and if a later instance is wanted, it may be found (sad to tell) in this self-same Number of the Edinburgh Magazine‡. As in the two last instances it was probably a mere oversight, there would be nothing unreasonable in looking for some recognition of the inadvertency. But there will no good come of Political Economy, till men apply to it with the same habits, the same accuracy, and the same *sang froid*, with which our forbears of the last and preceding century investigated the motion of the moon or the theory of the tides. It takes a much greater quantity of what is vulgarly termed *elbow-grease* to make a political economist, than is commonly imagined. The pursuit is in fact a branch of mathematics of a high order; and till it is considered and

\* See Dr. Chalmers's Political Economy, Note, p. 290.

† The Supreme Importance of a Right Moral to a Right Economical State of the Community. p. 98.

‡ "They [the landlords] have called themselves 'The class which pays the Taxes,' . . . Why, the whole rental of England, Scotland, and Ireland, does not amount to fifty millions."—*State of the Country*. p. 814.

Now this is simply confounding the cake that is taken, with the cake that is left. The landlords never said that they paid all the taxes out of the rental that was left them; for to make that credible or reasonable, they must show that nobody else paid any money taxes. But they said that they paid the taxes through the operation of their being in one way or other deducted from the rents before they ever came into their hands; which clearly might be true, even if carried to the extent of leaving the landlords no rents at all. What reality there may be in the statement of the landlords, is quite another question. But there is no natural absurdity about the statement; and to discover any, is the cake mistake, and nothing else.

treated as such, there will be no unanimity. What chance, for instance, would there have been of arriving at the unanimity of truth on the subject of the moon's motion, where the power had not been previously acquired of distinguishing between the results of two or more sets of clashing agencies operating on a common object.

An instance in point is given by the next sentence.

'It is strangely overlooked, that without tithe, a portion of that *residuum* would not have arisen at all, but is occasioned by the higher price which tithe necessitates.'—p. 700.

So far from this being overlooked, the greatest pains were taken to impress and elucidate the fact, that tithe raises the price of corn by a certain amount (stated at fourpence a quarter), which produces 'a small reaction' to a corresponding amount on rent; so that what is taken from the rent, is the tithe *minus* the effect of this reaction. Now none of the writers in the Philosophical Transactions would have fallen into a similar mis-statement on a question of natural philosophy, through the mere apparition of an effect producing a reaction on its cause; and simply for the reason, that they had accustomed themselves to consider coolly, and compare accurately, and not flounce about with large words of sarcasm, on 'heads containing the veriest elements of appropriate knowledge,' and 'as every civilized mortal is aware,' and 'during our terrestrial pilgrimage,' and the like. There is a judgment on such as do these things.

The intimation that

'The effect of tithe is to diminish the efficiency of that check to the rise of price, which resides in the existence of inferior land, just by one tenth of its natural efficiency; or, in other words, to allow the rise of price by one-tenth above the natural price,'—p. 700.

appears to be *ex nihilo nihil*. The naked fact is, that a certain quantity of land is kept out of cultivation by tithe; and consequently a certain effect is produced in raising the price, and if the land was not kept out of cultivation, would not be produced. But this effect is a tenth of nothing; except of itself multiplied by ten. And its absolute magnitude, as shown by comparison of the probable quantity of produce kept out of existence with the whole, is to raise the quarter of corn by some fourpence; which is a very different thing from 'allowing the rise of price by one-tenth above the natural price.'

The proposal (p. 697) that the Corn Law should be modified to meet the advantages arising to the landlords from a commutation of tithes,—for a gain that would be found on examination very trivial, commits the error of appearing to recognize a right.

No man who meditated taking the whole lamb out of the wolf's jaws, would begin by offering him market price for a cutlet.

Finally, it is recommended to all who follow after Political Economy and ensue it, to cultivate the habit of going *bride en main*, and not plunging hastily into conclusions of either truth or falsehood. If common truth be in a well, truth in Political Economy is at the centre of the earth ; or at all events among the lowest strata to which human eyes have had access.

ART. VIII.—1. *The Moral and Physical Condition of the Working Classes in Manchester.* By James Phillips Kay, M.D. Second Edition, enlarged.—Ridgway. pp. 120.

2. *An Address to the Higher Classes on the Present State of Public Feeling among the Working Classes.*—Whittaker, Treacher and Co.

THE various orders of society are mutually dependent ; their interests are interwoven with a complexity which cannot be unravelled ; and natural connexions tend to diffuse throughout the mass the happiness or misery suffered by any particular portion. Evils which affect one class, poison the sources of well-being in another ; and the sensation created by ills endured, is propagated by a chain of most subtle sensibility. Artificial causes indeed, sometimes benumb the feeling of society, and render it torpid and inert under the pressure of social calamities, and certain orders may for a time be protected from the influence of events that produce misery in others ; but the tendency is still the same. The true interest of each is the happiness of all. The security of no class can be permanently attained at the prejudice of any other. A narrow, partial policy necessarily issues in the injury of the order for which it was framed. All philosophy is finally found defective, which is not so enlarged as to include the happiness of the aggregate.

The best test of social institutions, is the condition of the community subjected to their influence. Temporary prosperity may certainly be attained, even under imperfect forms of government, from the influence of external circumstances, which control for a time the natural tendency of such institutions to produce physical and moral degradation among the mass of the people ; and in any analysis of the causes of their condition, the influence of these external agencies should be carefully separated from the natural effects of internal misrule. But the process of deterioration and decay will in the end prevail. The blessings which flow from without, will at last, in such states, like a stagnant stream, cease to fertilize the barren

wastes of an ignorant people; and may add to the pestilential influences of a continually increasing moral debasement.

Certain orders of society may be protected by artificial barriers, which may, for a time, resist the efforts of misrule. Secured from actual dangers, not tortured by the goad of continual toil, unpursued by the hounds of want, being able to wait the law's delay or to resist the oppressor's wrong, even if some encroachments be made on the extent of their possessions, and the mound which resists the invasion of actual suffering be weakened and undermined; the consciousness of present ease is too apt to induce apathy concerning future dangers,—to lull them in the lap of refined pleasures,—and even to cheat them with dreams of the happiness of the whole people, at the very moment when the hoarse voice of popular discontent is sounding in their ears.

The effects of misgovernment are first experienced by the weak and unprotected; by those who have no hoard of wealth to consume, but whose daily labour produces their daily supply. The prudence and morality of a people may for a time enable them to maintain a manly struggle with the multitude of evils, which arise from imperfect and partial laws; or external circumstances may postpone the day when these laws will produce their natural results; but, at length, the moral and physical character of the population will be degraded. The absence of proper intellectual and moral culture; impediments to the spread of knowledge; oppressive taxation; restrictions on the natural tendencies of trade and civilization, and their results the privations and toil of the working classes, exchanged only for reckless dissipation; boons for the increase of a superabundant population, in the guise of remedies for impending calamities, and their consequence the destruction of forethought and economy; the combined effects of ignorance, vice, and want, evinced in the alienation of the natural charities and the growth of domestic and social discontent; all these evils, a monstrous growth from the same poisoned root, tend to produce a state of society too fearful to be contemplated, possessing a restless and anarchical energy, which if not counteracted would speedily issue in the destruction of all the cohesive properties of the social constitution. To correct legislation, nothing is more necessary than minute and constant information concerning the actual condition of the people. In the absence of this, the influence of laws on the happiness and morals of the mass, and on the prosperity of the empire, cannot be traced; no comparison can be instituted between the state of the population under different systems of policy; and

evils of the most frightful magnitude may be permitted silently to grow, especially among the labouring classes of society, unnoticed by their superiors, denied by their oppressors, and unknown to the government, until the state is shaken by some frightful convulsion. But even the ordinary and daily purposes of legislation cannot be accomplished without these data on which to found its conclusions.

Yet in this country there is no organised system for obtaining statistical returns. Even the registers of marriages, births, and deaths, are kept in an extremely imperfect manner. When particular emergencies render a special inquiry necessary, general evidence is presented by the parties interested in some projected change, before a Committee of the House of Commons. The evidence thus adduced, consists too frequently of what is merely *ex parte*; statements which contradict and neutralise each other, and often so vague and general in character, as to be almost useless to the support of any practical conclusion. Even the existence of commissioners appointed to make specific inquiries, demonstrates that there is an absence of information on the most important subjects of legislation, at the very period when a crisis demanding the decision of government has arrived. The labours of any private individuals placed in circumstances which favour the acquisition of correct information, are therefore peculiarly valuable in the absence of a universal statistical system; especially when the results of their investigations are recorded with impartiality, and reduced as much as possible to a statistical form.

The rapid progress of our manufactures and commerce has accumulated great masses of population, in which society has assumed new relations amongst its several classes. The invention of the steam-engine, and the mechanical improvements introduced into all manufacturing processes, have increased in an extraordinary degree the power of supplying articles of exchange. The enterprize of our merchants, the vast extent of our colonies with which a peaceful though a restricted trade is secured; the extraordinary stimulus given to our industry by the late war, which for a time almost extinguished the manufactures and commerce of the continent; our natural resources in the facilities of internal communication, and mines of mineral and coal; the extent of the national capital, and the energy of the national character; all these combined causes have occasioned a development of the manufacturing and commercial power of the nation, unexampled in the history of the world.

‘ Visiting Manchester, the metropolis of the commercial system, a

stranger regards with wonder the ingenuity and comprehensive capacity, which, in the short space of half a century, have here established the staple manufacture of this kingdom. He beholds with astonishment the establishments of its merchants—monuments of fertile genius and successful design:—the masses of capital which have been accumulated by those who crowd upon its mart, and the restless but sagacious spirit which has made every part of the known world the scene of their enterprise. The sudden creation of the mighty system of commercial organization which covers this country, and stretches its arms to the most distant seas, attests the power and the dignity of man. Commerce, it appears to such a spectator, here gathers in her storehouses the productions of every clime, that she may minister to the happiness of a favoured race.'

'When he turns from the great capitalists, he contemplates the fearful strength only of that multitude of the labouring population, which lies like a slumbering giant at their feet. He has heard of the turbulent riots of the people—of machine breaking—of the secret and sullen organization which has suddenly lit the torch of incendiarism, or well nigh uplifted the arm of rebellion in the land. He remembers that political desperadoes have ever loved to tempt this population to the hazards of the swindling game of revolution, and have scarcely failed. In the midst of so much opulence, however, he has disbelieved the cry of need.'

'Believing that the natural tendency of unrestricted commerce, (unchecked by the prevailing want of education, and the incentives afforded by imperfect laws to improvidence and vice,) is to develop the energies of society, to increase the comforts and luxuries of life, and to *elevate the physical condition* of every member of the social body, we have exposed, with a faithful, though a friendly hand, the condition of the lower orders connected with the manufactures of this town, because we conceive that the evils affecting them result *from foreign and accidental causes*. A system, which promotes the advance of civilization, and diffuses it over the world—which promises to maintain the peace of nations, by establishing a permanent international law, founded on the benefits of commercial association, cannot be inconsistent with the happiness of the *great mass of the people*. There are men who believe that the labouring classes are condemned for ever, by an inexorable fate, to the unmitigated curse of toil, scarcely rewarded by the bare necessities of existence, and often visited by the horrors of hunger and disease—that the heritage of ignorance, labour, and misery, is entailed upon them as an eternal doom. Such an opinion might appear to receive a gloomy confirmation, were we content with the evidence of fact, derived only from the history of uncivilized races, and of feudal institutions. No modern Rousseau now rhapsodises on the happiness of the state of nature. Moral and physical degradation are inseparable from barbarism. The unsheltered, naked savage, starving on food common to the denizens of the wilderness, never knew the comforts contained in the most wretched cabin of our poor.'



‘ Civilization, to which feudality is inimical, but which is most powerfully promoted by commerce, surrounds man with innumerable inventions. It has thus a constant tendency to multiply, without limit, the comforts of existence, and that by an amount of labour, at all times undergoing an indefinite diminution. It continually expands the sphere of his relations, from a dependance on his own limited resources, until it has combined into one mighty league, alike the members of communities, and the powers of the most distant regions. The cultivation of the faculties, the extension of knowledge, the improvement of the arts, enable man to extend his dominion over matter, and to minister, not merely to all the exigencies, but to the capricious tastes and the imaginary appetites of his nature. When, therefore, every zone has contributed its most precious stores—science has revealed her secret laws—genius has applied the mightiest powers of nature to familiar use, making matter the patient and silent slave of the will of man—if want prey upon the heart of the people, we may strongly presume that, besides the effects of existing manners, some accidental barrier exists, arresting their natural and rightful supply.’

‘ The evils affecting the working classes, so far from being the necessary results of the commercial system, furnish evidence of a disease which impairs its energies, if it does not threaten its vitality.’—Moral and Physical Condition of the Working Classes in Manchester. p. 76.

The increase of wealth, and the spread of enterprize have indeed received severe checks in later years. The nation reels beneath the enormous burthens imposed on it by the profligate expenditure of the late war. Taxation has been pushed to its utmost limit. The powers of supply have overtaken and surpassed the effectual demand; and restrictions and monopolies fetter the enterprize which would open new sources of exchange for the industry of the country. Our powers of successfully rivalling the manufactures of other nations, are reduced by a tax on the staple commodity of life, which thus increases the cost of production in a ratio constantly accumulating with the amount of labour employed, in every successive process necessary to the completion of the article to be exchanged. While the demand for labour is thus diminished, our poor-laws stimulate the increase of an uneducated, toilworn, and ignorant working class. We have a vindictive criminal code, which is so abhorrent to common sense, that juries modify their verdicts to elude its vengeance, and judges interfere between the victim and the law, to solicit the mercy of the crown. Our system of secondary punishments is neither exemplary nor corrective; it neither conveys terror and warning to the people, nor does it improve the mind and elevate the habits of the criminal. Crime is often committed and confessed, in order that the criminal may enjoy the boon which the law offers for

offences. In the provinces, there is no preventive police. The excise-laws promote the increase of the haunts of intemperance, and foster the reckless sensuality of the lowest class. Our gaols, though improved, are still schools of vice, where the novice is initiated in the more subtle secrets of chicanery and fraud; where the sensibilities of the young offender are seared, and, with a callous heart, his passions are prepared for deeds of violence, and scenes of rapine. Add to all this, that there is no system of national education for the people. Imperfect means of acquiring knowledge are partially distributed by the spontaneous efforts of individuals; but useful knowledge is not diffused. An abortive philanthropy cultivates the minds of the working classes, just so far as to render them capable of receiving right instruction, and then abandons them to the tender mercies of blind chance, or to the mischievous teaching of restless and perverted spirits; it prepares the soil with all the diligence of the careful husbandman, and then leaves it to be sown with thistles by the wind, or with tares by the enemy. The people are taught by their own miseries, that they suffer grievous wrongs; they feel that they have been depressed by the expenditure of an impolitic war, by the lavish patronage of government, by an ignorance on the part of their rulers of the principles of trade and the sources of national wealth, and that they have been thus deprived of the just rewards of their labour. But from the want of a sound acquaintance with the sciences of political economy and legislation, they are liable to be deluded into an implicit reliance on the patent schemes of political nostrum-mongers. A wise government would provide institutions of the most liberal and popular character, for the political instruction of the people; and taxes would no longer shackle the diffusion of sound principles amongst the masses. While the labouring population is oppressed by toil, goaded by misery, deluded by the designing, tempted by sensuality, and debased by the law itself whose imperfections seduce to vice and impel to crime; the state should tremble, lest the great basis of society, its strength being destroyed, should crumble beneath the weight of the superincumbent mass, or be so agitated that the mighty structure it supports should be shaken into an utter and irreparable ruin.

These reflections are natural deductions from the details of the pamphlet which presents a picture of the moral and physical condition of the working classes in the largest manufacturing town in the empire. The natural tendency of trade is, as there shown, to diffuse wealth and happiness through the various orders of society, and to cultivate the intelligence,

the industry, and the virtue of the middle and lower ranks. It is contended that commerce will issue in greater individual and national happiness than any other form of social organization yet developed; but, being in a great manufacturing town, and daily brought into contact with evils which affect the well-being of great portions of the community, the author portrays the revolting features which deform society, and then endeavours to trace their origin and suggest the means of their removal. It is grateful to perceive how the general principle adduced concerning the tendencies of trade, is supported by an array of statistical evidence, by which is shown that the evils exposed may be legitimately attributed to the temporary influence of causes capable of being removed by timely and judicious legislation. These facts are, moreover, not exhibited as evidence of the existence of an insulated exception to the prosperity of the working classes throughout the kingdom, but rather to attract public attention to an investigation of their condition in other communities, with the melancholy conviction, that similar inquiries will, elsewhere, issue in the discovery of similar evils. This foreboding is justly founded, and in entering into a slight analysis of the facts contained in this work, chords will be touched whose vibration will awaken feelings of interest in the most remote portions of the country.

The extraordinary progress of commercial prosperity during the close of the last and the commencement of the present century, occasioned the colonization of extensive districts. Some counties were suddenly crowded with inhabitants. The most remote and sequestered vallies, where streams of water and supplies of fuel and of minerals existed, became the scene of manufacturing enterprize and ingenuity, and the towns increased with an unexampled rapidity. Public attention was absorbed in the application of capital to these great and bold schemes. For in the progress of endeavours to invent and improve machinery,—in the erection of manufactories, and the constant attention required for the success of these establishments,—in the working of mines and quarries, and the multiplication of roads and canals, so perfect an abstraction of the public mind from other pursuits was produced, that the police of towns was, for a considerable period, neglected, and municipal evils were permitted to accumulate. In erecting towns, land was let by proprietors, for the most part non-resident, to speculators who unrestrained by any police regulations, built houses for the poorer inhabitants, often destitute of the conveniences which minister to comfort and cleanliness—huddled together in confused groups, separated only by narrow

streets, and intersected by close courts, alleys, and avenues, where filth was permitted to accumulate. The streets not being subjected to the influence of any police laws, were permitted to remain unpaved, were unscavenged, and consequently became the receptacles of the most disgusting offal. From investigations made by the Board of Health at Manchester previously to the invasion of Cholera, it appeared that out of 687 streets inspected in the township of Manchester, 248 were unpaved, 53 partially paved, 112 ill ventilated, and 352 contained heaps of refuse, stagnant pools, ordure &c. The report of the state of the houses in the same township was that out of 6951 houses inspected, 2565 required whitewashing, 960 needed repair, of 939 the soughs required repair, 1135 were reported to be damp, 452 ill ventilated, and 2221 were destitute of privies.

‘The state of the streets powerfully affects the health of their inhabitants. Sporadic cases of typhus chiefly appear in those which are narrow, ill ventilated, unpaved, or which contain heaps of refuse, or stagnant pools. The confined air and noxious exhalations, which abound in such places, depress the health of the people, and on this account contagious diseases are also most rapidly propagated there. The operation of these causes is exceedingly promoted by their reflex influence on the manners. The houses, in such situations, are uncleanly, ill provided with furniture; an air of discomfort if not of squalid and loathsome wretchedness pervades them, they are often dilapidated, badly drained, damp: and the habits of their tenants are gross—they are ill fed, ill clothed, and uneconomical—at once spend-thrifts and destitute—denying themselves the comforts of life, in order that they may wallow in the unrestrained licence of animal appetite. An intimate connexion subsists, among the poor, between the cleanliness of the street and that of the house and person. Uneconomical habits, and dissipation are almost inseparably allied; and they are so frequently connected with uncleanness, that we cannot consider their concomitance as altogether accidental. The first step to recklessness may often be traced in a neglect of that self-respect, and of the love of domestic enjoyments, which are indicated by personal slovenliness, and discomfort of the habitation. Hence, the importance of providing by police regulations or general enactment, against those fertile sources alike of disease and demoralization, presented by the gross neglect of the streets and habitations of the poor. When the health is depressed by the concurrence of these causes, contagious diseases spread with a fatal malignancy among the population subjected to their influence. The records of the Fever Hospital of Manchester, prove that typhus *prevails almost exclusively* in such situations.’ —*Id.* p. 28.

The Boards of Health recently established in conformity with the Orders in Council should be constituted permanent organized centres of medical police, where municipal powers should

be directed by scientific men to remove and prevent the accumulation of those agencies which most powerfully depress the physical condition of the inhabitants. Besides this suggestion, Dr. Kay regrets that commissioners were not appointed many years ago, and invested with authority to regulate the laying out of building land within the precincts of Manchester.

‘Private rights ought not to be exercised so as to produce a public injury. The law, which describes and punishes offences against the person and property of the subject, should extend its authority by establishing a social code, in which the rights of communities should be protected from the assaults of partial interests. By exercising its functions in the former case, it does not wantonly interfere with the liberty of the subject, nor in the latter, would it violate the reverence due to the sacred security of property.’

The powers obtained by the recent changes in the police act of Manchester are retrospective, and exclusively refer to the removal of existing evils: their application must also necessarily be slow. We conceive that special police regulations should be framed for the purpose of preventing the recurrence of that gross neglect of decency and violation of order, whose effects we have described.’

Streets should be built according to plans determined (after a conference with the owners) by a body of commissioners, specially elected for the purpose—their width should bear a certain relation to the size and elevation of the houses erected. Landlords should be compelled, on the erection of any house, to provide sufficient means of drainage, and each to pave his respective area of the street. Each habitation should be provided with a due receptacle for every kind of refuse, and the owner should be obliged to white-wash the house, at least once every year. Inspectors of the state of houses should be appointed: and the repair of all those reported to be in a state inconsistent with the health of the inhabitants, should be enforced at the expense of the landlords. If the rents of houses are not sufficient to remunerate the owners for this repair, their situation must in general be such, or their dilapidation so extreme, as to render them so undesirable to the comfort, or so prejudicial to the health of the tenants that they ought to be no longer inhabited.’—*Id.* p. 105.

The great demand for workmen required by the sudden increase of manufacturing establishments, rapidly absorbed all the labourers of the district in which such changes occurred. Capitalists therefore encouraged colonization from distant parts of the kingdom, and crowds of Irish flocked into the country. In Manchester out of a population of 220,000 people it is calculated that there are 50,000 Irish. The settlement of this latter class has had a most important influence on the condition of the people. An immediate effect is the rapid increase of the poor-rate. As it would be worse than useless to re-transport a pauper to Ireland who would immediately return to be again

a burthen to the parish, the claims of the Irish are admitted before they have obtained a legal settlement. Hence, notwithstanding the utmost jealousy on the part of the overseers and the most zealous administration of the law, the number of Irish who become burthensome to the parish without having obtained settlements, augments with great rapidity.

In the months of November, December, January, and February of 1827—8, the number of Irish cases without settlements, relieved in the township of Manchester, was 3671, and of English and Irish having settlements, 27,046. In the same months of 1830—31, the Irish cases without settlements, had increased to 9,892, and the English and Irish cases having settlements, were 35,950. But the effects of this immigration on the physical comfort, the morals, and happiness of the people, are much more remarkable. In employments requiring great skill, the effects of the competition were little felt; but, in some in which no skill is required, and in others where it is easily attained, the competition of the redundant labour of the Irish, combined with the constantly accumulating embarrassments of a restricted commerce, reduced the rewards of labour to the lowest degree in the scale. In this state, the example of the Irish spread with the rapidity of contagion. The English population, too frequently overborne by toil and a constant strife with necessity, rapidly learned the habits of their neighbours. Their houses became squalid; the pittance procured by labour was not economized; once having tasted the luckless charity of the law, they relied on its support for the future. Forethought, frugality, cleanliness, and method were banished from their habitations. The toil of the day was too great to permit them either to learn lessons from the past, or to provide for the future. Uneducated, starved, toilworn, apparently abandoned to their hard fate, without any to instruct or cheer them, they too often yielded also to the seductions offered by the haunts of vice, and spent the wretched earnings of their wearisome labour, or even the paltry stipend doled out to them by the executor of the law, at the tavern, seeking to drown the remembrance of their misery in the delirium of intoxication.

Unremitted labour is in itself debasing. The abstraction of intellectual and moral stimuli leaves the mind in a state of torpid inertness. If no provision be made to introduce the grateful relief of variety of occupation, but the workman be constantly subjected to the same dull routine of ceaseless drudgery; if little or no leisure be permitted to him; and if during that

leisure his wearied energies be neither refreshed by gentle amusements, nor his mind by more elevated pursuits, his tastes will sink to the level of the brutes, to which by the process he is assimilated. A more frightful fate could scarcely be contemplated than this, of which the only relief would be its brief respites of profound forgetfulness.

For the degree of labour which is demanded from the working classes, and the meagreness of the remuneration which most of them receive, thanks may be given to the opponents of free trade, and the partisans of monopoly. The increase of population, though it has been little subjected to the wholesome control of moral restraint, has never been so rapid as the augmentation of the resources of the country might have been, had its commerce been unrestricted. But devoid of education, rendered reckless by want and extreme toil, and tempted by the boon practically offered by the law for the increase of the population, the most wretched of the working classes have married at the earliest period; and while commerce has overtaken the limits prescribed to it by the law, the population has surpassed all that under such limitation is consistent with the due reward of the labourer.

The effects of the Poor laws are thus described by Dr. Kay.

‘A rate levied on property for the support of indigence is, in a great degree, a tax on the capital from whose employment are derived the incentives of industry and the rewards of the frugal, ingenious, and virtuous poor. If the only test of the application of this fund be *indigence*, without reference to *desert*—be *want*, irrespective of *character*—motives to frugality, self controul and industry are at once removed, and the strong barrier which nature had itself erected to prevent the moral lapse of the entire population is wantonly destroyed. The tax acts as a new burden on the *industrious* poor, already suffering from an enormous pressure, and not only drags within the limits of pauperism unwilling victims, but paralyses with despair the efforts of those whose exertions might otherwise have prolonged their struggle with adversity. The wages of the worthy are often given to encourage the sluggard, the drunkard, and the man whose imprudence entails on the community the precocious burden of his meagre and neglected offspring.’

‘The feeble obstacle raised in the *country* to the propagation of a pauper population, by making the indigent chargeable on the estates of the land-owners, is even there rendered almost entirely inefficacious by the too frequent non-residence of the gentry, or the indifference with which this apparently inevitable evil is regarded. In the South of England the fatal error has been committed of paying a certain portion of the wages of able-bodied labourers out of the fund obtained by the poor-rates; and a population is thus created, bound like slaves to toil, and having also, like them, a right to be maintained. But,

in the large towns, the feeble check to the increase of pauperism which thus exists in some rural districts, is entirely removed. The land is let to speculators who build cottages, the rents of which are collected weekly, a commutation for the rates being often paid by the landlord when they are demanded, which seldom occurs in the lowest description of houses. A married man having thus by law an unquestioned right to a maintenance proportioned to the number of his family, direct encouragement is afforded to improvident marriages. The most destitute and immoral marry to increase their claim on the stipend appointed for them by law, which thus acts as a bounty on the increase of a squalid and debilitated race, who inherit from their parents disease, sometimes deformity, often vice, and always beggary.'

'The number of labourers thus created diminishes the already scanty wages of that portion of the population still content to endeavour by precarious toil to maintain their honest independence. Desperate is the struggle by which, under such a system, the upright labourer procures for his family the comforts of existence. Many are dragged by the accidents of life to an unwilling acceptance of this legalized pension of the profligate, and some, over informed by misfortune in the treachery of their own hearts, are seduced to palter with temptation, and at length to capitulate with their apparent fate.'

'Fearful demoralization attends an impost whose distribution diminishes the incentives to prudence and virtue. When reckless of the future, the intelligence of man is confined to the narrow limits of the present. He thus debases himself beneath the animals whose instincts teach them to lay up stores for the season of need. The gains of the pauper are, in prosperity, frequently squandered in taverns, whilst his family exists in hungered and ragged misery, and few sympathies with the sufferings of his aged relatives or neighbours enter his cold heart, since he knows they have an equal claim with himself, on that pittance which the law awards. The superfluities which nature would prompt him in a season of abundance to hoard for the accidents of the future, are wasted with reckless profusion; because *the law takes care of the future*. Selfish profligacy usurps the seat of the household virtues of the English labourer.'

'Charity once extended an invisible chain of sympathy between the higher and lower ranks of society, which has been destroyed by the luckless pseudo-philanthropy of the law. Few aged or decrepid pensioners now gratefully receive the visits of the higher classes—few of the poor seek the counsel, the admonitions, and assistance of the rich in the period of the inevitable accidents of life. The bar of the overseer is however crowded with the sturdy applicants for a legalized relief, who regard the distributor of this bounty as their stern and merciless oppressor, instructed by the compassionless rich to reduce to the lowest possible amount the alms which the law wrings from their reluctant hands. This disruption of the natural ties has created a wide gulf between the higher and lower orders of the community, across which, the scowl of hatred banishes the smile of charity and love.'—*Id.* p. 45.



One fact connected with the state of the population which is mentioned by the author, is too remarkable to be omitted. 'The average annual number of births attended by the officers of the lying-in charity in Manchester, is four thousand three hundred, and the number of births to the population, may be assumed as one in twenty-eight inhabitants. This annual average of births represents therefore a population of 124,000, and assuming that of Manchester and the environs to be 230,000, more than one half of its inhabitants are either so destitute or so degraded, as to require the assistance of public charity in bringing their offspring into the world.'

Unremitted exertions are requisite to prevent the growth of the jealousy which divides the capitalists and the labouring classes. The embarrassed state of commerce has constantly tended to reduce the wages of labour. To resist undue encroachments, and to maintain a general standard of remuneration, the working classes have combined in associations for mutual protection, which have not unfrequently been engaged in impolitic, useless, and vexatious contests with their employers. Leaders not sufficiently acquainted with the principles regulating the rate of wages, have misled the people; some unprincipled men, whose element is the agitation created by public feuds, have at times influenced their passions; and in seasons of commercial perplexity, a wide-spread spirit of discontent has thus been fostered, which has occasionally issued in the commission of acts of licentious violence. Many of the most enlightened of the working classes repudiate these excesses. The objects to which the efforts of such associations have been directed, have seldom been attained, though the struggle has been prolonged with remarkable obstinacy. The trade of certain districts has received material injury, in the loss of the confidence necessary to the investment of capital. The operatives have suffered severely during the contest, certain of their leaders have embezzled their funds, and they have had sufficing evidence of the absurdity of the projects into which they have been plunged. But during the 'turn out,' lamentable disassociation has been effected between the higher and lower orders of society.

The manufacturing capitalists of the large towns comprize many enlightened, high-minded, and generous men, foremost in every struggle for the liberty and prosperity of the country, and earnest advocates of all that can conduce to the elevation of the people. To such men it belongs to break down the barrier which separates the rich from the poor, and by measures equally benevolent, sagacious, and energetic, to accomplish a more

cordial association between the higher and lower orders of society.

‘The people are every where easily governed by any one who will take the necessary means to possess himself of their confidence. You may acquire influence over them yet more extensive than that of the demagogues they now confide in. For you have wealth, and power, and *character*, as well as talent; and they are accustomed to pay deference to all these attributes. But this influence can never be acquired, if you stand aloof in indolent security or arrogant contempt. You cannot guide them without mingling with them. “You cannot live *for* men, without living *with* them.”\* But, first, you must gain the esteem and confidence of the lower classes: without this you can do little. Shew them that you are as ardent an advocate of liberal principles as themselves, and that the ends you aim at are the same, though the means you would employ to gain them may be different. Shew them that you have their interests at heart, and are willing to sacrifice and suffer much for them; and have no private objects of your own to serve. They are naturally disposed to respect and obey those who are above them in rank, and wealth, and education; and by care and conduct you may cultivate this disposition to almost any extent.’ —*Address to the Higher Classes, &c. p. 7.*

How great soever may be the prosperity which the skill, industry, and enterprize of the great manufacturing towns may attain, the apparent well-being of these communities will be fallacious and transitory, in the absence of expedients to maintain a high moral tone in all classes, and a cordial association of the several orders of society. If the relations of the wealthy with the poor, be merely those created by the exchange of labour for wages, the association is heartless and degrading. To regard the workman solely as necessary to a certain process of labour, to limit all intercourse with him to the contract for the animal power which he has to sell, is practically to debase him to the level of a machine, and even to remove him to a greater distance from the thoughts of his employer, inasmuch as the machine is an integral portion of his capital, in the successful employment of which he has a more immediate interest than he can have in the health or moral elevation of the animal power, for whose use he has made only a temporary bargain. On the other hand, if the workman discover that his connexion with the capitalist is limited to the contract for his labour, all feelings which might have associated him with his employer are severed, and in their stead arise jealousy of the power of his superior, a constant suspicious watchfulness lest he should enjoy more than his rightful share of the accumulated profits,

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\* Sir James Mackintosh.

sometimes envy of his success, resistance to his rightful authority, moody discontent, and deeply seated animosity.

How frightful a picture would a vast manufacturing town exhibit, of which it should be asserted, that a wide, untraversed gulph, separated the wealthy classes and the poor! That the workman rose before the sun to his daily toil, and pursued it until night, with brief intervals of respite, sufficient only to satisfy the absolute necessities of his nature. That during the day he encountered only the overseer of his employment, and received at the close of the week, from a subaltern agent, the wages of his exertions. That after twelve hours spent in actual labour, and two in proceeding to and from his habitation and taking the necessary refreshment, seven being subtracted for sleep, he should have three of leisure, which from his precedent toil, he would rather be disposed to spend at the tavern, than in gentle amusements, or in occupations which might elevate his mind and refine his tastes; and that during these three hours, he was visited by no friend of the instruction of the people, but that his power of resisting the seductions of sensuality being diminished by the inevitable results of toil, he was abandoned to struggle alone with his fate. That when the day of rest came round, nothing appeared to rouse him from the apathy into which, in the absence of all moral and intellectual stimuli, he was plunged, or to rescue him from the debasing indulgences with which he supplied the want of innocent and ennobling excitement.

The engagements of capitalists, especially in the present state of commerce, are such as to preclude the possibility of their personally maintaining a useful intercourse with the whole body of the workmen in their employ. It is also true that, if evils at all resembling those described exist in any of our great manufacturing towns, they have arisen gradually from the influence of circumstances over which no individual had any control, and that their existence has only of late become apparent to these communities. Considered as a whole, such misery is too great to be wrestled with by any single strength, and the habit of thus regarding it has induced despair of its removal. Thus, the great masses of habitations, closely peopled by the lowest and least moral of the poor, which, in almost all great cities, threaten ultimately to surround and bury in their bosoms the dwellings of the rich and the refined, are too frequently regarded by the benevolent, as hideous moral wastes in which lurk those maladies of society which mock all the expedients of social and legislative interference.

The labouring population is, when only numerically con-

sidered, so vast a power, that the policy which should dare to neglect its interests would be bold even to madness. But on contemplating the energies of this mighty multitude,—what strength of endurance, and what desperation to resist might be awakened in each member of this mass;—and, on the other hand, what impulse each of these minds when cultivated is capable of giving to the progress of civilization;—the importance of this arm of the national power swells to a magnitude which the mind fails to comprehend.

‘If a period ever existed, when public peace was secured by refusing knowledge to the population, that epoch has lapsed. The policy of governments may have been little able to bear the scrutiny of the people. This may be the reason why the fountains of English literature have been sealed—and the works of our reformers, our patriots, and our confessors—the exhaustless sources of all that is pure and holy, and of good report, amongst us—*have not been made accessible and familiar to the poor*. Yet, literature of this order is destined to determine the structure of our social constitution, and to become the mould of our national character; and they who would dam up the flood of truth from the lower ground, cannot prevent its silent transudation. A little knowledge is thus inevitable, and it is proverbially a dangerous thing. Alarming disturbances of social order generally commence with a *people only partially instructed*. The preservation of *internal peace*, not less than the improvement of our national institutions, depends on the education of the working classes.’

‘Government unsupported by popular opinion, is deprived of its true strength, and can only retain its power by the hateful expedients of despotism. Laws which obtain not general consent are dead letters, or obedience to them must be purchased by blood. But ignorance perpetuates the prejudices and errors which contend with the just exercise of a legitimate authority, and makes the people the victims of those ill-founded panics which convulse society, or seduces them to those tumults which disgrace the movements of a deluded populace. Unacquainted with the real sources of their own distress, misled by the artful misrepresentations of men whose element is disorder, and whose food faction can alone supply, the people have too frequently neglected the constitutional expedients by which redress ought only to have been sought, and have brought obloquy on their just cause, by the blind ferocity of those insurrectionary movements, in which they have assaulted the institutions of society. That good government may be stable, the people must be so instructed, that they may love that *which they know to be right*.’—Moral and Physical Condition &c. p. 91.

The great means of promoting temperance, and of elevating the moral condition of the people, is the introduction of habits of cleanliness and forethought into their habitations. The wages of the poor discreetly employed, would often purchase double the amount of comforts which they now obtain; and a

clean house, a wife neither a slattern nor exhausted with toil, but capable of welcoming her husband to a cheerful supper, might win even the vicious, from the excitement of the tavern. Where there are infant children in the family, (who when the mother works, are put out to nurse at considerable expense,) it is more than probable that, when the husband and others of the family are fully employed, the loss of the woman's wages would be almost saved by the effects of her household management.

The tendency of this article will perhaps be received as proof of a desire to extenuate no evil, and screen no abuse; the greater confidence is therefore felt of obtaining credit to the affirmation, that if the statements recently published in the public journals, from the evidence given before a Committee of the House of Commons, are adduced as proofs of the general physical condition of the children of the manufacturing poor, they are utter and groundless exaggerations. The depression of health among the manufacturing population results more from municipal, social, domestic, and moral evils, than from the nature of their employment. The collecting of the cases where health has been depressed by the combined influence of these and accidental causes, and exhibiting the exceptions as evidence against the rule, was an obvious measure to one so versed in political tactics as the late member for Newark. In the country, under judicious management, Dr. Kay proves, by a reference to some interesting statistical evidence relative to the works of Mr. Thomas Ashton of Hyde, that 'the present hours of labour do not injure the health of a population *otherwise favourably situated*, but that when evil results ensue, they must chiefly be ascribed to the combination of this *with other causes of moral and physical depression*.'

The hours of labour in mills are, especially in towns, hostile to the improvement of the moral and physical condition of the working classes. The just inference from which is, that the whole laws of trade must speedily be subjected to so thorough a revision, that our manufactures may be successfully conducted, without demands being made on the labour of the working classes which are inconsistent with their permanent well-being.

The present hours of labour in the manufacturing districts have been gradually introduced, as the pressure of the several restrictions and burthens upon commerce was felt. The tax in support of West-Indian slavery added one portion to the hours of infant labour,—the East India monopoly another,—the Corn Laws ran up the total to fifteen;—yet so dull is the manufacturer's perception, so gullible the English animal, that this very

fact is pounced upon by the supporters of these abuses as what shall be made to aid their purpose. The direct and visible object of the inventor and mover of the Factory Bill, was to run his Bill against Parliamentary Reform, Slave Emancipation, and the removal of the Corn Laws; and the Mirror of Parliament is there to prove it. Yet the manufacturing population run head-long into the snare, and support the schemes of their oppressors for the beggarly boon of being directed how many hours their children may work to escape the artificial famine the same men are making for them. Profits have been gradually diminished,—the rapidity of production, transmission, and return have constantly increased,—the most persevering industry and the most subtle sagacity have been racked for expedients to maintain the contest. The question presented has been whether our manufacturers would be able to meet their foreign competitors in the market; and the alternative, the loss of their capital, and the ultimate non-employment and destitution of the population dependent upon them. In these struggles the hours of labour have been gradually increased. The cotton trade is even now in a critical position; and the only way to relieve the workmen from the evils of oppressive toil, is to remove the burthens which render that toil necessary to the support of the commercial portion of the country, and consequently to the continuance of employment and subsistence to the people.

Our vaunted advantage in machinery is declining. The latest machines introduced into the cotton trade are of foreign invention; and even in the remotest part of the Continent, machinery on the English plan is invariably employed. The chance of gaining and keeping the manufacture for the Continent of Europe, was thrown away the day it was determined, that none but a landholder should sit in the British parliament.

The following is a rapid survey of the state of the cotton trade in various countries of the Continent.

1. *France*.—In 1831, 74,000,000lbs. of cotton were consumed, and produced 63,000,000lbs. of yarn. The population employed in this manufacture is about 200,000. The average wages paid are 5s. 8d. a week. The hours of labour are generally twelve; and fourteen in Alsace. Power looms have not made much way in France, but in Alsace their number is increasing fast and they succeed well. In 1830, France exported, in cotton goods, 5,174,400lbs. equal in value to 2,192,240l.—Of this 3,194,240lbs. were printed cottons of the value of 1,483,640l.

2. *Switzerland*.—In 1831. the consumption of cotton was

56,000 bales, or 18,816,000lbs. The population employed in the cotton manufacture is at least 28,000, and children are admitted into the factories at ten years of age. The hours of labour average eighty per week, and are often fourteen a day. The average wages paid are 4s. 5d.; and No. 40. twist can be produced, every thing included, at 14½d. per lb. when the raw material cost 8½d. In England, with cotton at the same price, it costs 14d. These data will serve for points of comparison. As nearly as can be calculated, the average wages in an English *Coarse Mill*, are 8s. 4d.

Switzerland has been an exporting country for many years; and the Swiss goods, particularly fine twills and the better description of prints, have successfully competed with British goods of the same kinds in the Mediterranean markets, and lately in South America. There is no duty on the raw material in Switzerland, nor, of course, any drawback on exports. The population engaged in the cotton manufacture is generally well off, and the people happy.

3. *Prussia and the Rhenish Provinces*.—Here the production is rapidly increasing, though as yet it has not reached any considerable extent. In 1830, the consumption of raw cotton was 35,000 bales, or 7,000,000lbs. The number of persons employed in spinning alone is 7,000. They work sometimes twelve, but oftener fifteen or sixteen hours a day. As high as No. 34, they can successfully compete with English manufacture. The average wages have not been ascertained. Power looms have been successfully introduced into the Rhenish provinces.
4. *Saxony*.—In this country, chiefly in the neighbourhood of Elberfeld, the cotton manufacture is just commencing, and promises a rapid increase and eminent success. The yearly consumption may be reckoned to amount to 1,200,000lbs.; and is fast augmenting. Children are admitted at six or seven years of age, and the hours of labour are twelve a day. The average wages paid are about 3s. 6d. a week. They can compete successfully with English yarn as high as No. 50. for warp, and No. 80. for weft.
5. *Lombardy*.—The yearly consumption in Lombardy is about 12,000 bales, or 4,000,000lbs of cotton; but the wages paid and the number of hands employed have not been ascertained. They work twelve hours a day.
6. *Austria*.—The cotton manufacture flourishes, and is rapidly

advancing, in Hungary, Austria Proper, and the Tyrol. It is, however, of recent growth. In 1831, the cotton consumed in the Empire was 12,000,000lbs.; the yarn spun in Austria Proper was 4,750,000lbs. Children enter the mills at eight years of age. The newest machinery is employed, chiefly of Swiss manufacture, and the factories in general are remarkably well managed. In the Tyrol, the average wages are 3s. 9d.; and they can produce No. 40. Twist at 15½d. per lb. when the raw material is 8½d.

7. *India*.—Spinning manufactories are only just commencing their existence; but the vicinity of the raw material, and the excessive cheapness of labour, will give them great advantages. There is a mill containing the best machinery, and 20,000 spindles, lately established about twelve miles from Calcutta. They work seven days in the week, and eleven hours a day in winter, and thirteen or fourteen in summer, averaging about ninety-one a week. They spin No. 20. and No. 40. twist, chiefly. A spinner who attends to one mule gets 7s. a month. A piecer, (of which there are three to a mule) gets 3s. to 4s. Spinners in England obtain from 5*l.* to 7*l.* a month, and piecers from 16s. to 28s. per month.

In the year 1831, from a Report \* made by a Committee appointed by Congress in the spring of the year 1832 to inquire into the progress of the spinning and manufacturing of cotton in the United States, it appears that in twelve States there were 795 mills, 1,246,503 spindles, and 33,506 looms. The weight of cotton consumed was 77,557,316 lbs; and allowing two ounces per pound for loss, the total weight of yarn produced was 67,862,652 lbs., the average weekly produce of each spindle being 16¼ ounces. The number of males employed in the cotton-spinning and manufacturing was 18,539, and of females, 38,927; total, 57,466. The amount paid for wages in the year was 10,294,444 dollars, or 2,144,780*l.*, being 42,895*l.* per week, averaging 14s. 11d. for each person thus employed. The average wages in a cotton mill in England are about 10s. for all ages, and when many power-looms are employed, about 12s. On considering, therefore, the expenses attending the transport of cotton from America, the duty of three farthings per pound (10 per cent) to which it is subjected in our custom-houses, the cost of the transmission of the manufactured produce to the United States, and the duties which are imposed on

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\* See Burn's Commercial Glance.



our manufactures, even by the tariff which has been recently introduced, it will be seen what chance our manufacturers have of entering into competition with the Americans in their own markets; and if we continue to shackle our trade with fresh restrictive regulations, what hopes we may entertain concerning our future success in the markets of other nations.

The preceding details demonstrate how rapidly commercial competitors are rising up, unencumbered by duties on the raw material, or restrictions on the hours of labour, but having, for the most part, the advantages of cheap labour and food. Certainly these statements afford no argument to those who, before any relief from our commercial burthens is obtained, would add to the difficulties already experienced in maintaining the commercial position of the country, by arbitrary regulations affecting the internal economy of trade.

It is a principle in political philosophy, seldom announced, but never contradicted, and which contains a sound and sober wisdom attested by centuries of bitter and calamitous experience, that he legislates best who legislates least;—that laws in their best estate are only necessary evils, and that nothing but necessity can justify their fabrication. Restrictive laws, interfering with the internal regulations of commerce, may prevent the recurrence of some specific evils which they are intended to remove, but they effect this by ultimately occasioning extensive embarrassment to trade, and consequently inflicting serious ills on the working classes. Hence, nothing but the strongest necessity can justify legislative interference with commercial concerns; and the whole onus of the proof of that necessity, lies with those who propose the violation of a great general principle.

The Bill introduced into Parliament by Mr. Sadler, strikes at the root of none of the evils which affect the poor. The opponent of almost every other measure which has been advocated for promoting the elevation of the people;—content to leave them still uneducated, and uninstructed in domestic economy;—horror-stricken at the thought of their being politically enlightened;—the advocate of their improvident marriages;—the protector of the poor laws;—and the champion of restrictions on trade;—he would add, to the benefactions of his microscopic benevolence, the paltry boon of reducing the hours of the labour of the ill-paid poor, thus making them still poorer.

This law would be extremely defective in its practical operation. No restriction of the hours of labour can be extended to all branches of trade, and unless extended to all, it would be unequal and unfair to impose it on any. The best general

measure which could be devised to restrict the hours of labour, would be partial in its practical operation. Where manufactories are most subjected to public inspection, and therefore to the influence of public opinion, and where they are consequently best regulated, restrictive laws would, from similar causes, act with the greatest force; but in remote districts, where the present laws are infringed because there public opinion has little power, all future laws would be equally inoperative. Those manufactories which are therefore least amenable to the control of public principles, and are consequently worst managed, would have their sinister advantages increased to the prejudice of superior establishments. Even if the restriction were placed on the moving power, an extent of interference which few would probably be prepared to support, the enactment would be evaded, as all others have been, by mutual consent of master and workman, because it is inimical to the obvious interests of both. Unless a special preventive police were established to enforce the law, it would be disobeyed, as the present law is, by an agreement on the part of the workmen to indemnify the master for any penalty to which he might be subjected for disobedience. This statement supersedes all commentary. Legislature, in the depth of its wisdom, enacts, that under an artificial scarcity of that legislature's own creation, you shall not work a man's children above twelve hours per day, lest their health should be injured; and the man himself, preferring not to starve, guarantees you against penalties inflicted upon you for evading the law passed for the protection of his children.

How will such an enactment, supposing it to be efficient, affect the operatives themselves? One of three events must occur. Either all children under the prohibited age (eighteen), will be immediately dismissed, and their places supplied by adults who will be worked thirteen or fourteen hours per day; or all mills will work ten hours, and the production be consequently one-sixth less than at present, and proportionally more costly;—or the masters will contrive, by employing machinery instead of men, by stimulating their workmen to greater exertions, by increasing the speed of their machinery, to render the law nugatory by producing as much in ten hours as they do in twelve.

Suppose all children under eighteen years of age to be dismissed. The number of individuals now employed in cotton factories in England is about 170,000, of which about 70,000 are children under the prescribed age. The loss to the industrious classes of the community from their non-employ-

ment, would be about equal to 15,700*l.* in weekly wages. If the limitation extended to cotton factories alone, many of those dismissed might find employment in woollen, flax, silk, and other establishments; but the result would be a reduction of the general remunerating price of all labour which could be performed by adolescents, in consequence of the immensely increased competition. On the other hand, if, as impartiality would dictate, the restrictive law were extended to all factories, the number dismissed from employment would be far greater than has been above calculated, and they would be unable to find any other occupation, but would be sent adrift to drain the bitter cup of poverty and destitution, or to cultivate every vicious propensity in the school of idleness.

It might be supposed, by those ignorant of the practical regulations of trade, that an equal number of adults would be employed to supply the places of these dismissed children. An adult would, however, frequently be expected and obliged to do the work of two children, and he would not receive, even then, much higher wages, for the profits of trade would not admit of such increase in his remuneration. On the other hand, adults would be obliged to purchase any augmentation of their wages which might occur, by an increase in the quantity and the duration of their labour, in comparison with which the present system is an easy burthen.

According to the second alternative, all mills would work ten hours instead of twelve; the production would be diminished one-sixth; the wages would, after a short interval, be reduced in proportion; more mills would be built to compensate for the diminished supply from those already in operation; a larger number of workmen would thus become dependent on the manufacturer; and, after a certain period of feverish excitement, the market of the trade would be reduced within narrower limits by the increased cost of production, and the wages of the augmented population would be seriously reduced. To what extent this diminution in the reward of labour might proceed, would be determined by the power we might still possess of entering into competition with foreign manufacturers. The injury resulting from restrictions on trade, accumulates however in a rapid ratio, and is especially felt when the danger of the success of foreign rivals is imminent. When the balance is wavering, feathers turn the scale.

Lastly, masters would employ machinery in operations where they now employ men. The limitation of the hours of labour would introduce the self-acting mule throughout the trade, and many thousands of the most highly paid hands would be dismissed from employment.

Or masters would introduce improvements by which they would be enabled to 'speed' their machinery; by which measure, *cæteris paribus*, much greater exertion and attention would be required from the operative. The number of threads which used to break some years ago in certain operations, was thirteen per cent; it is now reduced to three per cent; and other improvements by which the speed of machinery might be increased without a deterioration in the quality of the yarn, would naturally ensue in a season of commercial embarrassment. Thus Throstle spindles used to run 4500 turns per minute; they now run in many cases 5400 turns, and mule spindles have been 'speeded' in a similar proportion. The American throstles have been introduced, which run 7500 turns per minute. Other machinery has also been 'speeded' from ten to twenty per cent. If the Factory Bill occasions the working of machinery at an increased speed, an intensity of application will be required from the operatives, which will at least balance any advantages arising from the diminution of the hours of labour.

Has legislation no better remedy for the evils suffered by the working classes, than this new restrictive blunder! Are we still to continue the slaves of the pernicious school which has manacled our commerce from head to foot? What have the opponents of retrenchment, reform, and free trade to do with the interests of the working classes? Long ago have they proved how ignorant they were of even the elementary principles concerned in the advancement of the social state, and after this bill has caused a reduction of wages,—an increase of mills, and consequently of population,—a 'speeding' of machinery, and a substitution of machinery for men,—will they even then be content to abandon their measure; will they not rather favour us with some new restrictive nostrum for the evils their short-sighted policy has entailed upon the people;—fresh bleeding and more warm water? What remedy would they propose, when necessity had compelled the resumption of the hours of labour;—when production had still further surpassed the demand;—when prices had fallen,—profits were reduced,—wages diminished,—extensive failures had occurred,—multitudes had been dismissed from employment,—and the poor-rates had become more oppressive than ever;—what panacea would they find for these evils;—how would they allay general dismay, discontent, turbulence, and crime?

Are the miseries which have been exposed, to be tolerated without any effort being made for their removal? By no means. Remove the Corn Laws; and as a preliminary, let Mr. Sadler be brought as evidence before a Committee of the House of

Commons to prove their consequences. A woeful day was it for his employers, when he bethought himself of raking into the consequences of their legislation. Evils undoubtedly there are, though they have been exaggerated; and they must be mended at the right time. But two inferences will force themselves on all whose powers of thought are above the lowest standard. First, that *every man is either dishonest or the victim of dishonesty*, who when one reform is demanded, thrusts forward the absence of another as a reason for refusing it; and Secondly, that when the two nuisances have been abated which the Factory Bill was brought forward as the stalking-horse to cover and protect,—the Corn Laws and West-Indian slavery,—then and not till then, the government should take the Factory question in hand, and give the country the measure of its talent, by the judgment and despatch with which it applies the remedy.

ART. IX.—*Fourth Supplement to the Article on the 'Silk and Glove Trades,' in No. XXXII.*

THE 'True Sun' has given six rather extensive articles, under dates between the 3rd and 8th of January 1833, in reply to the observations made on his arguments up to the 24th of December 1832; for which reference can only be made to that paper, as a small return for the pains taken by it in bringing the subject before the notice of the public. On one point only does there seem to be any necessity for a distinct reply. When an assertion of 'wilful misrepresentation' is brought forward, there is a rather extensive interest excited to see how far the case will be made out. What is one man's luck today, may be another's tomorrow; and therefore the matter becomes something of a common stock.

It is wearisome to be printing and reprinting; yet it is better than uttering what no conclusion can be drawn from. The object in what follows, is to invite any person who is not a deaf adder to such a subject, to determine for himself whether there was the smallest necessity for understanding the writer in the True Sun to mean what he says he did; and consequently whether there was any fitting ground for an assertion of wilful misrepresentation.

'On a former occasion, the Reviewer had observed "that there is no reason in saying a man shall be protected, while he is producing, but shall be robbed whenever he begins to enjoy." To this, we replied, that the unproductive classes had not a *better* right to be protected,

when they "begin to enjoy" than the labouring classes have to be protected, "while they are producing"—that the labouring classes were not protected, while they were producing—and, therefore, they could scarcely be expected to consent, that the unproductive classes should be protected, in their business of enjoyment.'

'What is the Reviewer's commentary on this?'

"In this, there is a palpable double sense. 'The productive classes are not *protected*'—that is, allowed to make the useless robbery of one another, which is recommended to them: 'why then should they consent to the unproductive classes being *protected*'—that is, saved from being uselessly deprived of what they have, to see it thrown into the sea."

'We will not again dwell upon the fallacy, so dear to the Reviewer, that a protective system is a robbery of the protective classes, by each other—but we will observe, that the Reviewer has wilfully misrepresented the sense of our expression, that "THE PRODUCTIVE CLASSES ARE NOT PROTECTED WHILE THEY ARE PRODUCING." "Protected" from the rapacity of tax-collectors, not from the competition of foreign manufacturers:—*that*, we expressly stated to be the sense, in which we, on that occasion, used the term "protection." The passage stood thus:—'

"The Reviewer says, there is no reason in saying, that a man shall be protected, while he is producing, but shall be robbed whenever he begins to enjoy. There is no reason, we apprehend, in tolerating the robbery of any class—but that is not exactly the question. It only remains for us to decide, whether, under the system of wholesale robbery, which Governments have practised so long, it were more for the general advantage, that those who have produced, or those who are still engaged in the business of production, should be robbed. The free traders, be it observed, have given it as their decision, that the balance of advantage is on the side of robbery perpetrated upon the productive classes."—*True Sun*. 5 Jan. 1833.

Now in all this, who was to know that the author meant "Protected" from the rapacity of tax-collectors, not from the competition of foreign manufacturers; and in what place is that 'expressly stated,' or stated at all? For instance, by the words, 'under the system of wholesale robbery, which Governments have practised so long,' who was to surmise that the author in the privacies of his heart meant taxation, when the question was understood to be about the injustice of free trade? When a man has let out the fact that he meant so and so, it is possible to conceive that in these passages he had such and such a thing in his eye; but before an assertion of misrepresentation was founded on it, it should have been proved that the meaning had been previously set forth in such a manner that the uninitiated were bound to perceive it upon view.

The writer in the *True Sun* is so far from having a distinct idea of what he meant himself, that when he goes to his

defence he does not make it, and somebody else must make it for him. He never, after all, quotes the passage which really contains the key to what he meant. In a passage previous to any of those he has quoted in his own support, he had been talking of 'the robbery consisting in subjecting particular classes to a large share of the pressure of taxation;' and this in all probability was in his mind, when he thought he had explained that by protection he meant the absence of taxation. But when the connexion was not visible enough to make the author himself appeal to it in explanation of his meaning, how was any other person to conclude from it that so and so was his meaning? 'Protection' is a word which everybody is accustomed to hear applied to the raising a trade's prices by prohibitions; there is no reason therefore in demanding that anybody shall take it in another sense, without the clearest statement of intention so to use it,—and least of all on such a statement, as it did not even occur to the author to make reference to, himself.

Finally, if the True Sun is admitted to the fullest extent to re-model its passages,—what sense or propriety is there in saying that because the working classes are overtaxed, therefore they ought to take from certain other classes by a process equivalent to throwing into the sea. Will mankind never find out, that the way to remove one political evil, is not to play into the hands of the supporters of some other?

ART. X.—*Remarks &c. on the Practicability and Advantages of a Sandwich or Downs Harbour.* By Edward Boys, Commander, R.N. Approved by the Joint Committee of Sandwich and Deal.—Sandwich. 1832. 8vo. pp. 42.

THE subject of a Sandwich or Downs harbour is one of great importance, whether it be considered in a naval or commercial point of view. It has engaged the attention of the public from time to time since the year 1548; its practicability has been shown, its advantages have been admitted, and yet it remains among the desiderata in public works.

To comprehend the subject accurately and easily, the local situation of the town of Sandwich, situated on the river Stour shall be first stated, in the words of Captain Boys.—

'On entering upon this subject it were well to remind the reader that the river Stour takes its rise in two sources, one near Hythe, the other near Lenham, and uniting at Ashford flows through rich valleys to Canterbury; and swelling its waters with several tributary streams

passes through Sandwich ; where it has a depth of 11 feet at spring tides ; and carrying from thence an average breadth of 150 feet along a very circuitous course of eight miles, disembogues itself about one mile W. S. W. of Ramsgate.'

To conduct the waters of the Stour through a new channel shorter in extent, and leading in a direct line into what are termed the lesser Downs, is the object desired, and from which many important advantages would be gained ; among which may be named a good harbour in that celebrated anchorage, the renovation of the trade and prosperity of the town of Sandwich, and the preservation of the harbour of Ramsgate, now fast filling up from the alluvial matter brought down by the waters of the river. Pursuing the argument, the author says,—

' From various historical sources it appears that the making a new exit for the waters of this river was first projected in August, in the second year of the reign of Edward VI, 1548 ; when a commission was issued from the crown to ten scientific men to examine and to report upon the practicability of the measure ; but these returns cannot be found. It has, however, been ascertained that the plan was subsequently taken up, and actually commenced, by a private individual named John Rogers, traces of which still remain ; but Rogers died during the progress of the work, and it was abandoned.'—p. 4.

In 1550 the privy council issued another commission to eight persons for the same purpose, who were assisted in their judgment by Henrique Jacobson, a celebrated Dutch engineer of that day, and said to be a man ' very expert in such great water works.' He recommended the completion of the cut begun by Rogers, and estimated the expenses of the various other works proposed by him at about 10,000*l*. Whether the commissioners were dissatisfied with Jacobson does not appear, but the same year another report was made by Adrian Andrierson, also a Dutchman, who declares the decay of the haven of Sandwich to have been caused,—

' By turning away divers streams and rivers, and stopping of insets for the inning\* of marshes, which streams were wont to run with force through the haven, and for long lack thereof the haven's mouth thereof and all the haven is grown to great flatness, narrowness, crookedness, and shallowness.'

He differed in opinion with Jacobson as to the site for a new cut, and proposed that one should be made more to the

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\* Inning, is the practice of gaining land from the sea. In this neighbourhood it was begun by the Anglo Saxon clergy, who built a strong sea wall called a *ree*, on the æstuary of the river Rother, by which it was turned out of its original channel.



southward than that begun by Rogers, on account of the ground being four feet lower than at the former place, by which its construction would cost less, and it would be rendered more effectual ; and he sums up his views in these words ;—

‘ The necessary points are a new cutt to the sea, but more to the southward ; jutty heads of stone or tymber, scluces, and the old haven to be stopped up. The depth of the channel of the new cutt at high water, will be twentie foot ; at low water a very good tyde haven ; and that it would be an universal benefit to the whole realme to have a haven at Sandwich, because it would be the occasion of the towne being well inhabited and flourishing again.’

The estimated cost of these works was 16,064*l.* 18*s.* 8*d.*, and as the plan was considered a judicious one, it was adopted and recommended by the commissioners, who, sensible of the necessity and importance of the construction of a harbour in the Downs, say in their report to the privy council,—

‘ That if the Queen’s Majestie should have wars with her Majestie’s ancient enemy the Frenchman, the same would be a very good and commodious harbour for all her Highness’s ships. We find her Highness hath on all that side of the narrow seas no haven mete or necessary for the harbour of her Majestie’s ships, and therefore the want thereof is greatlye dyscommodious, besyde the awe or fear that might growe to the enemye yf such a haven weare.’

Among the names affixed to this report will be found those of Lord Cobham then lord warden of the cinque ports, Sir Richard Sackville, and Sir William Woodhouse vice-admiral of England, who, besides the above precautionary motives for the undertaking, recommended it also on the ground of convenience.

‘ For the reason that it would enable ships to go out at all seasons, and with all winds, whereas now they cannot ; and besides that, will bring ships into deep water from thence directly into the road of Downs.’

These particulars are not given merely on account of their curiosity, but to show that as early as the year 1550 the necessity of a harbour on this spot was investigated and admitted by the government ; that it was earnestly sought for by the inhabitants ; that its practicability was demonstrated by the plans and explanations of the best engineers ; and though last not the least item in the view, that the expenses of construction were kept within moderate bounds. Notwithstanding the powerful support of the commissioners, nothing was done to forward the objects recommended in their report, and the subject slumbered till the year 1574, when another survey is said to have been taken, of which no traces are to be found at the

present day, nor did any practical benefit result from it. Wearied with the unsuccessful result of their endeavours, the inhabitants appear to have remained quiescent till the year 1706, when fresh plans and estimates were taken and laid before the admiralty,—

‘—but about that time,’ says Captain Boys, ‘the victories of Marlborough, the expenses of the war, and the great superiority of our naval forces, diverted the attention of our legislators, and removed the immediate necessity of the work.’—p. 6.

The Grand Monarque and his Spanish ally certainly found pretty constant employment for the thoughts of the government of that day; but if the records of the time may be credited, a harbour on this spot was shown to have been very greatly wanted, as our small cruisers are stated to have been in continual danger of being picked up by French men of war, and our convoys to have been often defeated and taken, with the merchant ships under their care. Indeed the losses were so great, that the merchants laid their complaints before the House of Lords, in the year 1707; the result of which was, the appointment of a committee to inquire into the conduct of the Admiralty, then under the management of Prince George of Denmark assisted by a council; and after due inquiry, the committee recommended the removal of the prince’s council, which recommendation was attended to, and the members were removed accordingly.

Besides the want of a harbour for safe protection against the enemy so strongly indicated at this time, its necessity as a place of refuge from the rage of the elements was made apparent, in consequence of a dreadful storm which began on the morning of the 26th of November 1703, and continued till the following morning. During this hurricane the British navy lost thirteen ships, of which the Resolution, Northumberland, Stirling Castle, Mary, and Mortar bomb, were driven on the Goodwin Sands, and lost, with nearly the whole of their crews; seventy men from the Stirling Castle, and one from the Mary, being all that were saved. Among those who perished was Rear Admiral Sir Basil Montague. The utility of a harbour was shown at an earlier period, for in 1690, the Vanguard, of ninety guns, was driven on the Goodwin Sands, and after fortunately extricating herself from this perilous situation, she ran into the mouth of Sandwich haven, decayed and apparently useless as it had become, and was afterwards got off safe. These are powerful warnings to provide against distress and danger, but they have been hitherto ineffectual; for this dilapidated haven is still the only asylum for ships in the Downs,

if we except Ramsgate harbour, itself a danger equal to the most tremendous hurricane.

Petitions for a harbour continued to be presented to the various authorities, which were treated with indifference, till the year 1736, when the House of Commons appointed a committee to investigate the subject. The committee employed Mr. Labelye, an engineer of great eminence, to make a survey and report; and he submitted a plan for converting the old cut begun by Rogers, into a basin, so as to keep ships always afloat, but, as usual, no good resulted from his labours, although he confirmed the practicability of the plan. In 1744 the subject was agitated again, and in a way that seemed to promise success. The House of Commons addressed the king, 'praying, that proper and skilful persons be sent to view the haven of Sandwich, and to examine whether a more commodious harbour cannot be made in the Downs, from the town of Sandwich, near Sandown Castle, fit for the reception of large merchantmen, and ships of war, and to survey the said ground and shore; and also the river Stour, necessary as a backwater for cleansing and scouring the said harbour, and to make an estimate of the expenses; and that his Majesty will be graciously pleased to cause the said survey and estimate to be laid before the House of Commons.' Six skilful men were appointed (Captain Boys says by the Admiralty) to examine the proposed spot, and they reported,—

'That the basin may be made capable of containing upwards of 150 sail of ships, of which many may be men of war, and large merchant ships; they will lie there, as in a wet dock in perfect security; that it may be of use, not only for cleaning and refitting ships, but may (by means of the backwater) be further improved, so as to be made fit for docking large ships at any time, without waiting for spring tides, an advantage which no port or harbour in Britain affords.'

This report, with plans annexed, was, by the king's command, presented by Lord Vere Beauclerc, and referred to a committee of the whole house. After examining a great many nautical men, and Mr. Labelye the engineer, the committee resolved on February the 12th, 1745,—

'That a safe and commodious harbour may be made in the Downs, near Sandown Castle, fit for the reception and security of large merchantmen, and ships of war of sixty and seventy guns, and be of great use and advantage to the naval power of Great Britain, by preserving ships in distress, speedily refitting them for sea, and by saving the lives of many of his Majesty's subjects; and in time of war particularly, be a ready means of bridling Dunkirk, of guarding the north of the river, and protecting the coast from invasion and insult.'

Notwithstanding the favourable opinions expressed by all parties engaged in the measure at this time, nothing further was done towards carrying it into effect; and the delay may be attributed to two causes. First, to the estimate of the expenses, which amounted to 389,168*l.*, a sum so large, that it deterred government from undertaking the work at a time when the nation was engaged in an expensive war; and, secondly, to an open opposition in behalf of Ramsgate, as being a more eligible spot for a Downs harbour. Hitherto this measure, although not carried into effect, had not met with any open opposition on the ground of ineligibility; opinions had been unreservedly in its favour, and therefore its delay in execution constitutes a curious fact in the history of events connected with public improvement. However a doubt was now raised against it, and while the public mind was divided on the subject, the friends of the Ramsgate interest presented a petition to the House of Commons in opposition to that from Sandwich, in which they assert as reasons for preference,—

‘That with them no backwater was necessary; that the soil of Ramsgate, being chalk, was sufficiently firm to build upon, yet so yielding that the keels of vessels readily made a dock for themselves in it; that it would be capable of containing ships of sixty and seventy guns; and that there would be a saving to the public of several hundred thousand pounds.

The effect produced by this petition, was aided by a natural occurrence; for in December 1748 a tremendous storm arose, and the wind blew so heavily, that many vessels drove from their anchors in the Downs, and found shelter in the then small harbour of Ramsgate. This accidental circumstance was pressed with such perseverance and assiduity by the advocates of the Ramsgate measure, who were chiefly London merchants and underwriters, that it was at last made the ground for a decision in their favour; and in the ensuing year, 1749, the first act of parliament was obtained, and operations actually commenced.

To those who are unacquainted with the early history of Sandwich, and who know it only in its present gloomy and neglected condition, it must require no small effort of imagination to conceive it as ever enjoying affluence and prosperity; but such was really the case in early days, before the decay of its haven struck the first blow at its naval and commercial greatness. Second in rank among the cinque ports, its haven was the safest, the most frequented, and the best in the kingdom; it was celebrated for the number of its ships and the intrepidity of its seamen; and it was repeatedly the port of embarkation of the sovereigns of

England. So early as the year 821, as recorded in the Saxon Chronicle, Aethelstan, king of Kent, with Ealcher his general, fought a great battle with the Danes at Sandwich, and took nine of their ships; and many other of the early historians mention this port as one of the greatest celebrity and consequence in the realm. Thorne, in his chronicle, says that in 1011 the Danes left their winter quarters about London, and came to Sandwich, with a great fleet, because the haven was so very commodious; and the author of Vita Emmæ Reginae, speaking of Sandwich, calls it '*omnium portuum Anglorum famosissimus*.' Such was the character of the haven in the early periods of our history, nor was the town inferior in magnitude and importance when compared with the haven; for the Domesday Book says, 'In anno quo facta est hæc descriptio, reddidit Sandwic 50 libras, de firmâ et alleces sicut prius. T. R. E. erant ibi 307 mansuræ hospitatæ; modò sunt plus 76, id est, simul 383;' that is, when this survey was taken, Sandwich yielded a rent of 50*l.* and herrings as before. In the time of King Edward [the Confessor] there were 307 houses inhabited, now there are seventy-six more, in all 383.' The town continued to increase in size and prosperity, and enjoyed an extensive and lucrative trade, till the Abbots of St. Augustine's in Canterbury began the practice of gaining land from the sea, which was the cause of the decay of the haven, and with it the commerce of the town. The misfortunes arising out of avarice were in part remedied by others springing out of persecution. The revocation of the edict of Nantes, which caused so many ingenious and industrious artizans to fly for protection to the protestant states, and gave to the latter a knowledge of the woollen, silk, paper, and other valuable manufactures, at that time almost exclusively known in France and Brabant, was the means of reviving the prosperity of Sandwich. Admirably situated for foreign commerce and internal trade, a body of these refugees established the woollen manufacture at Sandwich, which thrived again to a degree almost unprecedented at that early period. This extraordinary success may be attributed to the charter of the cinque ports, which, among other valuable privileges, gave them the 'free right of buying and selling;' that is, the right to buy and sell without toll or duty all over kingdom. The prosperity of the town was, however, of short duration, for James the first, granted an exclusive charter to the merchant adventurers\*, which destroyed the commerce of Sand-

\* The Merchant-adventurers were a company which possessed by patent the exclusive trade in woollens; a monopoly that not only destroyed the lucrative traffic of the Cinque Ports, but like all the other monopolies of

wich and the other cinque ports with Germany and Flanders ; and the home trade was attacked by the citizens of London, who disputed the right of the Sandwich manufacturers to sell their woollens freely in Blackwell Hall ; and although the charter of the ports is a century older than that of London, the case was decided against them. The consequence of this decision was the removal of the manufacturers, and shortly after of the merchants and ship owners, and thus left with a decayed haven and without trade, the town immediately sank into insignificance and poverty, in which state it has remained ever since. Such is a sketch of the events which have proved so unfortunate to this ancient town : should a good harbour however be effected, there is little doubt but it would become lastingly prosperous again, from its local advantages.

To return to Ramsgate harbour ; concerning which Captain Boys remarks,—

‘The only reason assigned by the Ramsgate party which has proved correct, and which would have proved equally so with respect to Sandwich harbour was, that it would be the means of keeping the Downs clearer for the more valuable ships, but the force of this solitary reason is now materially diminished, inasmuch as the smaller vessels, having all chain cables, seldom, or never anchor among the large ships, and even when they run for Ramsgate the result is likely to be more disastrous than riding the gale out at their anchors ; in proof of which we have only to refer to the gale of the 4th of March, 1818, when about 200 small craft in a panic ran for this harbour, many lives were lost in consequence, and scarcely a single vessel escaped injury, either from collision within, or other cause.’—p. 10.

The Kentish Gazette of the 10th of March had the following paragraph, ‘The destruction at Ramsgate is beyond any thing that has been experienced at that port, the damage to the vessels within the pier is calculated at 30,000*l*.’ To which may be added the amount of the mischief done to the hulls by straining at low water, also that sustained without the pier, and the value of the vessels wrecked in the immediate vicinity ; from which it would be easy to show, that 100,000*l*. would not defray the losses of this gale only at Ramsgate.

The facts adduced in this paragraph are sufficient to show that the structure at Ramsgate has not proved, as was asserted,

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that period was loudly complained of as injurious to the prosperity of the nation. They were first incorporated by Queen Elizabeth but with more confined privileges, yet sufficiently extensive to excite complaints against them to the Privy Council, and which caused an attempt to be made to open some branches of their trade, but through combination and manœuvre the objects of the council were defeated.

a safe and commodious harbour for the Downs, and it is now the opinion of most persons capable of judging on the subject, that it is a failure, as an asylum for ships in distress. So great is the danger attendant upon entering it, that it has been calculated that one ship out of three is either wrecked or damaged in making the attempt during a gale of wind. The difficulty of entering arises from a strong tide setting directly across the entrance, so that to avoid one pier head a ship is obliged to hug the other, and to run in with such rapidity as always to risk damage to herself. The danger of attempting to enter with a southerly wind is very great; and it is with a wind from that point that ships commonly break adrift in the Downs, and that an asylum is most wanted; but here, if a vessel attempts to round the pier head with the wind at south, the rebound of the sea from the west pier strikes the larboard bow, and if the sea from the south should strike the starboard quarter, the wind also acting on that point, the vessel refuses to answer the helm; when, urged onward by the tide, she is dashed against the east pier head. Another great disadvantage and danger arises from ships not having either time or space to shorten sail, which often obliges them to run ashore on the chalk rocks, by which they are frequently damaged. Captain Boys says,—

—‘ that many of the ship owners have given orders to their masters never to attempt this magnificent *ship-trap* but when life is in positive danger in the Downs; and the trustees seem sensible of the propriety of this precaution, when in their instructions dated January the 1st, 1821, they direct the ships ‘ almost to touch the pier head, or the tide will certainly set you to the eastward past the entrance,’ and recommend running through the Gulls in the night in preference.’

One of the advantages held out by the proprietors of this harbour, proved of a very expensive nature to the ship owners, who find that a dry harbour with a chalk rock bottom, is the cause of vessels being greatly strained, and of starting butt-ends, particularly if deeply laden.

The next point considered by Captain Boys is one of great interest, which is the decay or silting up of the harbour of Ramsgate.

‘ We will now observe,’ he says, ‘ that the mud and silt from the river (Stour) is not only extending the flats around Pegwell Bay towards the piers, but was in 1774 so rapidly filling up the harbour itself, that had not an artificial backwater been formed at an immense expense, it would ere this have been wholly choked up; notwithstanding this evil has been removed, another has arisen out of the remedy, for it appears by the report of the Trustees in 1773, “ that in three years 52,000 tons of sand and sullage had been taken out at the

expense of 1100*l.*, and that it was feared it was rather increased than diminished.'

The remedies for defects of this kind frequently produce new evils. The backwater is found to keep the harbour tolerably clear of its silt; but when the silt is ejected by the force of the sluices, the question arises—what becomes of it? The reply to which is, that on examination it is found to be deposited in the Ramsgate channel, or direct ship track into the harbour, now fast silting up. In 1736, at the white buoy which marks the channel to the harbour there were three fathoms at low water, now only fourteen feet; and near the flats where the charts mark two fathoms, there is now only one. The sand thrown up by the sea, the alluvial depositions of the uplands brought down by the Stour, and the *detritus* of the cliffs, all tend to increase the accumulations in the bay, particularly in and near the Ramsgate channel. At the western extremity of the Cross Ledge, the Bramble and the Ratler sands have been recently formed; and still further to the westward, others are forming not yet marked down on any of the charts. Indeed the sea is fast contributing to its own exclusion in Pegwell Bay, as is shown by the report of Mr. Rennie on a projected harbour in the Downs, dated February 1812, in which he says,—

'If the entrance proposed by Mr. Labeyle in the year 1737 was objectionable then, how much more must it be now Sandwich flats have since that time so much extended to the south by the alluvial deposition of the Stour, mixed with the sand thrown up by the tide.'

The following measurement of Captain Boys's places the proximity of the danger in a clear point of view.

'In order that the most satisfactory evidence may be adduced in support of that which is herein stated, we have taken the trouble to measure the distance from the flats (close to the north of the river) to the pier, and found as follows:—

					Yards.
Distance from the Flats to the Red Buoy	...	...	...	...	1086
Red Buoy to the Pier	...	...	...	...	536
Total from the Flats to the Pier	...	...	...	...	1622
					Yards.
From the mouth of the river to the cliffs	...	...	...	...	650
					Yards.
Distance of Flats from Pier in	...	...	1736	...	2832
Ditto, February the 18th	...	...	1832	...	1622
Increase of Flats in years...	...	...	96	...	1210



Yards.	Years.	Yards.	Years.
If 1210	: 96	:: 1622	: 129 to the Harbour.
— 1210	: 96	:: 1086	: 86 to the Red Buoy.'—p. 18.

' If we judge from the contraction and diminished depth of water in the channel by which less silt is carried away, we may reasonably infer that the ratio of accumulation increases in proportion to that of diminution; or, in other words, in proportion as the quantity of passing water decreases, so does the ratio of silt-accumulation increase; thence it is evident these flats are extending more rapidly now than formerly, and will ultimately choke up, not only the channel, but the very harbour itself. To believe that this will not be the case, is to shut our eyes against a palpable fact, and to believe natural causes will cease, merely to favour the illusive projects of man. Although the choking up of the harbour may not occur for more than a century, yet we know the northern part of the track, marked on the charts to denote the Ramsgate channel (at the angular point of which is a red buoy), cannot possibly be altered; the moment that tract is infringed on by the increase of the flats, which are now only 1086 yards from it, that moment terminates Ramsgate as a harbour of refuge; for if vessels at the last quarter of the flood cannot keep that track, and shave the buoy (the tide running from three to five knots, influenced by the winds, directly across the entrance), they cannot get in, and if they miss it, when blowing hard, they must be wrecked at the back of the pier.'—p. 19.

This reasoning is corroborated by the evidence of Mr. Joad before a select committee of the House of Commons, in 1822. He says,—

' With the rebound of the sea the ship will not steer truly; if she should be *ten feet* out of her line she is sure of going against the east pier, and then nothing can save her.'

These are materials for thinking, which may be recommended with great propriety to the shipping interest generally. Looking at the enormous outlay of one million and a half of money which the works at Ramsgate have already cost; the *ad infinitum* idea attached to their completion, and with these muddy prospects staring them in the face, it would be but an act of prudence on the part of the trustees to add to the care of completion, that of preservation also, or they may, ere long, find themselves reduced to the trusteeship of the most splendid fishing-boat harbour ever known in ancient or modern times. Their giant enemy is the river, and while that enemy retains his present position the salvation of the harbour is impossible. Turn the mouth of it to the S. E., says Captain Boys; an operation that would delay, but by no means remedy the evil. A far more effectual remedy is in the power of the trustees, if they like to avail themselves of it; and as Mr.

Smeaton said in 1744, 'how far these effects might have been foreseen before the harbour was built, or being foreseen, how far it might be proper to build a harbour there, is not now the question. The question now, is to make it as useful as possible, and at the most moderate expense.' Hitherto, however, its utility has been very small, and its expense enormously large. What it may prove in the end, or when it may be declared to be completed, are questions which admit only of a speculative answer. It has been already seventy-six years in progress. The cause of this protraction may perhaps be explained, by stating that the acts of parliament empower the trustees to levy certain duties on the shipping interest, which are to continue till the harbour is finished.

Before closing this subject, an extract will be given from the Journals of the House of Commons as a proof of what has been the political influence of the advocates of this measure; bearing in mind that the rate on ships which cannot enter the harbour, although reduced, is still continued in spite of the recommendations of the Select Committee on Foreign Trade, which in 1822 reported on Ramsgate harbour as follows.—

'But whatever the advantages may be, they do not appear to your Committee, equivalent to the heavy burthen entailed upon the shipping by which they are purchased, and they therefore submit to the consideration of the House, the expediency of discontinuing the rate upon all ships beyond the tonnage which the harbour is capable of admitting, namely 300 tons and upwards.'

The report adds that 'the sums expended upon Ramsgate are stated to amount to no less than one million and a half.' Mr. Rennie gave as his opinion to the same committee, that 150,000*l.* may be required to complete the work; which opinion, given in 1822, has proved very accurate, the present revenue being about 13,000*l.* per annum. The committee state, 'that the charges of the establishment, according to the evidence of Sir William Curtis the chairman, are twenty-six per cent, which appears susceptible of considerable reduction.' The enormous sum of 2,229,729*l.* has been levied on the shipping interest, to leave the necessary sum of 1,650,000*l.* which has been expended on building and altering, &c. viz.

	£.
Gross amount ... ..	2,229,729
Deduct twenty-six per cent for establishment ...	579,729
	<hr/> 1,650,000 <hr/>

To what an exalted pitch of magnificence must we raise our ideas of a structure, when we are informed, that the expenses of the mere establishment for carrying it into effect exceed half a million of money.' —p. 25.

Having shown that the advantages and practicability of a harbour in the Downs, were acknowledged as early as the reign of Elizabeth, that various efforts have been made to effect it, and their frustration through the erection of the expensive, and for general purposes, almost useless, harbour of Ramsgate, it remains to explain the nature of the attempts that have been made at a more recent date, and to show how this great national object might be accomplished without any additional burthen on the public.

If a harbour on this spot has been heretofore desirable as a refuge from the storm and from the enemy, an additional reason for its construction may now be urged with great force and propriety, arising out of the application of steam power to vessels of war. If ever another war should arise, maritime warfare will be found to have assumed a new character. The great celerity of movement of which steam vessels are capable, and the power of altering their position at pleasure during a calm, will not only enable them to set men of war at defiance, but frequently to do them the greatest injury without their having the power to offer the least resistance. The great extent and value of our commercial marine, is another object which calls aloud for the increase of harbours in every direction, as asylums against the numerous steam privateers which will be used to annoy and injure our trade in any future conflict with an enemy.

During preceding wars, the want of a depôt where ships could take in their stores, provisions, and water, with great speed, was often severely felt; and as the Downs is the only roadstead on this coast where cruizers can replenish and be ready for the Baltic or the Channel, the attention of the government was directed to the subject, and Mr. Rennie was ordered to make a survey and estimate in 1811. His report dated 1812, was accompanied with plans for a public arsenal, containing a capacious harbour in the sea, a basin, dock, and all the needful buildings for store and weigh-houses. The construction was proposed to be made with stone, and the cost of the entire works recommended was estimated at 1,144,326*l*.

In 1825, another attempt was made to carry this object into effect, by means of a joint-stock company. An act of parliament was obtained, empowering the company to improve the navigation of the Stour from Canterbury to the sea, and shares to the amount of 84,000*l*. were actually subscribed.

‘But the scope of the operations being too extended,’ says Captain Boys, ‘as entailing too great an expenditure for a suppositious remunerating interest upon capital, and as at that time a general panic unluckily seized the money market, the project failed, leaving to succeeding speculators the benefit of valuable surveys and reports.’—p. 32.

He might have added, that many of the most influential persons in Canterbury, were more desirous of obtaining a rail-road from that city to Whitstable, as a means of communication with the sea, than they were to obtain the same end by improving the navigation of the Stour to the town of Sandwich; and that the Canterbury interest being thus divided, a much smaller degree of support was afforded by that city than was originally expected. The surveys, plans, and estimates, for this last attempt at a harbour, were made by Mr. Telford, whose report is dated September 17th, 1825; and as the spot fixed on by him for the entrance out of the Downs, is still thought to be the best, and is the one recommended in the work now under notice, the following extract from his report will explain its situation.

‘But in order to accomplish this desirable object, and taking the town of Sandwich as a given point, it is quite evident that Pegwell Bay must be avoided, and the most convenient point on the open coast, opposite the little Downs, must be preferred; this must be obvious to every person who will fairly consider the object to be obtained; and the opinions of experienced pilots and other able seamen thoroughly acquainted with this coast put the matter beyond a doubt. The point determined on, which is a little way north of Sandown Castle, between the batteries Nos. 1 and 2, seems to possess all the advantages the shore admits of, and may be conveniently connected with the interior, the adjacent grounds being flat low lands, and the same level continuing to the town of Sandwich; so that excepting some sand-downs, immediately on the shore, which may be easily managed, the whole district between Sandwich and the sea is particularly favourable.’

Such was the opinion of Mr. Telford on the most eligible spot on the coast for the entrance into the intended haven, which is to be excavated inland between Sandwich and the sea; and it is directly corroborative of the opinions of former engineers who have surveyed the ground with a view to a haven for commercial purposes. The plan of 1706, and those of Mr. Labelye, the one made in 1736, the other in 1744, are given on a very reduced scale by Captain Boys, the principal feature in each being, with some little variations in the details, the formation of an inland haven, and the turning the course of the Stour, as a backwater to cleanse and preserve it. Mr. Rennie’s plan is also laid down, though on a scale much smaller than either of

those just named. This plan being for a naval arsenal, differs from the others in the extent and magnitude of the different details, and from its having a large harbour in the sea. Another plan with which Captain Boys appears to be wholly unacquainted, was formed about the year 1776, which proposed a capacious harbour in the sea, 1,856 feet in width, and inclosed between stone piers or groins, for the use of the largest ships. These piers were to have been carried out sufficiently far into the sea, to ensure twenty feet depth of water at the entrance, at dead low water. This harbour led to a larger haven, 1,200 feet broad, and 5,000 feet long, on each side of which were quays and warehouses for the use of merchant ships; the object of the engineer being to unite the two objects of a naval arsenal and a commercial haven. A plan was also drawn in 1829, and presented to the Lord Warden, which proposed an excavated basin, and two stone piers carried out into the sea, though less extended than those of Mr. Rennie, or of the plan of 1776; the spot chosen for an entrance on the shore, was nearly the same as that proposed by Mr. Telford.

The towns of Sandwich and Deal having again agitated the subject, a joint committee was formed, at whose request the work now under notice was drawn up by Captain Boys. It is intended to enlarge the basin proposed by Mr. Telford, with the view of making it useful for steam boats and sloops of war; but the estimated expenses do not exceed 95,000*l.* for the completion of the whole of the works from the sea to Sandwich. Some objections having been raised at various times against the benefits of a harbour on this spot, Captain Boys has not neglected to reply to them.

‘On a superficial view of the subject, it may be imagined that the irremediable objection of a cross current at the entrance, will be the same at Sandwich as at Ramsgate harbour; but this will not be the case, since the rising tide flowing into a spacious river, will cause a powerful indraft, which will supersede the necessity of carrying much canvass, and the distance to the basin will be such as to afford ample time to shorten sail.’—p. 32.

To another objection, that the proposed spot would not be far enough to leeward with the prevailing southerly winds, he replies,—

‘Whatever appearances of reason this objection may have had, the introduction of chain cables, which are acknowledged to be starving the Deal boatmen, has now rendered wholly invalid; for when the wind has got hold of the South Foreland, viz. S. W. b. S. or off the land, ships very seldom break adrift; when the wind is to the south of that point then the sea rises, and when the tide acts in conjunction

with the wind they occasionally part ; but observe, the wind is then more favourable for the harbour, the entrance being about N.N.W. of the south sand head.'—p. 35.

Another objection is that ships cannot avail themselves of a S.E. wind to run down channel, it being nearly into the harbour. But in the Downs the wind blows less from the S.E. than from any other quarter, and never in long continuance. The inconvenience is however easily remedied by the use of warping buoys, and steam vessels. In light winds vessels will drop out with the ebb tide, and in fresh winds they will warp out with little difficulty.

With regard to the locality of the proposed plan of operations, it may be remarked that the line of excavations for the new channel of the river is two miles and a half in length ; but there is another line to the northward of the proposed one, which would be of less extent, and equally advantageous in position. But as it would cut through some valuable lands, which are now avoided, it would in the end be equally if not more expensive.

The line of policy for a just and economical government in cases of this kind seems clear. When private speculators can sufficiently convince themselves of the probability of success, to come forward with the funds upon obtaining the authority of the government for the levying of certain payments in return, from those who shall voluntarily take advantage of the result of their labours ;—then the government, acting in the name and on behalf of the community, is bound to be co-operating in securing such terms as shall be likely to effect the desired compensation. If jobbery be suspected, the remedy would seem to be, to ask if anybody will undertake the risk on lower terms. But one of the first steps towards a project of this kind, is to make it known ; which is the purpose for which the above statements have been put together. Let the locally interested hold forth their prospects and expectations to the public ; and the public will no doubt exercise its usual judgment in deciding upon their merits.

ART. XI.—1. *Sixth, Seventh, and Eighth Letters on Commercial and Financial Policy*. By Colonel Torrens.—Bolton Chronicle.—Globe, Jan. 12, 16, 23. 1833.

2. *Letters on Commercial Policy*. By R. Torrens, Esq. M.P., F.R.S.—London. Longman. 8vo. pp. 80. 1833.

**T**HE five letters cited by their dates at the head of the Article on them in the preceding number of this Review, have been followed by three others. The second of these commences with

what will generally be taken for a complaint, that 'notice should have been taken of detached communications, while they existed only in an unfinished series, and before the practical conclusions, intended to be drawn, had been stated and explained.'

The answer to this must be by saying, that the notice of the Letters arose entirely out of the author's having communicated to the Reviewer, that he was 'going to attack the ultra free-traders;' which under the circumstances, was understood as an invitation to reply, and produced the answer that 'then they should either be convinced, or be stronger than before.' If the author had any particular wishes as to the mode, it is to be regretted that he did not state them at the time. To make a running commentary on a current argument, so far from being unfair, is giving all the advantages to the opponent. It is enabling him to support, explain, and repair, whatever in the earlier portions of his work may be found defective; and is certainly the last process which any man would hit upon with malevolent intent.

The complaint is followed by an indirect annunciation of the fact (about which, from what has preceded, it is plain there was neither mystery nor concealment), that the Reviewer was the author of the pamphlets entitled 'True Theory of Rent,' and 'Catechism on the Corn Laws,' published rather more than six years ago; and it involves what nine persons out of ten will consider as a plain and unmistakeable intimation, that the author of those pamphlets took their contents from Colonel Torrens's works upon the Corn Laws, and unjustifiably employed them knowing them to have been so taken.

'Though the Reviewer and myself have been for years co-labourers in the same field; though we have both written rather voluminously upon questions of Political Economy; and though on some of these questions there has been a singular and curious coincidence not to say identity in our opinions, yet it so happened, that to nothing proceeding from me, whether pamphlet or volume, did the Westminster Reviewer ever before *directly* allude. Whether the omission proceeded from accident or from design, I never took the trouble to enquire, being sufficiently gratified to find that the Reviewer was zealously propagating doctrines which I had previously endeavoured to establish.'

'A member of the University of Cambridge, a person not altogether unknown to the Reviewer, and one concerning whom he evidently entertains no mean opinion, published two pamphlets, entitled "*True Theory of Rent*," and "*Catechism on the Corn Laws*." These publications correct, where not original, and where original, not correct, though not of the highest order, yet are not destitute of merit, and entitle their author, when content to move within his proper sphere, to the character of being, not indeed a discoverer, but a useful distributor of truth.'

‘ The characteristic feature in these pamphlets consists in a correction of the Ricardo Theory of Rent, which identical correction, long before the appearance of these pamphlets, I gave to the world in my Essay on the Corn Laws. As often, therefore, as the Westminster Reviewer gave notoriety to the “ *True Theory of Rent*,” and “ *Catechism on the Corn Laws*,” or became the advocate of the correct portion of the doctrines which they contain, I was satisfied with the indirect and unintentional approbation thereby bestowed upon my prior publication. On such occasions, however, my gratification was not excessive when deviating into originality, the author of the True Theory of Rent has in that work fallen into so many errors, that the approbation of a Reviewer, coinciding in and identified with his conclusions, is but a doubtful and equivocal test of merit.’

The theory here advanced appears to be, that of any man’s speculations for the last six years, all that agrees with the Member for Bolton’s opinions *is plagiarism*, and all the rest worthless *because it is not*. The Member for Bolton is a literary Omar, and his works are his Korân. The ‘ singular and curious coincidence,’ and the italics of the word ‘ *directly*,’ are manifestly calculated to convey the impression described ; and it is surmised it will not be denied that they were intended to do so. Now, though there is no necessity for assuming the airs of indignant virtue, because a ‘ co-labourer ’ and brother officer, under the impression of that most unmanageable feeling literary jealousy, has hazarded a hasty accusation ; there is an evident necessity, that after a man has been charged in two newspapers and a pamphlet with a dishonest and in fact legally punishable action, he should tell the public plainly that the charge is groundless. The world is so wide and the modes of occupation in it so various, that there can be no incivility intended by stating, that the author of the pamphlets named really does not know one word that either is or is not, in anything ever printed or composed by the Member for Bolton before the present Letters. It may be his loss ; but it is the truth. The fact is, he set out with determining, that he would read no more books unless for amusement ; and he has pretty well kept his resolution, and intends to do it. It would be hard indeed, if before a man was justified in publishing a pamphlet on Political Economy, he were bound to be acquainted with all that has been written on that thorny subject since its agitation. Every man who prints, does it at the hazard of having to say *Pereant qui ante me mea dixerunt*. In such cases, the claimant has the world before him to establish the fact of priority if he chuses ; and it can generally be done by the easy process of a comparison of dates. But all this is very different from printing in two newspapers, that another man has pilfered the contents. Even verbal coincidences,



if such there be, are very weak grounds for a conclusion; the probability on the contrary is, that where there was a dishonest intent, they would have been avoided. Stranger things have occurred, and prove nothing. In the case of a writer who occupies much greater space in the eyes of the public than either of the present concerned, it happened that there was put forth not only a coincidence, but a *double illustration* in the same terms,—the chances of which, an algebraist would say, diminish in the duplicate ratio. The comparison of the policy of producing goods at an increased price at home, to the policy which should *make wine in hothouses* as the means of encouraging *coals and colliers*,—appeared about the same time in a pamphlet of Professor Senior's\* and in the Catechism on the Corn Laws, and it is not known at the present moment, whether the physical impossibility of either being copied, could be settled from dates or not; yet neither of the writers ever thought of uttering his suspicions of the other. Such circumstances when they occur, are rather valuable as specimens how near two vessels, holding their courses on the same chart of reason, may steer to one another.

A further peculiarity of the present case, is that the whole *corpus* in dispute, it appears was 'a correction.' As if one man was not likely to make a correction, as well as another. An error is pointed out in a balance sheet;—'I pointed out that error before; therefore it is impossible you should have known it, except from me.'

But what is of much more importance than all this, is to know whether any light has been thrown on the argument on 'being the *entrepôt* of the precious metals,' which was stated in the last to be obscure. And here, when the objection was that the principle could not be made out, it was a disappointing answer to be told, that of 'this important principle the author of the article seems altogether unaware.' He had stated plainly that it was not made intelligible to him; and he is obliged to admit that he remains under the same difficulty still.

In one part of the Seventh Letter the writer appears to labour under that kind of misapprehension which is colloquially termed 'getting hold of a thing the wrong way.'

'The objection which the Reviewer urges against this conclusion, is somewhat extraordinary. He contends that the merchant will not consent to sell his cloth at reduced prices in South America, because, although the *commercial intercourse between England and Portugal is*

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\* Lecture on the Transmission of the precious Metals. p. 2.

at an end, he will continue his trade with that country, and there obtain for his cloth a million sterling as before. But the Reviewer must in fairness be allowed to speak for himself. To the question, will the cloth which was worth a million sterling, when sent to Portugal to pay for wine, continue to be worth a million sterling, when sent to South America to purchase an additional quantity of gold, he gravely replies,

"The possibility of the answer being favourable to the querist, depends entirely upon the supposition that the merchants will voluntarily send the cloth to South America, instead of Portugal, *when less is finally to be had by sending it to South America.*"

"The weakness of this is in taking for granted, without the shadow of a proof, and contrary to all the experience of Christian men on such points, that the merchants *will go to South America* with their cloth at all, if the result is to be, that they are to get less for it in the end, than they might have got for it in Portugal. It is like saying, for heaven's sake, fine a man for going to sell his goods on the Surrey side; for if not, he will go and sell for sixpence, what he might have got a shilling for in Westminster."

Whoever looks at this with a fresh eye, will see at once, that there was not a word of continuing a trade with Portugal after the *commercial intercourse between England and Portugal is at an end*. What was urged was, that the Member for Bolton's theory involved the supposition, that the merchants will voluntarily send the cloth to South America instead of Portugal, when less is finally to be had by sending it to South America than they might have got for it in Portugal; the words 'voluntarily' and 'might' manifestly implying the state of freedom of choice which exists *before* the suspension of the trade with Portugal. The question meant was merely this,—If the merchants sent their goods to South America instead of Portugal when they had their choice of markets, is not *that* proof that they would have lost by sending their goods to Portugal;—and can they do anything but lose, by being forced to go to Portugal against their wills? Misapprehensions sometimes arise out of slight causes; and it is not impossible that a comma which has been subsequently inserted before the words 'instead of Portugal,' has had some share in the effect. Such an insertion is not to be held in contempt, since the mischance that befell the engraver of the prophet Brothers's portrait. The whole misapprehension will on examination be found to be on the Member for Bolton's side; the sounds of triumph which he utters would therefore all be capable of being turned against himself.

The merchants of the united empire say, upon the evidence of their books, 'We find it more advantageous on the whole, to

carry on a circuitous trade with France for wine, and with South America for gold to pay for it in, than to get wine from Portugal. People like the French wine so much better, and will drink so much more of it, that we find on the whole it is a better trade to deal with France than Portugal.' The Member for Bolton proposes to make them a new source of profit, by putting a stop to their trade with France for wine; and then, he maintains, they or some of them will gain from some process connected with the price of gold. The merchants are requested to look over the arguments on both sides, and see whether the Member for Bolton has made out his case.

When the Reviewer represented that 'nobody, except old debtors, has any interest against a fall of prices arising from an increase in the value of gold, and this interest is balanced in the aggregate, by the counter interest of the creditors,' he uttered what everybody knows to be literally true; and the object of it was to say, that these effects are *all*, and that any further effects from alterations in the value of gold, of the nature of those maintained by the author of the Letters, are imaginary and unreal. The statement that a merchant cannot gain less or more than the customary rate of profit upon the capital which he employs, is true, but beside the mark. It does not prove that the *quantity* of his capital employed, and consequently of his profits at a given rate, is not capable of reduction. Propose it to any merchant in the city; tell him that the plan is to cut him off from the trade he finds most advantageous and confine him to that which he finds less; and then comfort him by saying that he cannot gain less or more than the customary rate of profit, and see if he will be contented.

The Sixth Letter is chiefly remarkable for the earnestness with which it maintains the fact, that by removing the prohibition on a foreign manufactured article, no manner of good will be done, except saving the difference of price to everybody that has anything to do with using it. As if anything more was wanted. And if there are people in England willing to act on no better ground than this, why should the chance be so desperate, of at some time finding somebody in France to do the like?

The Eighth Letter appears to be undeniable, on the subject of the Corn Laws. But is every man to be charged with stealing the Member for Bolton's thunder, who lights on the conclusion that the Corn Laws are an evil?

In discussions upon literary subjects, the use of scornful and injurious terms goes only to create a prejudice against the user. There is not the smallest necessity for 'co-labourers' in the

Political Economy Club to tell one another they ‘chuckle and cackle over their intellectual abortions.’ It is not imperiously commanded, that Fellows of the Royal Society excuse one another by the habit of ‘performing the operation of writing, without performing that of thinking;’ the well-known fact being that we all do the best we can, and ‘look for the hard words in the dictionary.’ Nor is it indispensable that of men of the same, or of any rank, in a profession which values itself on frank and generous courtesy, one should tell the other that ‘the notice which has now been taken of him is more than sufficient;’ and least of all when the whole has been done by invitation. The inference from demonstrations of this kind in a disputant, is sufficiently known to be proverbial; and as the Member for Bolton’s theory of wealth will undoubtedly find its way into the House of Commons, the interested on the other side are forewarned by them where to look for the reply.

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ART. XII.—*Extracts from the Information received by His Majesty’s Commissioners, as to the Administration and Operation of the Poor-Laws.* Published by Authority.—London. Fellowes. 8vo. pp. 432. 1833.

**T**HE object of this article is to make the reader acquainted with the general character and bearing of that portion of the body of evidence obtained by the Commission respecting the present practical operation of the Poor Laws, which is published in the volume above. And the importance of the subject (for it is one that concerns the very existence of our common country), will, it is hoped, make up, even with that class of readers who look into books only for amusement, for the want of attractiveness in the title.

In March last, a Board of Commissioners was appointed by the King to inquire into the practical operation of the Poor Laws. The specific objects of this commission may be learned from the ‘Instructions from the Central Board to Assistant Commissioners,’ at the opening of which it is stated, that ‘the Central Commissioners are directed by his Majesty’s Commission to make a diligent and full inquiry into the practical operation of the Laws for the relief of the Poor in England and Wales, and into the manner in which those laws are administered, and to report whether any, and what alterations, amendments, or improvements, may be beneficially made in the said laws, or in the manner of administering them; and how the

same may be best carried into effect\*.' Since their appointment, these Commissioners,—the Central Board by printed queries circulated over the country, and the Assistant Commissioners by personal investigation,—have been actively employed in collecting evidence on the subject of the Commission. The result will be the most important and complete body of evidence that was ever laid before a House of Commons, on the most vitally important question that ever engaged the attention of a Government. The squabbles of foreign despots, the intrigues of diplomacy, the various interests of colonies, distant or near, sink into utter and almost ludicrous insignificance in the eyes of those who have not shrunk from the ungrateful task of watching the progress of a disease that is feeding upon the very vitals of their country.

The evidence selected will be arranged under the following heads.

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|-----------------|-----------------|
| 1. Allowance.   | 4. Settlements. |
| 2. Magistrates. | 5. Workhouses.  |
| 3. Overseers.   |                 |

By the term Allowance is to be understood only allowance to the able bodied, out of the rates, whether as forming the whole or a part of their means of subsistence. It is generally considered as not coming within the famous 43d of Eliz. c. 2, and therefore illegal. Its nature and effects will be fully seen from the evidence that follows.

In reference to the effect of any number of superfluous hands, occasion may be taken to remark, that the same conclusion appears to be the result of the observations of several of the Commissioners. And this is, that a very small surplus has the effect of making the labour market appear to be very much overstocked, and causes a fall of wages much greater than at a cursory glance might be expected. Every labourer who is thrown out of employ in the regular way, and employed on what is called the *roundsman* or *billet* system, i. e. every surplus labourer, as it were reproduces himself. A surplus labourer is thrown upon the farmer. This obliges him to dismiss, and consequently throws out of employment, one of his former labourers, who becomes dependent on parish assistance in consequence. The parish now has two men at the *zero* point of pauperism instead of one; and when the second man is in like manner thrown upon the farmer, he creates another; and so on. The upshot of all which is, that the number of originally surplus labourers is finally main-

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\* Instructions, p. 3.

tained by the parish, but with the accompaniment of bringing all the labourers in the parish to one common state of pauperism.

The following case will further illustrate the peculiar hardships, and strongly demoralizing tendency of the allowance and labour-rate systems.

*Mr. Cowell's Report from Cambridgeshire.*

'SIR,—At the request of Mr. Wedd, of this place, I forward a case which has occurred on a small farm of mine in this neighbourhood, relative to the poor-laws. And have the honour to be,

Sir,

N. W. Senior, Esq.

Your most obedient servant,

Poor Law Commission.

W. W. NASH.'

"Mr. Nash, of Royston, is proprietor and occupier of a farm containing 150 acres, situate a mile and a half from his residence, and in about equal proportions in the parishes of Barhway and Reed, in the county of Hertford. It is what is usually called an outfield farm, being at the extremity of these parishes, and nearly equidistant from Royston, Thersfield, Reed, Barhway, and Barley. Mr. Nash employed six men (to whom he gives throughout the year, 12s. a week), two boys, and six horses. In 1829, Mr. Clarke, the overseer of Reed (a respectable man, who occupies half the parish, and has generally managed all its public concerns), told Mr. Nash he could no longer collect the money for poor-rates, without resorting to coercive measures, which he would not do; and that the unemployed poor must be apportioned among the occupiers of land, in proportion to their respective quantities; and that he (Mr. Nash) must take two more men. All Mr. Nash's labourers had been some years in his service, and were steady, industrious men, and he regretted the necessity of parting with any of them. The two men displaced were those who came last into his service (and for that reason only). One was a parishioner of Royston, an excellent workman at any kind of work. He lived near Mr. Nash's house (a great convenience), and his wife superintended a small school Mrs. Nash had established for the benefit of her poor neighbours. The other was John Watford, a parishioner of Barley, a steady, industrious, trustworthy, single man, who, *by long and rigid economy, had saved about 100l.* Of the two men sent in their stead, one was a married man, with a family, sickly and not much inclined to work; the other a single man, addicted to drinking. On being dismissed, Watford applied in vain to the farmers of Barley for employment. *It was well known that he had saved money, and could not come upon the parish, although any of them would willingly have taken him had it been otherwise.* Watford has a brother also, who, like himself, *has saved money;*

and though he has a family, and has been laid aside from work for six years, has received no assistance from the parish. After living a few months without being able to get any work, he bought a cart and two horses, and has ever since obtained a precarious subsistence, by carrying corn to London for one of the Cambridge merchants ; but just now the current of corn is northward, and he has nothing to do, and *at any time he would gladly have exchanged his employment for that of day labour, if he could have obtained work.* No reflection is intended on the overseers of Barley ; they only do what all others are expected to do ; though the young men point at Watford, and *call him a fool*, for not spending his money at a public-house, as they do, adding, that then he would get work."

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" Since Mr. Senior was at Royston last week, another instance has occurred on this farm, illustrative of the working of the poor-laws. John Warren, an inhabitant of Therfield, has been housekeeper there for nine years. A few weeks ago, the bailiff told Mr. Nash he could not find employment for so many men. Mr. Nash desired him to dismiss a bankwayman, who happened to have misconducted himself. The bailiff's wife shortly afterwards told Mr. Nash that, if he pleased, John Warren would like to go, as he had a large family, and the justices (the magistrates of the Royston division) would give him as much or more, without work, as he earned, and he should avoid the dirty walks from Therfield this winter. Mr. Nash (who is a proprietor, but not an occupier in Therfield) has accordingly discharged him, and he will no doubt, next week, add 12*s.* or 15*s.* to the enormous eleemosynary payments made in this disorganized and demoralized parish, by the natural and inevitable operation of the poor laws. Previous to 1814, there were there no unemployed poor, and they were remarkable for their industrious and orderly conduct, and all was satisfactory, liberal, and remunerative : now a large portion of the poor have no work, and many lands lie unploughed, covered with thistles, and spreading their seeds with every wind for miles around ; and it is said the largest and most wealthy owner and occupier has seen his men steal his corn out of the barns, but would not prosecute, alleging that he must keep them, and that they would live on less if they had the trouble of carrying it away, than if he was to thrash and carry it to Hertford, and bring the produce back to them in money. One of the largest barns on this gentleman's farm has been pulled down piecemeal by the poor, and carried away for fuel. The only probable amelioration of the system may be, perhaps, in appointing itinerant stipendiaries, who should execute the duties of both magistrate and overseer. It is unjust to compel a large occupier, whose business requires more personal attention than that of other men, to give his time and exertion gratuitously to a disgusting public duty,—the only reward of which is either a broken head, or the chance of being burnt in his bed."

‘DEAR SIR,

Royston, January 29th, 1833.

‘ I write in answer to your inquiry into the case alluded to in the return to your queries from Royston parish, of refusal of employment to labourers on account of their having legacies bequeathed to them. There are obvious motives for disinclination to state particulars, which might be considered to reflect on persons who have no opportunity of giving their own explanations as to the execution of the poor-laws. The facts of the case, divested of reference to the locality of its occurrence, are the following :—’

‘ An individual who had risen from poverty, and accumulated considerable personal property, bequeathed legacies to a number of labourers, his relations. Circumstances delayed for several months the collecting in the testator’s estate. The overseer’s deputy of one parish, in which some of the legatees were labourers, urged to the agent of the executors the payment, *on the ground that it would benefit the parishioners, as when the legacies were paid they would not find employment for the legatees, because they would have property of their own.*’

‘ The legatees afterwards applied for money on account of their legacies. *It was then stated that some of them, who lived in a different parish, had been refused employment, because they were entitled to property.*’

‘ An occupier of land in another parish near this place told me, to-day, that in his parish they refused employment to labourers who had money left them. He said that he held 320 acres of light land of the value of 18s. an acre, subject to tithes. He pays 74*l.* tithe composition, and 100*l.* for poor-rates, and is compelled to employ fourteen men and six boys, and requires the labour of only ten men and three boys. His extra labour at 10s. a week (which is the current rate for men), and half as much for boys, is 130*l.* He pays, in addition, surveyors and churchwarden’s rates. ‘There are sometimes from fifteen to twenty labourers employed in useless public work, besides boys. It is not surprising that, in such circumstances, the occupiers should refuse to employ labourers who have any property.’

‘ Another occupier stated yesterday that he held 165 acres of land, of which half was pasture. He was compelled to employ twelve men and boys, and his farm required the labour of only five. He is about to give notice that he will quit. Every useless labourer is calculated to add 5s. an acre to the rent of a farm of 100 acres.’

‘ The improvement in agricultural implements, the cultivation of artificial grasses, improved roads, and greater skill and agricultural knowledge, enable an occupier to cultivate his land with less labour. All these would be sources of profit, but they are all counteracted and made causes of additional perplexity by the redundant population, which the system of the poor-laws has augmented.’

‘ It is common for young agricultural labourers to say, that they are treated worse as single men, than they would be as married men, and that they shall marry to better their conditions in this respect.’

I remain, dear Sir,

Yours very respectfully,

J. P. WEDD.

(p. 378.)

N. W. Senior, Esq.  
Poor Law Commission.



There is scarcely one point in the whole course of the inquiry, regarding which so little doubt appears to remain, as the mischievous effect of the interference of the present magistrates,—the great unpaid. This is frequently admitted, as appears by the evidence taken, by the more intelligent of the Magistrates themselves. It is loudly proclaimed by all else;—the dissolute among the paupers, excepted.

There is also abundant evidence to show the utter inefficiency of the present class of Overseers. It appears that when an Overseer is inclined to do his duty, he can do it only at the risk of great loss, perhaps ruin, to himself. For example, where an Overseer is a tradesman, the applicants for relief flock to his shop, and by endeavouring to excite the compassion of his customers, expose him, if, as his duty demands, he steadily persists in refusing relief till he has inquired into the circumstances of each case, to the charge of hardheartedness, and thus to injury in his trade. A case is mentioned where three women successively came one day to the shop of an Overseer, each with a child in her arms ill of the measles. The Overseer would not relieve them at the time, but took down their addresses, and afterwards visited them; from which he discovered that there were not three children, but one child; the same child having been brought each time.

What has been done by Mr. Becher \* and others has fully shown that Workhouses, established on proper principles, strictly adhered to, must form a most important, if not essential feature, in any plan for the amelioration of the present mode of administering the laws for the relief of the poor. But the evidence which follows, from Mr. Chadwick's Report, displays in vivid colours the evils of the workhouse system under a different management. Never was there a more forcible illustration of the remark, quoted from the Rev. Joseph Townsend, in the Report of the Select Committee of 1817, where it is said of many of the poorer class of rate-payers;—'he rises early, and it is late before he can retire to rest, he works hard and fares hard, yet, with all his labour and his care, he can scarcely provide subsistence for his numerous family. He would feed

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\* See 'The Anti-pauper System, by the Rev. John Thomas Becher, M.A. Chairman of the Quarter Sessions for the Newark Division of the County of Nottingham, &c.—London; Simpkin and Marshall, 1828.'—Also, 'Observations on the Arrangement of the Poor, as administered through Workhouses. Addressed to the Central Board of Poor Law Commissioners. By Capel Cure, Esq. of Blake Hall, Bovinger.—London. 1833.'—Also, 'The Evidence of the Rev. Thomas Whateley before the Lords Committee of 1831.'

them better, but the prodigal must first be fed ; he would purchase warmer clothing for his children, but the children of the prostitute must first be clothed\*.'

The point of view in which Mr. Chadwick's Report is particularly valuable, is the illustration it affords of the intimate connexion between the laws of pauperism and penal jurisprudence, pointed out by Bentham in his *Panopticon*, and afterwards further elucidated by Mr. Edward Livingston, the present Secretary of State for America, in his Introduction to the Code of Prison Discipline for Louisiana,—‘ the neglect of which,’ observes Mr. Livingston, ‘ has given birth to more bad theory and ruinous practice than any other question in Government.’

*Mr. Majendie's Report.*

LENHAM, KENT.

*Expended on Poor.*

£.	£.	£.	£.
In 1816...1468	1820...2154	1824...3041	1828...2492
1817...1598	1821...2348	1825...3438	1829...2611
1818...2150	1822...2618	1826...2531	1830...3040
1819...2016	1823...2786	1827...2731	1831...2679
			1832...4299

POPULATION.

In 1801		In 1811	In 1821	In 1831
1434		1509	1959	2197
Acres.	Rental.	Value.	Rates in the £.	Expenditure, March, 1832.
6523	6423 <i>l.</i>	$\frac{2}{3}$	12 <i>s.</i>	Casual relief, 1992 <i>l.</i> 6 <i>s.</i>
		expected to rise to		Weekly pay, 1033 <i>l.</i> 17 <i>s.</i>
		14 <i>s.</i>		Various bills, 1273 <i>l.</i> 9 <i>s.</i>

Total 4299*l.* 12*s.*

Labour and bills for work on the highways...561*l.*

Deduct money repaid by the commissioners...147*l.*

414*l.*

Total Expenditure of Poor and Surveyor's Rates 4713*l.* 12*s.*

‘ This is an extensive agricultural parish ; much of the land is of poor quality, still there is a considerable quantity of land of a fair average ; some is out of cultivation ; a large estate has been several years in the hands of the proprietor, and a farm of 420 acres of good land, tithe free, well situated, has been just thrown up by the tenant

\* Report from Select Committee, p. 20.

of another landowner: the poor-rate on this farm amounts to nearly 300*l.* per annum. Wages in summer are 2*s.* 3*d.* When labourers are out of employ, or only in partial employ, their wages are made up according to the following scale :—

Single man, from . . . . .	3 <i>s.</i> 6 <i>d.</i> to 7 <i>s.</i> 0 <i>d.</i>
Man and wife . . . . .	10 0
Do. with 1 or 2 children . . . . .	12 0
Do. 3 do. . . . .	13 0
Do. 4 do. . . . .	14 0
Do. 5 do. . . . .	15 6
Do. 6 do. . . . .	17 0
Do. 7 do. . . . .	18 6
Do. 8 do. . . . .	20 0

' The labourers are sent to work on the roads if there is anything to do, but they are paid according to this scale whether they work or not. On Saturday the 13th of October last, 27 men were paid from 12*s.* upwards each, though no work whatever had been done. There have been 70 men on the roads in one week, paid according to scale: the greater part of the work is unnecessary; besides the wages, tools are provided, and it is calculated that the value of the labour does not exceed the expense of the tools and carting. The average number unemployed from November to May is from 60 to 70. During the harvest they are mostly in employ, but if a man loses a day's work, he comes to the parish to have it made up. Nearly 100 out-parishioners, living at Maidstone, receive occasional, or constant relief. There is a man who hires two cows and keeps several pigs, who, when out of work, receives from the parish 18*s.* per week. The population of this parish is beyond the demand for labour; but early marriages are constantly taking place without any consideration on that score: of six of these marriages contracted last October, it was expected that most of the parties would be on the parish pay-list in the month of November. A man lately married a girl, who left her place for that purpose on Wednesday, they applied for relief on the Saturday. It will appear from the scale that, on marriage, there is an immediate increase of 3*s.* per week\*. The administering relief to from 70 to 100 men on the pay night, in a district near the place where the riots first broke out, and where one of the causes of dissatisfaction was the reduction of "allowances," is a duty requiring more firmness than belongs to many overseers; nor is the present state of the rural police adequate to the requisite protection. Relief is given in money. There is no fixed salary to the surgeon; the average medical expense is about 70*l.*'

' The Select Vestry is not well attended, and there is a great division among the parishioners. The assistant-overseer has a

\* ' In the workhouse are 35 inmates. Young men have been sometimes sent there, but they have said, "You put us in to punish us; we will only marry the

salary of 60*l*. The system of accounts is not satisfactory. Four principal farmers were lately appointed auditors, who found many overcharges. After this statement, it is not surprising that the parish has been forced this summer to borrow 100*l*. from the Maidstone Bank, for the purpose of paying the paupers.—p. 2.

### EASTBOURN, SUSSEX.

#### *Expended on Poor.*

£.	£.	£.	£.
In 1816...3768	1820...2627	1824...2515	1828...2411
1817...3715	1821...3510	1825...2319	1829...2814
1818...3131	1822...2298	1826...2411	1830...3991
1819...3030	1823...2441	1827...2367	1831...3551
			1832...4250

#### POPULATION.

In 1801	In 1811	In 1821	In 1831
1668	2623	2607	2726

Acres.	Present Rental.	Value. said to be near the rack.	Rates in the £.	Present Expenditure.
4597	6288 <i>l</i> .		13 <i>s</i> .	4250 <i>l</i> .

Rental, 1815, 8866*l*.

Weekly Wages, 12*s*.

† EASTBOURN possesses very great advantages: there is down land of excellent quality for sheep, marsh for cattle, first rate arable land, producing most abundant crops; chalk cliffs, affording a great source of labour, both in burning lime, and in quarrying chalk for export to Rye, and other places on the coast; it is a watering-place, much frequented during the summer; the fishery is in some seasons very productive; and the sea-shore affords boulders for building, and shingle for the repair of roads. With all these sources of employment, the rates have lately nearly doubled. Some years ago, a Select Vestry was established; the cavalry barrack, a building admirably adapted for the purpose, was purchased by the two landowners, to whom the principal property in the parish belongs, for a workhouse; a retired serjeant of militia placed in it as master, and a manufactory of coarse woollens and linens established. Where families were large, some of the children were taken into the house by day, and there earned something for their support, instead of their parents receiving the usual allowance for them; and by constant attention of some of the proprietors and principal occupiers the rates were much reduced. After a time, the master of the workhouse was worn out by the fatigue of the different occupations thrown on him; the manufactory got considerably in debt, and the parish relapsed into a worse state than before; the rates increased to a greater extent than ever,

and in the last year, the sum of 150*l.* was borrowed from the Lewes Bank, for the purpose of paying the paupers. With the sole exception of the tickets on shops, all the evils attendant on the administration of the Poor Laws in Sussex are here combined. Cottage rents paid by the parish—allowance according to the number of children—vast sums\* expended on unproductive labour, paid at the highest rate of wages, equal to and even exceeding those paid by farmers to their industrious labourers; so that women have been heard to lament that their husbands were not on parish employ, alleging that they would be better off. In the year 1830, a considerable reduction of wages had taken place, many men were out of work, and the wages to single men on the parish did not exceed 7*d.* per day. A general spirit of discontent broke out. Incendiarism prevailed to a frightful extent; an eye-witness informed me, that on one night there were three fires burning at once, in the stack-yards of farmers within the parish; and that for nearly a month, hardly a night passed without conflagrations in the neighbourhood, and tumultuous assemblies of labourers demanding a rise of wages. Under these alarming circumstances, a meeting was called, and an agreement made that the wages should be 2*s.* per day, for an able-bodied married man, 1*s.* 6*d.* for a single man of 18, and from 3*s.* 6*d.* to 5*s.* per week, for boys from 15 to 18. That the surplus labourers on the parish should be paid according to the following scale:—

Single man, 18 years of age	...	6 <i>s.</i> per week.
Man and wife	...	9 <i>s.</i> do.
Do. with 1 child	...	10 <i>s.</i> do.
Do. 2 children	...	12 <i>s.</i> do.
Do. 3 do.	...	12 <i>s.</i> do. and a gall. of flour, or 13 <i>s.</i> 4 <i>d.</i>
Do. 4 do.	...	12 <i>s.</i> do. and 2 gall. of flour.

And so on till, for 10 children, the pay might amount to 18*s.* 8*d.* per week. A discretion was given to the overseers to grant the flour, or place the children in the poor-house; the latter measure is so unpopular that they dare not put it in practice. The effect of this forced rise of parish pay was soon apparent: the sale of the farmer's produce could not suffice for both wages and rates; a most injurious transfer took place of a portion of the sum expended on labour to the account of rates. The principal occupier in the parish states the relative proportion on his farm to stand thus in round numbers:—

1830.			1831.		
Labour	...	900 <i>l.</i>	Labour	...	700 <i>l.</i>
Rates	...	300 <i>l.</i>	Rates	...	500 <i>l.</i>

\* This scale of wages has been continued to those on parish pay to the present day. Being secure of good wages for mere nominal

\* 'These amounted in the year ending March, 1832, to 947*l.*; and the value of the work to the parish is less than 140*l.*'

work, the ill-disposed and idle throw themselves wilfully on the parish; the effect is most ruinous on the small householders, who being already on the verge of pauperism, may be converted, by a slight addition to their burthens, from payers to receivers of rates. They have no means of protection, but by uniting for the purpose of an expensive litigation; and have not the opportunity, like the farmers who constitute the Select Vestry, and are principally tenants at will, to throw part of their burthen on their landlords. From a printed statement of the expenditure of the parish, are taken the following items of sums received by families of paupers:—

John Carter, bricklayer, aged 43, wife, and 5 children, at an allowance of 14s. 8d. per week,			
cost the parish last year	...	...	£42 12 4
Joseph Carter, 34, wife, and 7 children, 16s. 8d. per week	...	...	49 11 8
J. Mitchell, 46, wife, and 2 children, 12s. do.			35 4 0
G. Paul, 50, fisherman, do. 15s. 6d. do.			25 8 9½

‘ This lavish expenditure, which has been extorted by the violence of the able-bodied, is not extended to the aged and infirm, the proper objects of the Poor-Laws, as may be seen by the following items:—

Mary Carter, widow, aged 76, at 2s. 6d. per week			£6 10 0
Lydia Collins, do. 90 2s. do.			5 4 0
Ann Chapman, do. 75 1s. 6d. do.			3 18 0

‘ In the month of December, 1832, four healthy young men, receiving from 12s. to 14s. per week from the parish, refused to work at threshing for a farmer at 2s. 6d. and a quart of ale per day, and the only punishment inflicted on them by the parish officers, was taking off half a day’s pay, 1s.; at the same time, a poor widow, aged 75, could obtain but 1s. per week for her support from the Vestry. The fishermen being secure of pay without labour, refuse to go out to sea in winter: one has said, “ Why should I expose myself to fatigue and danger, when the parish supports my wife and pays my rent?” The masters in the fishery have in consequence been forced to send to Hastings for hands requisite to man their boats. Rent of cottages is generally paid for families of three children, to the annual amount of 307l. Since the time of the riots, and the establishment of the present scale of parish wages, the Vestries held every fortnight for determining relief are very ill attended,—the parishioners seeming to despair of any improvement; and anxious hopes are expressed of the interference of Government.’

‘ It is obvious, while such a system of management prevails, that any attempt on the part of proprietors to reduce the rates, or improve the condition of the labourers, must be mere palliatives. Allotments of land, however, have been introduced by Mrs. Davies Gilbert, commencing in 1830 with 35, and increasing the number since to 117. The tenants pay their rent with punctuality; and

such is the conviction of the benefit derived, that some other labourers have made a voluntary offer to give up a part of the parish allowance, if allotments were let to them. A remarkable experiment has also been made by Mrs. Gilbert, following a hint given by the Archbishop of Dublin :—a portion of the shingle on the sea-shore has been covered with clay dug from an adjoining marsh, and some good soil afterwards spread on the surface ; this land was hired by labourers at 3*d.* per rod, *i. e.* at the rate of 40*s.* per acre, which exceeds the rent of the best arable land in the parish, and a crop of potatoes was raised in the autumn from that which in the spring was unproductive beach.’—p. 13.

The following is an instance of the effect of the rotten borough system in raising the rates of a place.

### SEAFORD.

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Population.	Rates in the £.	Value.	Average Expenditure.
1098	12 <i>s.</i>	‡	1800 <i>l.</i>

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‘SEAFORD is a liberty of itself.’

‘This is rather a strong instance of the effect of a town in crushing the land.’

‘Of the above sum one-third is paid by the town ; the remaining two-thirds by the land.’

‘From one of the principal farms, of the value of something more than 1000*l.* per annum, and assessed at 878*l.*, the average annual payment of rates for the last three years has been 577*l.*’

‘There is another reason, however, for the high rates of this place : being a borough, the various mysterious modes of keeping up the patron’s interest were in full operation ; and the rates on houses not called for from accommodating voters, but kept suspended over their heads, in case of *misconduct*, were among the engines put in force ; and of course it could not be expedient to examine too strictly the applications for relief made by freemen and their relations. Rates are formally allowed by the magistrates of the liberty ; and the account of the expenditure is perused and allowed, having been first verified on oath before the same magistrates. There appeared a strange confusion in these accounts. Entries of rent due to *one of the proprietors*, carried on from year to year. Bills unpaid, in a long string of items of various description, amounting to 500*l.* or 600*l.* On turning back to an earlier part of the ledger, the confusion was in some degree explained by a page which had not been cancelled, when the Borough of Seaford was transferred to Schedule A. I subjoin some extracts previous and subsequent to the disfranchisement :—’

	Amount of Poor Rate,			Statement of Cash Received			Statement of Cash Due.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Dec. 31, 1828	528	3	10	0	0	0	0	0	0
Apr. 13, 1829	522	19	10	3	14	0	0	15	0
Oct. 1, 1829	526	12	6	3	14	8	2	9	8
Jan. 21, 1830	524	19	2	4	2	8	2	9	8

‘ A marvellous improvement in accuracy of accounts was produced by the mere contemplation of the Reform Bill :—

	Amount of Poor Rate.			Cash Received.			Cash Due.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
May 22, 1831 .	544	19	10	500	12	2	44	7	8
Oct. 14, 1831	811	2	3	723	17	6	87	4	9
Feb. 17, 1832	675	5	7	557	17	2	117	8	5

‘ It was notorious that in the borough of Helston, in Cornwall, the whole poor rates of the town were paid by the patron ; and when the patronage passed from one family to another, the burden of the rates followed the transfer : something like that system seems to have prevailed in Seaford.’

‘ Near this town, in the parish of Bishopstone, there is a farm of about the same extent and value as that mentioned above. There being no borough town to oppress it, the rates are 160*l.* instead of 577*l.*—p. 23.

#### *From Mr. Okeden's Report.*

‘ In Dun's Tew, as in all the Oxfordshire parishes, the early marriage of mere boys is frequent, for the avowed purpose of increasing *their income* by allowance for increase of children. There is no select vestry, no assistant-overseer, no workhouse. There are 64 agricultural labourers. Mr. Gordon is fully aware of the great evils that have been produced by the scale and head-money system. He sees what it has done, what it is doing, and he foresees all these evils tenfold multiplied, in ten years, if the system is allowed to continue. He assures me, and I was assured of it at every bench in Oxfordshire, that the magistrates of that county are also so fully aware of this, that they are ready to concur in, and to support, any measure proposed by Government for arresting the increasing curse.—p. 110.

The following passage from Mr. C. P. Villiers's Report, is a striking illustration of the effect of the system of granting allowances for children, on the principle on which marriages are contracted ; and also of the effect of the present law regarding bastardy, on female morality and parochial economy. It appears from abundant evidence supplied to the commissioners, that a number of bastard children is a source of profit to the mother and of ruin to the parish.



## WORCESTERSHIRE.

## OLD SWINFORD.

'This parish is managed by a select vestry. The governor of the workhouse receives a salary and is required to pay the poor. The attendance of the vestry is extremely irregular, the accounts were in great confusion, the workhouse was in a filthy state, and little order or discipline maintained. There had been a case of affiliation by one of the inmates on the day upon which the house was inspected.

'A debt of 700*l.* was then due from putative fathers; sixty-seven bastards were on the books; one woman had borne seven, and had received pay for each. The parish itself was in debt to the amount of 500*l.*, the residue of a debt of 1100*l.*

... ..

'It has been the practice here to relieve men with families, without inquiring into the amount of their earnings, and not to refuse relief unless they were shown to exceed 25*s.* a week. The people are chiefly engaged in the manufacture of nails. A large family is considered to be a source of profit. Women object to marry till they are pregnant.'

—p. 161.

The following is from Mr. Chadwick's Report.

'In the metropolis I have found this cause—the fear of violence from the out-door paupers—in direct operation, as an obstacle to retrenchment, in only three or four parishes. In most town parishes the chief causes of profusion are,—first, an uncontrollable facility and temptation to fraud, which appears to be unavoidable in the administration of any out-door relief in towns, when not given in the shape of wages for labour; next, the ignorance of the annual officers; and often, the operation of interests on their parts at variance with their duties. The frauds committed in consequence of the facilities which the system of granting out-door relief affords, are such as these:—parties receiving relief as being out of work, when they are in work; parties who have received relief in consequence of being actually out of work, continuing to receive relief after they have obtained work; parties who have received out-door relief in money on account of sickness, continuing to receive that relief after they have recovered; women receiving relief on the ground that they have been deserted by their husbands, whilst their husbands are living with them; women receiving relief for themselves and families on the pretence that the husband is absent in search of work, while he is absent in full work; parties continuing to receive pensions for children or relations, as if they were alive, when they are dead. The following extract from the evidence of an experienced and able parish officer (Mr. Huish, assistant-overseer of St. George's, Southwark) will afford examples:—'

"The most injurious portion of the poor-law system is the out-door relief. I do not serve a day without seeing some new mischiefs arise from it. In the smaller parishes persons are liable to all sorts of influences. In such a parish as ours, where we administer relief to

upwards of two thousand out-door poor, it is utterly impossible to prevent considerable fraud, whatever vigilance is exercised."

'Has the utmost vigilance been tried?'

"Suppose you go to a man's house as a visitor:—you ask where is Smith (the pauper)? you see his wife or his children, who say they do not know where he is, but that they believe he is gone in search of work. How are you to tell, in such a case, whether he is at work or not? It could only be by following him in the morning; and you must do that every day, because he may be in work one day, and not another. Suppose you have a shoemaker who demands relief of you, and you give it him on his declaring that he is out of work. You visit his place, and you find him in work; you say to him, as I have said to one of our own paupers, 'Why, Edwards, I thought you said you had no work?' and he will answer, 'Neither had I any; and I have only got a little job *for the day*.' He will also say directly, 'I owe for my rent; I have not paid my chandler's shop score; I have been summoned, and I expect an execution out against me, and if you stop my relief, I must come home,' (that is, he must go into the workhouse.) 'The overseer is immediately frightened by this, and says, 'What a family that man has got! it will not do to stop his relief.' So that, unless you have a considerable number of men to watch every pauper every day, you are sure to be cheated. Some of the out-door paupers are children, others are women; but, taking one with another, I think it would require one man's whole time to watch every twenty paupers."

"Some time ago there was a shoemaker, who had a wife and family of four children, who demanded relief of the parish, and obtained an allowance of 5s. per week. He stated that he worked for Mr. Adderley, the shoemaker, who now lives in the High-street in the Borough. The man stated in applying for relief, that, however he worked, he could earn no more than 13s. per week. A respectable washerwoman informed me, that the way in which this family lived was such, that she was convinced the man earned enough to support them honestly, without burthening the parish, and that it was a shame for him to receive relief. In consequence of this information I objected to the allowance: but one of the overseers, taking up the book, said, 'But here is the account, signed by Mr. Adderley himself. Can you doubt so respectable a man?' Still I was not satisfied; and I watched the man, and found him going to Mr. Pulbrook's, in Blackfriars Road. When the man quitted the shop, I went in and asked whether the man who had just left worked for them. Mr. Pulbrook stated that he did work for them, and had done so during the last twelve months:—that he was one of the best shoemakers who had ever worked for him; that he earned only about 12s. a week, and that he (Mr. Pulbrook) regretted he had not more work for him. The man had left his book, which I borrowed. When the man came to the board, I said to him, Do you know Mr. Pulbrook, of Blackfriars Road? 'Yes, I do very well.' Do you ever work for him?—'I have done a job now and then for him.' I then

asked, whether he had not earned as much as 10s. or 12s. a week from him. His reply was 'No, never.' I then produced the book between him and Mr. Pulbrook, from which it appeared that he had earned from 10s. to 12s. per week for the time stated. This took him by surprise, and he had no answer to make. The relief was refused him, and he never came again; I afterwards ascertained, that, in addition to the 13s. a week which he earned from Mr. Adderley, and the 12s. a week which he earned from Mr. Pulbrook, his wife and himself worked for Mr. Drew, the slopseller, living at Newington Causeway, and earned 7s. a week from him. On the average of the year round, they did not earn less than 30s. per week. Besides these earnings, the wife was in the receipt of a pension of 3s. a week from a lady of the name of Roberts, who resided at No. 1, Paragon. The man was afterwards spoken to about the loss of the parish allowance, when he said,—'I did not like to lose it: it was a d—d hard case; it was like a freehold to me, for I have had it these seven years.'

"No inspector would have found out such a case except by constant watching or favourable accidents. It might be supposed strange that a shoemaker could have earned no more than 12s. a week; but his answer was, that his bodily infirmities were such, that he could not sit long enough to enable him to earn more than such a sum. This morning, I said to a man of the name of Taylor, a tinman, who is receiving 4s. a week,—'Taylor, how can you come here and waste your time to get your lazy shilling, whilst, if you staid at home, you might earn your honest eighteen-pence, and set your family a good example?' His reply was, 'I have no work; I can't earn anything.' I answered, 'Why, every time I pass your house, except on relieving days, I always find you hammering.' 'Yes, so I may be,—penny or twopenny jobs: will you find me work?' I replied, 'That I could not seek pans to mend for him.' He went away with his money. Had I positively challenged this man, the first question with the annual officers would have been, 'What is your family?' 'There are six of us,' it would be replied. 'What a family for a poor man to maintain!' exclaim the overseers; 'let him have the money.' The overseers are in perpetual fear of a man with his wife and family coming into the workhouse. They usually say, in such a case as this, 'We pay 4s. per head for their keep in the workhouse; here is six times 4s.—what a difference this is! Let us keep them out at all risks.' We have had instances of sawyers leaving their work and paying men to work for them, whilst they came and got relief. Within these few days we found out the case of a cabinet-maker named Baylis, working for a Mr. Edwards in Lambeth-walk, and at the same time receiving 6s. 6d. per week from us, under a pretence that he was out of work. In fact, such discoveries are perpetual."

'Does the practice of obtaining out-door relief extend amongst respectable classes of mechanics, whose work and means of living are tolerably good?—"I am every week astonished by seeing persons come whom I never thought would have come. The greater number of our out-door paupers are worthless people; but still the number of

decent people who ought to have made provision for themselves, and who come, is very great, and increasing. One brings another; one member of a family brings the rest of a family. Thus I find, in two days relief, the following names:—John Arundell, a sawyer, aged 55, his son William aged 22, a wire-drawer; Ann Harris, 58, her husband is in Greenwich-Hospital; her son John and his wife also come separately, so does their son, a lad aged 18, a smith. Thus we have pauper father, pauper wife, pauper son, and pauper grandchildren frequently applying on the same relief-day. One neighbour brings another. Not long since a very young woman, a widow, named Cope, who is not more than 20 years of age, applied for relief; she had only one child. After she had obtained relief, I had some suspicion that there was something about this young woman not like many others. I spoke to her, and pressed her to tell me the real truth as to how so decent a young woman as herself came to us for relief. She replied that she was 'gored' into it. That was her expression. I asked her what she meant by being *gored* into it. She stated, that where she was living there were only five cottages, and that the inhabitants of four out of five of these cottages were receiving relief, two from St. Saviour's and two from Newington parish. They had told her that she was not worthy of living in the same place unless she obtained relief too. I was completely satisfied of the truth of her statement by inquiry. Her candour induced me to give her 5s., and I offered her a reception in the house for herself and child. The consequence was we never heard any more of her.'

'The most experienced witnesses declare, that the only test of the merits of such cases is, by taking them wholly on the parish. The parish officers of St. James's, Westminster, state, "That on one occasion, in the month of November last, upwards of *fifty* paupers were offered admission into the workhouse, in lieu of giving them out-door relief, and that of that number only *four* accepted the offer;" and that since then the same system has been pursued in a number of instances, and attended with a similar result.'

'Mr. John Myles, a very experienced officer, states, that the city parishes are in general very wealthy, and do not make the requisite inquiries. The frauds, too, are of a nature which cannot be detected in the present state of things, except by accident. One mode of working the fraud is by a combination of this sort:—There are three old women, for instance, one residing in Cripple-gate, one in St. Sepulchre's, one in Bishop-gate, or in a different part of the town. These three women will lay their heads together, and agree to acknowledge each other as residents, by which they are enabled to obtain relief from several different parishes, by giving a different residence to each parish where they claim relief. Thus, when the officer makes inquiry at the house of the old woman in Bishop-gate, whether Mary Jones, the old woman of Cripple-gate, lives there? the old woman at Bishop-gate says, 'Yes, she does; we live together; she is a worthy creature, and in a very necessitous condition, and has suffered very severely.' The old woman of Cripple-gate will go and *odge* at times

with her friend at Bishopgate, in order to give a colour to her statement and make other persons corroborate it; and so on with the others. By accident, I once detected a man who was an inmate of Lambeth workhouse, and at the same time receiving a pension of 5s. a week from our parish, and 5s. a week from St. John, Hackney\*. I constantly hear of these frauds in the other parishes.—p. 210.

The state of the case with regard to magistrates, is briefly described in the following extract from Messrs. Pilkington's Report, from Leicestershire and Derbyshire.

'It was generally stated by all with whom we conversed, that "they could expect no relief but from an alteration, not only in the laws relating to the poor, but in the mode and spirit in which those laws are to be administered; and that if one or more magistrates with a salary were appointed by Government, with a good and effectual police under them, who should have the entire superintendence of the poor laws, such a measure would be of the greatest benefit, and do more to repress the daily increasing spirit of pauperism, than all their own combined efforts put together, situated as they were between two fires,—the magistrates on one side and the poor on the other."

#### LOUGHBOROUGH.

'Mr. Mott, one of the overseers of this parish, told us that he considered pauperism to be increasing. He said, poor infirm people often get relief who have children of their own able to take care of them. Relief is continually given to able-bodied men without their being set to work; and the knowledge which the paupers have that the magistrates will order them relief, makes hundreds apply who otherwise would make a shift to provide for themselves. Mr. Cartwright, another overseer, said, a workman has very little incentive to work, because, by going to the magistrates, he can do much better for himself, as they will order him from the parish much more than he can make by his earnings. The magistrates, Mr. Cartwright observed, continually grant relief after it has been judged right by the overseers to refuse it. He further remarked, "The only shield which the overseers have against the magistrates, is threatening to take the pauper into the house." The magistrates are not particular about character, as in the instance stated to us of William Orford, who having been flogged in the market-place for theft, upon applying for relief, stating that he was only earning 4s. 2d. per week, had been refused by the overseers; this man upon applying to the magistrates received an order to the overseers to make up the difference to him between 4s. 2d. and 6s. 6d. Mr. Cartwright also stated, that they have now an obstinate reprobate on the parish of the name of Charles Chester, who a short time back was in possession of three cows and 60*l.* in money, which had been left to him. He soon spent all, and has now come upon the parish for relief, and sets them all at defiance:

\* 'Since this evidence was given, one case has appeared before the public, in which a man defrauded fourteen different parishes in the metropolis.'—*Note in the original.*

he has even, as he himself declares, "to spite the parish," by increasing their burthens, married a woman from another parish.—p. 187.

The following evidence from Mr. Chadwick's Report relates to the head of Overseers and Settlements.

' Mr. William Hickson, senior, (of Hickson and Son's wholesale shoe warehouse, Smithfield) stated—

" As a manufacturer at Northampton, as a tradesman employing workmen in London, and as the owner of some land at Stansford, in Kent, I have had various opportunities of observing the operation of the poor-laws."

" The general effect of the present system is, to stop the circulation of labour, and to prevent forethought. I find that whenever workmen are out of work, they will not shift to places where work might be got, for fear of losing their parishes. In this parish, I am one of the Board for the management of the poor. If, when shoemakers have applied for relief, and stated as the ground that they have no work, I have told them that they might get work at Northampton, they have objected on the ground that the wages were low there ; in fact, I have found that it is the parochial relief which holds them here ; for I knew at the same time, that good work was to be had at Northampton. The present system makes them believe that, when their own supply of work is interrupted, the parish officers are bound to find work for them or give them relief ; and that no one is obliged or ought to leave his parish in search of work. If the other parish officers, instead of giving money, had joined with me in offering to take such men into the house, they would have gone for work elsewhere, and got it. One of the men who applied was what was called a "don workman," who would have ensured work anywhere, as he had worked for the first houses in London. Then the settlement law operates in another way to impede the circulation of labour. If workmen sent to Northampton do not immediately get into work, not having been accustomed to provide against such a contingency, the law relieving them from the obligation of forethought, they are at once hurried back to their own parishes by passes. Some time ago a panic took place, by which the shoe manufactories were stopped, and a great number of the men thrown out of work. These men, having saved nothing, were compelled to apply to the parishes. The parish officers there immediately passed them home to their parishes in different and distant parts of the country. The furniture of numbers of workmen was sold, and they with their families, were transported to their own parishes, some of them on the borders of Wales. Soon after they were sent away the trade revived, and was remarkably brisk, and the labour of these workmen was wanted. Many of them who had been mischievously sent away at the parish expense, were now brought back at the parish expense. If these persons had been entitled to relief at the spot where it was wanted, a great deal of money would have been saved, and the workmen also would have been spared much misery."

" The check to the circulation of agricultural labour is too notorious

to be talked of. The case of a man who has worked for me, will show the effect of the parish system in preventing frugal habits. This is a hard-working, industrious man, named William Williams. He is married, and had saved some money, to the amount of about seventy pounds, and had two cows; he had also a sow and ten pigs. He had got a cottage well furnished; he was the member of a Benefit Club, at Meopham, from which he received 8s. a-week when he was ill. He was beginning to learn to read and write, and sent his children to the Sunday School. He had a legacy of about 46*l.*, but he got his other money together by saving from his fair wages as a waggoner. Some circumstances occurred which obliged me to part with him. The consequence of this labouring man having been frugal and saved money, and got the cows, was, that no one would employ him, although his superior character as a workman was well known in the parish. He told me at the time I was obliged to part with him,—“Whilst I have these things I shall get no work. I must part with them all. I must be reduced to a state of beggary before any one will employ me.” I was compelled to part with him at Michaelmas,—he has not yet got work, and he has no chance of getting any until he has become a pauper; for, until then, the paupers will be preferred to him. He cannot get work in his own parish, and he will not be allowed to get any in other parishes. Another instance of the same kind occurred amongst my workmen. Thomas Hardy, the brother-in-law of the same man, was an excellent workman, discharged under similar circumstances; has a very industrious wife. They have got two cows, a well furnished cottage, and a pig, and fowls. Now he cannot get work because he has property. The pauper will be preferred to him; and he can only qualify himself for it by becoming a pauper. If he attempts to get work elsewhere, he is told that they do not want to fix him on the parish. Both these are fine young men, and as excellent labourers as I could wish to have. The latter labouring man mentioned another instance of a labouring man in another parish (Henstead) who had once had more property than he, but was obliged to consume it all, and is now working on the roads.”

“Such an instance as that of William Williams is enough to demoralise a whole district. I say, myself, that the labouring man who saves where such an abominable system prevails, is foolish in doing so. What must be the natural effect of such a case on the mind of a labouring man? Will he not say to himself, why should I save? Why should I diminish my present scanty enjoyments, or lay by anything on the chance of my continuing with my present master, when he may die, or the means of employment fail him, when my store will be scattered to waste, and I shall again be made a pauper like William Williams, before I can be allowed to work for my living? This system, so far as relates to the circulation of labour, I am firmly persuaded, can only be put an end to by utterly abolishing the law of settlement, and establishing a uniform national rate, so as to allow a man to be relieved at the place where he is in want, instead of his being pinned to the soil.”—p. 268.

‘The foregoing evidence displays some of the corrupting circumstances

operating on the classes by whom relief is received. The following examination is exemplificative of the frequent corruption of those by whom relief is administered :—

‘ Mr. Wm. Hickson, jun., of the firm of Hickson and Sons, wholesale shoe warehouse, Smithfield.—“ On Tuesday, Dec. 23d, 1828, two persons came into the shop and asked to see some shoes, and gave an order. They represented that they were parish officers of St. Leonard, Shoreditch. They then fitted on four pair of shoes, of a superior quality, for themselves. The wholesale price of these shoes was 6*s.* 6*d.* each pair, the retail price was 7*s.* 6*d.* It is a custom in the trade, when any agent or other person gives a wholesale order, to allow him to have shoes for himself at the wholesale price. Thus, when we have received an order from a merchant, we allow the clerk who brings the order, if he wants to purchase anything for himself, to have the benefit of the wholesale price. The parish officers, however, in this instance, told me that I was to charge eighteen pairs of shoes instead of twelve (the number to be delivered), and that the money to be obtained for the six pairs not sent in was to cover us for the four pairs of the better sort of shoes supplied to them. I was very much surprised at this proposal, and I requested them repeatedly to state the manner in which the goods were to be sent in, and how they were to be entered, when they gave me instructions.”

“ Was all this done in an ordinary business way, as if such a mode of dealing were familiar to them ?—“ Quite so, to one of them especially.”

“ And you sent in the goods ?—“ Yes. I made the following entry of the transaction in the day-book :—

St. Leonard, Shoreditch.		Dr.	
18 Pairs men's shoes, at 4 <i>s.</i>	..	£3	12 0
36 Ditto women's, at 3 <i>s.</i> 2 <i>d.</i>	..	5	14 0
		<hr/>	
		£9	6 0

12 Pairs of men's shoes sent instead of 18, and 4 pairs of best wax fitted on the two churchwardens or overseers, who instructed us to charge 18 pairs, instead of 12, to cover us for the 4 pairs.

W. E. HICKSON.

“ We then sent information of the fact to one of the members of the board, that he might take such steps upon the matter as he thought necessary,”

“ Have you any reason to believe that such transactions have been or are common in other parishes, in the supply of goods on account of the parish ?—“ In some parishes we believe they are common. We have supplied many other parishes in which similar irregularities have never occurred. In one instance, an overseer came to us, and promised us a large order for the parish, if we would allow him a commission of two and a half per cent., which we declined.”



"Was this offer made in an ordinary manner?—" "Yes, he appeared to consider it as a fair mode of trade. We had another instance in which we supplied about a hundred pairs of shoes, not to a parish, but for a charity school. The treasurer of that school ordered these shoes to be sent in to a small shoemaker, who sent them in to the school as from himself. We afterwards heard that he had charged a profit of a shilling a pair on these shoes, with the knowledge of the treasurer of the charity."

"Was this transaction conducted in a clandestine manner by the treasurer of the charity?—" "No; he stated his object to be to serve this tradesman, and that to do this he gave the order to him."

"Have you any reason to believe that this is a common mode of persons in such situations serving friends who are tradesmen?—" "Yes, I believe it is very common. It is not in such instances as these usually done from what are called mercenary motives, but they think they are justified in serving their friends at the expense of those unknown people, the public. On the other hand, I have seen instances, where grievous sacrifices of personal interests have been made by parish officers to enable them to perform their duties properly. The remedy for these things would be, to place the administration of parochial money in paid responsible agents. From our observation as tradesmen, having had to do with many cases of bankruptcy, we can state (whatever attorneys may state,) that the greatest benefits have resulted from taking the administration of bankrupts' effects out of the hands of tradesmen, who lost immense sums by jobbing, but more generally by neglect, and employing official assignees. I cannot speak as to the general constitution of the Bankruptcy Court, but I think that this appointment of respectable people, whose express business it is to attend to the administration of bankruptcy effects, is one of the best things that Lord Brougham has done for the country. I have no doubt that similar results would follow from the appointment of respectable and responsible persons to administer parochial affairs."—p. 274.

'Mr. Richard Gregory, in his evidence, details some of the circumstances which, in the town parishes, commonly govern the choice of the permanent and annual officers to whom the difficult task of administering the poor laws is confided:—

"Have you considered of any measures or proposed any for arresting the progress of relief?"

"In the first place, I am sure that no improvement can take place in the administration of the poor-laws so long as it is left to parishes, or such persons as the present unpaid annual officers. These officers have not, and never can have, the requisite ability; nor will they sacrifice their own time and interests to attend to the affairs of others. It is a thing morally impossible to have clever and able men willingly devote their time to the performance of such public duties without pay."

"Might not paid and responsible officers be appointed by the parishioners?"

"No; I think you would never get such offices well filled unless it

was by accident. The people have no conception of what sort of men are requisite to perform properly the duties of a parish officer."

"If such a situation were vacant what sort of a man would apply for it?—Why, some decayed tradesman; some man who had got a very large family, and had been 'unfortunate in business,' which, in ninety-nine cases out of a hundred, means a man who has not had prudence or capacity to manage his own affairs; and this circumstance is usually successful in any canvass for a parish situation to manage the affairs of the public. Men who have before been in office for the parish would obtain a preference."

"And what sort of men are those who would be likely to be at liberty to accept a vacant situation?—"The situations of overseer and churchwarden are by some considered situations of dignity, and dignity always attracts fools. I have known numbers of small tradesmen who were attracted by 'the dignity of the office,' and succeeded in getting made overseers and churchwardens. Their elevation was their downfall. They have not given their minds to their own business as before. The consequence of this was that they have lost their business and have been ruined. Now and then a good man of business will be desirous of taking office when he thinks he is slighted, or has had an affront put upon him by being overlooked; but in general, any man in decent business must know, if he has the brains of a goose, that it will always be much better for him, in a pecuniary point of view, to pay the fine than serve. I could name from fifteen to twenty people in our parish, who have been entirely ruined by being made churchwardens. These would be the people who would succeed best in parochial or district elections, for the people would say of any one of them, 'Poor man, he has ruined himself by serving a parish office, and the only recompense we can give him is to put him into a paid office.' This always has been the general course of parish elections, and I have no doubt would always continue to be so. There is infinitely more favouritism in parish appointments than in government appointments. In appointments by the government there is frequently some notion of fitness; but in the case of parish appointments, fitness is out of the question. When I was the treasurer of the watch department of the parish, I took great interest in the management of the police of the district, and determined to make it efficient. You would conceive that the inhabitants would have been so guided by their own apparent interests, as to get active men appointed, but I had solicitations from some of the first and most respectable houses in the parish to take their old and decayed servants and put them on the watch. I had also applications from the parish officers to put men upon the watch who were in the workhouse. As I was determined to make the police efficient, I resolutely resisted all these applications. My opinion is, that the management should be entirely under a central authority, which should divide the country into districts. The whole of the county of Middlesex, including the city of London, should be included in one district."—p. 276.

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## IN-DOOR PAUPERS.

## ST. LAWRENCE, READING.

' In this parish

In	$\left\{ \begin{array}{c} 1801 \\ 1811 \\ 1821 \\ 1831 \end{array} \right\}$	the No. of Houses was	$\left\{ \begin{array}{c} 574 \\ 703 \\ 774 \\ 789 \end{array} \right\}$	inhabited by	$\left\{ \begin{array}{c} 706 \\ 760 \\ 862 \\ 900 \end{array} \right\}$	Families.	$\left\{ \begin{array}{c} 3170 \\ 4627 \\ 3091 \\ 4048 \end{array} \right\}$	No. of Individuals.
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' The amount of real property in 1815 was 13,051l.'

' The expenditure on the poor was—

		£.	s.	d.
In 1804	. . . . .	1444	0	0
1815	. . . . .	2464	0	0
1821	. . . . .	2859	0	0
1830	. . . . .	2912	0	0

' The churchwardens of this parish could give me no information ; but they stated that the governor of the workhouse knew everything about parish affairs, and that he was the only person who could give me full information.'

' I began my inquiries of the governor by asking him what quantity of food he gave to those under his charge? "Quantity! why, a bellyful. We never stint them. I stand by the children myself, and see that they have a bellyful three times a day."

"What descriptions of food do you give them?"

"Good wholesome victuals as anybody would wish to taste. You shall taste it yourself. We give them all meat three times a week. The working men have a bellyful. We never weigh anything, and there is no stint, so as they do not waste anything. Then they have good table beer and good ale."

"How many paupers have you generally in your workhouse?"

"From forty to fifty."

"And what is the quantity of meat usually consumed weekly by that number?"

"Seldom less than 150 pounds of meat."

"Do you find them in tobacco or snuff?"

"No, Sir; but if they get a few pence, or if their friends choose to give it them, we do not debar them from anything, so long as they do not make beasts of themselves."

' I requested to be shown the house. Everything appeared remarkably cleanly and in good order. He requested my particular attention to the goodness and cleanliness of the sheets and bedding, and the general comfort. He dilated on the quality of the bread, which he showed me. He also gave me some of the table beer and ale to taste. I must do him the justice to state that it was excellent. The table beer was such as in the metropolis is called table ale. But besides these liquors for the use of the paupers, he

produced a third specimen, still superior, of which I tasted. This was a most potent beverage. It was two years old; and he said he generally reserved it for the overseers after the performance of a "dry day's work." The paupers themselves appeared to be very strong and healthy, and the children the most so of any that I had observed in the district. He pointed out to me one pauper, a remarkably hale-looking man, of 63, who had, with his wife, been on the parish more than 40 years, and in all probability would live more than half that time longer on their charge. The governor, it appeared, had been a farmer many years ago. I asked him—

"Do you think the condition of these paupers better or worse than the condition of the agricultural labourers thirty or forty years ago."

"A great deal better off than the labourers forty years ago."

"Than the agricultural labourers of any class?"

"Yes, sir, I know they are a great deal better off."

"And what is the present condition of the independent labourers, as compared with that of the labourers at the time you mention."

"I think they are not quite so well off. To be sure, they got less wages, and clothing was dearer: they only got 7s. a week. But then on the other hand, they only paid 8d. for the gallon loaf. I think they were better off. There are too many labourers now, and labour is more uncertain than it was then."

"I may say, then, that not only is the condition of those under your care better, as regards food, clothing, lodging and comfort, than the labourers who toil out of doors; but that they are under no uncertainty, and have no anxiety about providing for themselves."

"Yes, Sir, you may say that. You may say, too, that they are better off than one-half of the rate-payers out of the house. I know the rate-payers; I know what it is to be a rate-payer; and I know that a great many of them are worse off."

'In the course of my inspection of the workhouse, I observed that the men's rooms were all locked. I inquired the cause of this—that they may not come in and lie down before bed-time.'

"That is, I suppose, that they may not escape from their work."

"No, Sir, we have no work here, even for those that might work: it is that they may not come up here and lollop about, and roll about in their beds after dinner, or when they are tired of doing nothing."

"How does this sort of life agree with them on their first entrance?"

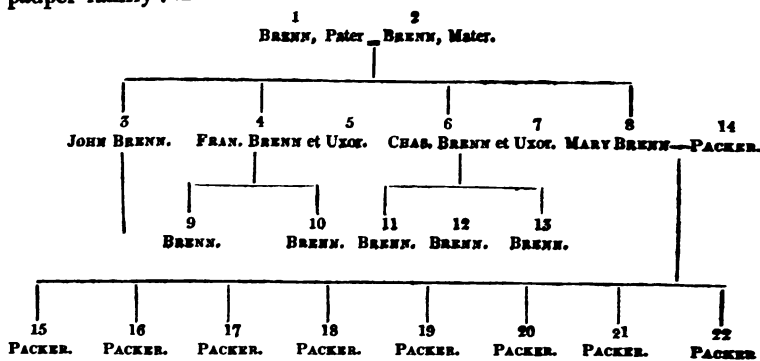
"Wonderfully well in general. Sometimes when they come in very low, and on the brink of starvation, the great change in the way of living is too much for them; but when they get over the change they go on surprisingly. Their friends, when they have any come in to see them, have sometimes been quite surprised at the change, and hardly knew them again, they were looking so well. We had an old woman brought in not long ago; she was so very low and feeble, that you would have thought it impossible she could live long; but now she is one of the most active women of her age, and will live, I dare say, a great many years

more; they will say themselves they never were so well off before. There are some, it is true, who cannot bear even our regularity, and prefer the dog's life of hunger and liberty; but in general they never leave us."

'In answer to my interrogatives, as to the general character of the inmates, he declared that the great majority of them were undeserving characters, who had been reduced to poverty by improvidence or vice.'

'The male and female paupers were separated in the night, but in the day the young girls, and the mothers of bastard children, and all classes, might meet and converse together in the yard.'

'On examining the books containing the list of the out-paupers, I found the management equally characteristic; out-door paupers having nearly the same amount of wages allowed them without work, that could have been obtained by independent labourers by hard work: the pauper having, in addition to the money payments, frequent allowances of clothes from the parish, and payments on account of rent, and "other advantages." I made inquiry into the case of the persons by the same name first presented on opening the book, when I found them to consist of a pauper family of three generations, the whole of whom received upwards of 100*l.* per annum from the parish. The parents of the pauper stock were described as remarkably hale old people in the workhouse, who had lived on the parish upwards of forty years. The father was the man who had been pointed out to me, as an instance of the care taken of the inmates, he having lived so long and so well on the parish. I took down their names in the order which exhibits the genealogy of the living pauper family:—



'I asked the governor how this last and most widely-spreading branch arose? "That," said he, "was one of our overseer's doings. I warned him against it, but he would do it. Brenn's daughter became pregnant by a weaver, named Packer, and the overseer made him marry her; and see what the parish has got by it!—eight more mouths to feed already, and eight more backs to find clothes for."

"How many more paupers do you consider the parish may receive from this said stock?"

"Two or three score, perhaps."

'The progenitors lived in the workhouse at an expense of not less than 10s. per week, (the average expense of the inmates, children included, being about 5s. per week each), Charles Brenn, who was an out-parishioner, received 7s. 6d. per week, besides shoes and stockings; Francis Brenn received 6s. 6d. a week; John Brenn is a mechanic, I believe a weaver, at present resident in London, and had 3s. a week sent to him,—on what ground except as a patrimonial claim, on what evidence except his own statement that he wanted it, and must return to the parish if it were not sent to him, I was unable to ascertain. Packer, for himself and family, received 13s. a-week of the parish, and "various other advantages." I inquired with respect to the out-door paupers in general, as well as with respect to this pauper family, in particular whether they got no additional "relief" from charitable foundations and benevolent people?—"Yes," said the governor, "we have a great many benevolent people in this town, and they help. There is always something or other given; a great deal of coal is given away, and the churchwardens give away linen."—He admitted, in answer to further inquiries, that the greatest impositions were practised on the most humane people. One of the paupers had declared to him, that he had as many as six shirts at a time given to him by different benevolent people. It was intimated that, as a matter of course, these things went to the pawn-shop for drink. He expressed an opinion that coals were the best commodity to give away—"as coals cannot be pawned!"

'On inspecting the accounts of the disbursements, I found that the supplies of meat and various other commodities were purchased of different tradesmen. This was done "to give each tradesman a fair advantage" and "that they might have no ground of complaint." For the same reason it was a rule never to buy anything out of the parish. The overseers are mostly small tradesmen.'

'The governor "could not make it out," but the poor's-rates were increasing: they were 3s. 6d. in the pound the last half year, and a 4s. 6d. rate must be called for, for the next half year, and the parish was already 200*l.* in debt.—"Something," said he, "must be done."—p. 215.

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After some delay Mr. Chadwick obtained a copy of the accounts of the expenditure for the maintenance of the paupers in the workhouse of the parish of St. Giles, during three months; and on comparing it with the list of paupers by whom the provisions therein described were consumed, it appears,

'that the weekly consumption of these paupers, the majority of whom are old men, old females, and young children, is upwards of three pounds of meat, including a large proportion of bacon, one pound of which, as food, is usually considered to be equal to one pound and a quarter of meat. I have compared the diet of the paupers

in this small parish with that of the paupers in one of the large metropolitan parishes (Lambeth), where the allowance of food is deemed mischievously profuse. In Lambeth workhouse the allowance of food is, to the adults, seven ounces of meat (clear of bone when cooked) three days each week. The quantity consumed by the same number of paupers as those in St. Giles's workhouse, Reading, would, according to the Lambeth diet table, be in three months . . . 1274 lbs. The quantity actually consumed by the paupers at Reading (allowing a loss of nearly one-third in cooking and for bone) is, during the same period . . . 2399 lbs. showing a waste or over supply of 1125 lbs. during the thirteen weeks, which, during the year, make a loss of 4500 lbs. unnecessarily consumed by 62 paupers.'

'It has appeared to me, that the force of the temptation to pauperism and crime can be duly estimated, or satisfactorily accounted for, only by means of a closer inquiry than has hitherto been instituted, into the condition and modes of living of the independent and hard-working classes, as compared with the condition and modes of living of those who, without labouring, or with less labour, are supplied with the fruits of labour. The importance of this relative view of the condition of the paupers and independent labourers is indeed indicated by every witness who has had much experience in parishes or districts affording wide fields for observation.'

'Mr. Wall, the vestry-clerk of St. Luke's, Middlesex,—a parish with a population of 46,000, and a workhouse containing 600 paupers, and a proportionate number of out-door poor,—was asked—'

"What is your opinion of the present characters of the paupers in your district?"

"Many of them are hereditary paupers ; and it is found a most difficult thing, when a person has once become a pauper, to emancipate him from that condition. The majority of the other paupers are persons who have been reduced to a state of pauperism by improvidence or by vicious habits, rather than by unavoidable causes. Many of them might now obtain work if they were sober. Many of the mechanics now chargeable to the parish previously had wages, from which they might have made adequate provision for their later years. But even the reflecting amongst them are well aware, (and state it when remonstrated with,) that there is a sure provision for them and their families, do what they will. *That provision is a better maintenance, better food, and better lodging than the poor working people or mechanics generally have. Able-bodied persons are anxious to come into the workhouse. Persons who come into the house in consequence of sickness or accident, find the mode of living so good or so much better than they expected, that they are* ANXIOUS AND ENDEAVOUR TO REMAIN THERE. Under these circumstances, it is not surprising that these persons will not deny themselves any indulgence for the sake of making a provision for the future. The recklessness of the people in indulgence is quite frightful."

'Mr. Drouet, the resident governor of Lambeth workhouse, who had also been the governor of Gosport workhouse, stated—'

"I know the condition of the poorer of the independent working men. I can speak more particularly of the condition of those at Gosport, as I have been in the habit of going round collecting with the overseers there; and I can state, from what I have seen, that the poorer of the rate-payers fared worse than the paupers in the workhouse of that place. I have seen a very poor rate-payer dining on potatoes, and that for days together; and I have gone back to the workhouse, and helped to serve the paupers there with meat and with dinners comparatively sumptuous."

"Have you seen the poor rate-payers doing without such things as beer and butter?"

"The very poor rate-payers hardly ever think of such things, unless it be on the Sunday. I have known the rate-payer, if he is a poor agricultural man, go out in a morning with a bottle of water and a piece of bread (perhaps a pound), made of flour with the bran in it, and when he returned home he would expect a supper of potatoes, with a little skimmed milk thrown over it; this skimmed milk he has got was perhaps given him by the neighbouring farmer. This is common in the country about Gosport, and also in Bedfordshire and Northamptonshire."

"What was the comparative fare of the pauper in the workhouse at Gosport?"

"I can state, with respect to Gosport, that although the fare is much more scanty than that of other parishes, there being no butter or beer allowed, yet it is much better than that of the labourer out of the house. The man in the house gets more meat, more food of every sort; he is sure of a hot breakfast being prepared for him, without the trouble of cooking it; he is also sure of a hot dinner; he is better clothed, and better lodged, and sleeps better, and works less time, and does less altogether. When a poor family has once been driven into the workhouse, the proof they give of its being better is, that they never can be got out of it. There are very few instances of their getting away. I have heard them express their regret, when they first come in, that they had not come in sooner. I have heard this too from people whom I had before heard pitying the poor people in the workhouse, and hoping they should never come to such a state of things themselves. Amongst several who have been striving to keep out of the workhouse, when one part of them have been driven in, their representations of its superior comfort have induced the rest to come in. This was the case at Gosport."

"Is your dietary at Lambeth much higher than at Gosport?"

"Considerably higher. In Lambeth they have beer, and butter, and sugar; they have also more meat, and the women have as much as the men. They have five feasts in the year: a pea-feast, a bean-feast, two mutton-feasts, and a plum-pudding-feast. In Newington, Mr. Mott was bound to give salmon once when in season, and mackerel once."—p. 225.

Mr. Charles Mott, who has been many years concerned in the management of several other very populous parishes, and is now the contractor for the maintenance of the poor of Lambeth workhouse, which contains 700 paupers, was asked—



"Have you observed the operation of the advantage given to paupers over independent labourers?"

"It is too notorious. When the working men who have never been in the habit of obtaining parochial relief, get into the workhouse by any accident, they are only to be got out with the greatest difficulty: the parish-officers are forced to bribe them out. The workmen say they cannot go out unless certain sums are given them to 'set them up.' Scarcely a week passes in which three or four bargains of this sort are not made; but after having seen what sort of a place they have to fall back upon, they commonly spend the money and return in a few days. A family, consisting of an agricultural labourer, his wife, and six children, some time since came into the Newington workhouse from Norfolk. Before they were classed with the other paupers, they were allowed to dine by themselves. When the regular rations were served out to them, they were all in astonishment at the quantity; the man had never before been in a workhouse, and he especially was amazed: when the food was first taken in, he asked the person who served it how much of it was intended for them? and was lost in astonishment when he found that they were allowed the whole of it. He declared that he had more meat to divide amongst his family in one day, now they were paupers, than he had been able to obtain for them during several months, when he was an independent labourer; and he repeated afterwards, that during the whole of his life he had never lived so well as he lived in the workhouse. It is unnecessary to observe that we had the greatest difficulty in getting this family out of the workhouse. Girls who are sent out from the workhouse to situations, commonly quarrel with their employers, and throw themselves out of place, on the ground that they are worked harder than in the workhouse, and are not kept so well, though they are, as well as their employers, in the middle ranks of life, and are required to work no harder than many of the wives of industrious tradesmen. On Christmas-day, when the customary allowance, consisting of seven ounces of cooked roast-beef, clear of bone, one pound of potatoes, one pound of plum-pudding, and a pint of strong beer, exclusive of their bread and other daily allowances, was served out at Lambeth workhouse, one of the collectors happened to be present, and he remarked on the goodness of the quality as well as on the quantity of the provisions. I asked him whether there were not a great many persons, from whom he collected this rate, who were not able to procure such a dinner for their families? His reply was—"Hundreds."

"What proportion of those who partook of this superior fare you have mentioned, do you consider deserving objects?"

"If by deserving objects is meant those who have not been reduced to want by idleness, improvidence, or vice, but by unavoidable circumstances, I should say, certainly not one-fifth. Some few years back I endeavoured to trace the causes of the paupers becoming chargeable, and I found that, in nine cases out of ten the main cause was an ungovernable inclination for fermented liquors."

"Over how many cases did your inquiries extend?"

"I was then the contractor for Newington workhouse;—the number

of the cases I took was upwards of three hundred. The inquiry was conducted for some months, as I investigated every new case that came under my knowledge. All my subsequent observations have strengthened the conclusions from these cases."

"What proportion of these cases arose from failure of employment?"

"Not one in twenty."—p. 320.

"Hitherto I have given portions of the evidence tending to show the common effects of the mal-administration of the poor-laws. Now I beg to submit portions of the evidence tending to develop those effects in combination with the effects of common systems of prison discipline and penal administration; for in all the more populous districts, I have found that the bad management of the workhouse and the bad management of the prison, re-act on each other, and that both exercise a pernicious influence upon the morals and condition of the labouring classes."

"Mr. Hooker, one of the former overseers of Bethnal-green, stated that—

"There are now about one hundred and fifty young able-bodied people, of bad character, thieves and prostitutes, who receive relief from the parish. When relief is not given to them immediately they apply, they proceed to Worship-street, and obtain summonses. They will go frequently when they have had relief; and we have reason to believe they have stated that they have had no relief whatever."

"Mr. Bunn, one of the present overseers of the same parish stated,—

"It is quite common for the officers from the police-offices to come to our parish to inquire for bad characters against whom charges are made. The police-officers are well acquainted with their characters. It is the worst characters who generally raise tumults. They repeatedly tell me, that, by being sent to Bridewell, they are sure of getting plenty of food, and shall be sent out with clothes. I do not know what clothes are given to them there: but I have frequently seen them better dressed when they came out of prison, than they were when they were sent in. They frequently dare me to send them to Bridewell. There is no difference between the girls and the men; except that, of the two, the girls are the worst."

"Mr. Drouet, the governor of Lambeth workhouse, stated,—

"The great want at present is, as I conceive, the means of a proper classification. We have the worst of characters in the house, which, in fact, constantly serves as a hiding-place for thieves: we have, I dare say, thirty thieves, all of whom have been in prison for robberies and various offences, and who, we have reason to believe, commit depredations whenever they are at large. It is a common occurrence to have inquiries made for particular characters at the workhouse, in consequence of offences supposed to have been committed by them. We also have, perhaps, from twenty to thirty prostitutes in the house. These, the worst characters, can always speak with the best characters; and the forms of the house allow us no means of preventing it. We cannot

prevent the thief speaking to the young lad, or keep the prostitute from the young girl who has not been corrupted. There is, unhappily, a strong disposition on the part of such characters to bring others to the same condition. I have overheard a prostitute say to a young girl, 'You are good-looking; what do you stay in here for? you might get plenty of money;' and point out to her the mode. Last October, as an experiment, we sent off eight girls to Van Diemen's Land: they were all brought up as workhouse children, and were incorrigible prostitutes. I have evidence that seven of these girls were all corrupted by the same girl, named Maria Stevens. Every one of these girls had been in prison for depredations. One of them had been three times tried for felonies, having robbed the persons with whom she was in service. Such was the influence which this girl had over them, that they would not consent to go until she consented, nor would they be separated from her, and she formed the eighth of the party. The old thieves teach the boys their ways: a few months ago I took one thief before a magistrate for having given lessons to the workhouse boys, whom he had assembled about him, how to 'star the glaze,' as they call it: that is, how to take panes of glass out of shop-windows without breaking them, or making any noise. In so large a workhouse as ours the youth are never without ready instructors in iniquitous practices. In the spring of the year many of the workhouse boys discharge themselves, and live during the rest of the year, we have reason to believe, in no other ways than dishonestly: we know it in this way, that the most frequent circumstance under which we hear of them is, of their being in prison for offences: but they do not care a rush for the prisons; for they always say, 'We live as well there as in the workhouse.'

'Mr. Mott, the contractor, in giving evidence on the means of employing paupers in the workhouse, alleges, as one of the great obstacles, the constant liability to depredation.'

"Even in these employments [sempstresses, &c.], however, we are subject to continual losses from mismanagement or depredation. One man we lately prosecuted at the sessions for stealing fifty-one shirts, which he was entrusted to take home, and he was sentenced to seven years' transportation, which by the way, I may observe, was a promotion to a place where he would obtain more food, if not more comfort, than in the workhouse."

"Are you sure of that?"

"I am sure, from conversations which I have had on the subject with the superintendent of convicts, that the convict receives more bread a day than the pauper. Indeed, it is notorious at Gosport, where I have heard it descanted upon by many of the inhabitants, that the convicts receive one ounce of meat per day more than the soldiers set to guard them. I heard at Gosport, that the convicts being told to do something which they did not like, one of them exclaimed, in the presence of the military guard, 'What next, I wonder! d—n it, we shall soon be as bad off as soldiers.' The convicts ridicule the soldiers; and I have myself seen a convict hold up some food to the guard, saying, 'Soldier, will you have a bit?' Yet the operation of this system in gaols and workhouses was pointed out years ago, and it still continues. The convict's labour is proportionably slight."

"Do you find this state of things, as to punishment, re-act upon the workhouse?"

"Decidedly so; and most mischievously as to discipline and management. The paupers are well aware that there is, in fact, no punishment for them. From the conversation I have had with convicts, it is clear, that confinement in a prison, or even transportation to the hulks, is not much dreaded. 'We are better fed,' I have heard them say, 'have better clothes, and more comfortable lodging, than we could obtain from our labour;' and the greatest, in fact almost only, punishment they appear to dread, is being deprived of female intercourse. Some months since, three young women (well-known prostitutes) applied for relief at Lambeth workhouse; and, upon being refused, two of them immediately broke the windows. On the moment, the *three* were given into custody to the police; but recollecting that only *two* were guilty of breaking the windows, the beadle was sent to state the fact, and request from the overseer, that the innocent person might be discharged: she, however, declared that she would not be separated from her companions, and immediately returned to the house and demolished two or three more windows to accomplish her desire."

'Mr. Benj. Hewitt, keeper of the workhouse of St. Andrew's, Holborn above Bars, and St. George the Martyr, states,—

"I have constant evidence before me that the diet in our house is as good as the majority of labouring men with families can procure for themselves when in work. I believe that the poor in our workhouse live as well as many of the rate-payers. It operates as a powerful stimulus to persons to come into the house. I also see constantly, that many of the labouring classes, having found out that the parish living is no frightful thing, spend all they can. They do not care to save anything for a rainy day; they have no thoughts of the morrow, for they are well aware, that when the rainy day comes, they will be sure to get relief, or admittance to a place of comfort superior to anything their irregular conduct has allowed them to inhabit. Bad character or conduct will not occasion their relief to be forfeited. We have now about one hundred bad characters in the house, many of whom have been the frequent inmates of prisons."

"What is the discipline which you enforce in your workhouse upon these characters, or have you any specific discipline?"

"There is great difficulty in managing the refractory paupers, in consequence of the ameliorated condition of the inmates of gaols, where the allowance of bread is greater than in the workhouses. Many of them have told me, 'Oh, we do not care about the prison; that's where we want to go; we get more bread there than we can here, and the allowance of meat is the same.' Those who do not say this, prove by their demeanour that they are well persuaded it is so."

"Have you ever known of any inquiry having been made into the mode of living of independent labourers, with the view of determining, by the comparison, what should be the mode of diet of paupers?"

"I have never known any inquiry of this kind made by any governors or directors under whom I have acted. I think it would be of great

importance, that the condition of labouring people should be taken into account, and that a general uniformity of diet should be established in all the parishes. A uniformity of diet would prevent a large proportion of the paupers shifting about, and great expense of litigation. It is most important, too, to diminish the inducement to labouring people coming into the workhouse; and hence the diet should be for able and refractory men, on the lowest possible scale. The progress of pauperism would be abated by proper regulations; and I am certain that the expense of the present paupers maintained by the parishes might be reduced one-quarter for such classes. Similar attention to the diet of prisoners in prisons is requisite, as I conceive, to enable us to maintain discipline in workhouses."

"What influence has your diet and general mode of maintaining paupers had upon the rising generation of paupers or the paupers' children?"

"Many of them have left the workhouse with great reluctance. They have frequently cried on leaving it; and I have known them come back to it, when they have been sent out on liking to be apprenticed to respectable persons. They have been dissatisfied with the treatment which those respectable people gave them, as compared with the workhouse treatment. The proposed master has said to me, 'I cannot keep the child, for he seems so unhappy, that it is of no use keeping him.' About two years ago we reduced the diet of the unworthy paupers, amongst which is included the greater portion of the able-bodied. Previous to that time, girls for whom we got places in service were careless about keeping them, as they told their employers that they lived well in the workhouse, and had not so much to do. The girls having thus thrown themselves out of work, were invariably taken into the workhouse again, on the recommendation of the magistrates, to keep them from running the streets. Even now instances of similar misconduct happen, but by no means so frequently. The diet is not at present so low as it might be for these classes."

'Mr. Huish, the assistant-overseer of the populous parish of St. George's, Southwark, states—

"It is astonishing that we are so quiet in our workhouse, from what I have heard of the keep of persons in prisons, which is better even than of persons in the workhouses. A short time ago a man named Abbot was refused the amount of out-door relief which he claimed; we told him, 'We cannot give you what you want.' He said that 'He must and *would* have it.' We told him he must get work; he said he could not get work, and would not seek work, he would sooner go into prison. I told him that if he did not take care he would get into prison: 'You have been in prison already,' said I, 'and you would hardly wish to go there again?' 'Indeed I don't care,' said he; 'I can live better there than I can anywhere out of prison.' 'But if you go on in this way you will get transported.' 'You are mistaken,' said he, 'if you suppose I care for being transported. I know well enough that if I am, I shall be better taken care of, and shall live like a gentleman.' He proved that he did not care for a prison, for he conducted himself so

outrageously, that we were compelled to take him before a magistrate, who committed him to Brixton. This was the fourth or fifth time he had been at Brixton on our account. This man had been brought up as a mechanic, in a branch in which, had he been a man of good character, he might now obtain good wages."

"Now this case, with others, affords an instance of what might be done by workhouse discipline. Mr. Hayes, who farms the paupers of several parishes, is a very intelligent man, his mode of action is, to give the refractory hard work, and a spare diet. He will place a man by himself, with nothing but a dead wall before him: he then places in his hands a certain quantity of oakum, and tells him, "When you have picked that, your dinner will be ready for you, and not till then." We sent this man to Mr. Hayes, but he soon got tired of it and left it, and we heard no more of him. This morning I met him coming in the direction of Billingsgate with a basket of fish on his head, and apparently in an honest employment. We sent three refractory boys to this occupation, and two out of the three preferred going to sea."—p. 241.

It is a popular opinion, that "poverty is the mother of crime," or, in other words, that our gaols are filled by "the distress of the times," and not unfrequently by the difficulty of obtaining parochial relief. Previously, and subsequently to my acceptance of the post of assistant-commissioner, I have paid much attention to the subject of the connexion of pauperism with crime, and I can state that evidence is at variance with the popular opinion. The following is an extract from the evidence of Mr. Wontner, the benevolent governor of Newgate:—

"Of the criminals who come under your care, what proportion, so far as your experience will enable you to state, were by the *immediate pressure of want* impelled to the commission of crime? By want is meant, the absence of the means of subsistence, and not the want arising from indolence and an impatience of steady labour?—"According to the best of my observation, scarcely one-eighth. This is my conclusion, not only from my observations in the office of governor of this gaol, where we see more than can be seen in court of the state of each case, but from six years' experience as one of the marshals of the city, having the direction of a large body of the police, and seeing more than can be seen by the governor of a prison."

"Of the criminals thus impelled to the commission of crime by the immediate pressure of want, what proportion, according to the best of your experience, were previously reduced to want by heedlessness, indolence, and not by causes beyond the reach of common prudence to avert?—"When we inquire into the class of cases to which the last answer refers, we generally find that the criminals have had situations and profitable labour, but have lost them in consequence of indolence, inattention, or dissipation, or habitual drunkenness, or associations with bad females. If we could thoroughly examine the whole of this class of cases, I feel confident that we should find that not one-thirtieth of the whole class of cases brought here are free from imputation of misconduct, or can be said to result entirely from blameless want. The cases of juvenile offenders from nine to thirteen years of age arise partly

from the difficulty of obtaining employment for children of those ages, partly from the want of the power of superintendence of parents, who, being in employment themselves, have not the power to look after their children; and in a far greater proportion from the criminal neglect and example of parents."

"Does any, and what proportion of the average number of criminals which passes through your gaol consist of persons who are paupers receiving parochial assistance at the time of the commission of the offence?—" Perhaps one-fortieth: I might say not one-fiftieth."—p. 246,

'Mr. Richard Gregory, the Treasurer of Spitalfields parish, who for several years distinguished himself by his successful exertions for the prevention of crime within that district, was asked—

"We understand you have paid great attention to the state and prevention of crime; can you give us any information as to the connexion of crime with pauperism?—" I can state from experience that they invariably go together."

"But do poverty—meaning unavoidable and irreproachable poverty—and crime invariably go together?—" That is the material distinction. In the whole course of my experience, which is of twenty-five years, in a very poor neighbourhood, liable to changes subjecting the industrious to very great privations, I remember but one solitary instance of a poor but industrious man out of employment stealing anything. I detected a working man stealing a small piece of bacon;—he burst into tears, and said it was his poverty and not his inclination which prompted him to do this, for he was out of work, and in a state of starvation."

"Then are we to understand, as the result of your experience, that the great mass of crime in your neighbourhood has always arisen from idleness and vice, rather than from the want of employment?—" Yes, and this idleness and vicious habits are increased and fostered by pauperism, and by the readiness with which the able-bodied can obtain from parishes allowances and food without labour."

'The effects of the system are increased in particular districts by distress, but I have not found that they are averted by prosperity. It may not be improper to observe in this place, that in America, where many of the circumstances which are here urged as specifics against the malady, such as high wages, and the liberal distribution of land to those who are disposed to labour in cultivating it are in operation, the poor-law system is attended with similar effects.'—p. 248.

The following inquiry instituted by Mr. Chadwick promises to lead to important and valuable results.

'With the view of judging of the strength of the influence upon the labouring population of the mismanagement of workhouses and prisons, I have endeavoured to obtain detailed information of the mode of living of agricultural labourers. In attempting to make personal inquiries of the labourers in the districts which I have visited, I found them regard me with so much suspicion, that it became necessary to obtain the information by means of persons with whom they were familiar. "This suspicion," an informant observed, I "ought not to be surprised at, as the independent labourers really believed that

mischief commonly followed even well-intentioned interference with their affairs by the gentry, and they (the independent labourers) did not like to be treated as 'poor,' or as persons to be taken care of like paupers." I have succeeded in obtaining many accounts of their modes of living and expenditure in different places. The following accounts of the actual incomes and expenditures of three agricultural families near Newbury, approximate very nearly to the ordinary expenditure of families of agricultural labourers:—

A man, his wife and six children, receive amongst them 13*s.* 6*d.*, which is thus expended at the grocer's shop, paying one week under the other.—

	<i>s.</i>	<i>d.</i>
7 gallons of bread .. .. .	9	11
1 lb. of sugar .. .. .	0	6
2 oz. of tea .. .. .	0	8
Soap .. .. .	0	4
Candles .. .. .	0	4
Salt, pepper, mustard, vinegar, &c. .. .. .	0	2
2 lbs. of bacon .. .. .	1	4
	<u>13</u>	<u>3</u>

A man, his wife, and four children under two years of age, receive in wages 9*s.* and a gallon loaf from the parish weekly, and live rent free in a parish cottage:—

	<i>s.</i>	<i>d.</i>
5 gallon loaves .. .. .	5	7½
1 lb. of lard .. .. .	0	9
1 oz. of tea .. .. .	0	4
½ lb. of sugar .. .. .	0	2
2 faggots .. .. .	0	9
Soap and candle .. .. .	0	3
½ lb. of bacon .. .. .	0	4½
½ lb of butter .. .. .	0	6
	<u>8</u>	<u>9</u>

A man, his wife, and three children, without parish relief; the man earns 10*s.* a week when in full employment; but occasional want of work reduces the earnings of himself and his wife together to 11*s.*—

	<i>s.</i>	<i>d.</i>
½ bushel of flour, per week, present price .. .. .	4	0
½ lb. of candles ditto .. .. .	0	3½
½ lb. of soap ditto .. .. .	0	4
Clothing Society .. .. .	0	5
Needles, thread, &c. .. .. .	0	6
Butter, tea, and sugar .. .. .	1	0
Firing per year .. .. .	£3	0 0
Rent, including house and ½ of an acre of land	2	0 0 (this is cheap.)
Purchase of a pig .. .. .	1	7 0
Shoes for the family .. .. .	2	6 0
	<u>8</u>	<u>13 0</u>
Making, within a fraction, of weekly expenditure .. .. .	3	14
	<u>9</u>	<u>8½</u>



'From these and several accounts from shopkeepers as to the quantity of goods which they supply to *classes* of persons, it appears that, supposing the children of the honest labourer eat meat, the quantity consumed by each individual does not, on an average, exceed four ounces each week. If the head of the family consumes more, the children must eat less. Where higher wages are obtained, it appears, from the statements of the shopkeepers, that the labourers do not purchase a larger proportion of *solid* food. The excess of meat consumed yearly in the small parish of St. Giles's, in Reading, beyond the full allowance to adults in Lambeth parish, has been shown to be 4500 pounds. From hence it appears that the excess beyond a profuse allowance—the mere waste by 62 paupers—in that small parish, would suffice as a year's supply of four ounces of meat per week each to 346 independent agricultural labourers, or to 86 families of four persons in each; or that these 62 inmates of this workhouse (one-third of them children) consumed, in thirteen weeks, as much meat as 738 agricultural labourers are enabled to obtain in the same time by their labour.'—p. 250.

In the poorhouse of St. Mary's, Reading, the weekly diet for each man is 7 lbs. bread, 2½ lbs. meat, 3 lbs. vegetables, 1 lb. 9 oz. cheese, 21 pints beer.

'The diet for females and children is exactly the same, except that the beer is only ten pints and a half per week, instead of twenty-one. The child has its ten pints and a half of beer and its two pounds and a quarter of meat, and its seven pounds of bread, &c. weekly. In one of the parishes no meat whatever is allowed to the children, who nevertheless enjoy excellent health. In the course of an examination of one of the London workhouses, where an excessive allowance of meat is made, one of the young able-bodied paupers was asked whether they had a sufficient allowance of food? His reply was that they had not. He was asked what quantity of meat would suffice? He replied that he thought he could eat two pounds of meat a day. Having been bred up in a workhouse, with a stomach habituated in infancy to the diet of an adult, it is scarcely surprising that, when he became an adult, he had a craving and a capacity for a much larger allowance of food. "But judge," said a witness, "what must be the effect of such a diet upon the child of an agricultural labourer, who has never been permitted to taste meat?" It appears, from all the evidence, as might be expected from *classes* whose range of mental pleasures is not enlarged by education, that they avail themselves of sensual gratifications with the greatest avidity, and that variations in diet exercise a most powerful influence over them. One ounce of meat a day more or less makes all the difference between a "good" and a "bad parish," or a parish that will be sought or avoided by the regular paupers.'

'I have thought it advisable to avail myself of an opportunity of examining the correctness of the statement made by Mr. Mott with respect to the relative diet of convicts and paupers. I find that the convicts' superiority is understated.'

'The fare and general condition of the independent labourers in the country about Gosport is stated in the evidence of Mr. Drouet

already quoted. The following dietary of the Gosport workhouse is believed to be nearly as low as that of an independent labourer :—

WEEKLY ALLOWANCE.	MEN.		WOMEN.		CHILDREN.	
	lbs. oz.		lbs. oz.		lbs. oz.	
Bread .. ..	5	0	4	3	3	6
Meat .. ..	1	0	0	11½	0	7
Vegetables ..	8	12	7	11	5	6
Pudding .. ..	0	12	0	10	0	8
Cheese .. ..	0	10	0	7½	0	5
Soup and Broth ..	5	pints	3½	pints	3	pints.
Gruel, or Milk Porridge	14	pints	10½	pints	7	pints.

' The following is the dietary of the Gosport house of correction, as stated in the Gaol Returns for 1831, p. 101 :—

Gosport Bridewell and House of Correction.

Best bread, daily. 1½ lb. ... .. weekly 10½ lb.

Meat ... .. weekly 1

Soup from ditto

Potatoes ... .. weekly ½ gallon.

' By the warrant for the pay of the army, clause 13, it is provided that—

"Soldiers at home, when in barracks or in stationary quarters, shall be supplied with bread and meat after the rate of three-quarters of a pound of meat"—[i. e. uncooked]—"and one pound of bread a day for each man, the cost thereof being paid by a stoppage not exceeding sixpence a day from the soldier's pay; but if the cost of the bread and meat shall exceed sixpence, the excess shall be charged against the public."

' The following is a copy of the 21st article of the "Instructions to the Superintendent of Convicts in England," issued from the office of the Secretary of State for the Home Department :—

"A daily allowance of provisions is to be issued to the convicts according to the following scheme of diet, a copy of which is to be kept constantly hung up upon each deck, so that the convicts may always know what they are entitled to receive :—

DAILY ALLOWANCE TO EVERY CONVICT ON BOARD HULKS IN ENGLAND.

Day of the Week.	Barley.	Oatmeal.	Bread.		Beef.	Cheese.	Salt.	Small Beer.
			Soft.	Biscuit.				
	lb. oz.	lb. oz.	lb. oz.	lbs. oz.	lbs. oz.	oz.	oz.	Pint.
Sunday .. ..	0 4	0 3	1 0	0 4	0 14	—	½	1
Monday .. ..	0 4	0 3	1 0	0 4	—	4	½	1
Tuesday .. ..	0 4	0 3	1 0	0 4	0 14	—	½	1
Wednesday ..	0 4	0 3	1 0	0 4	—	4	½	1
Thursday .. .	0 4	0 3	1 0	0 4	0 14	—	½	1
Friday .. ..	0 4	0 3	1 0	0 4	—	4	½	1
Saturday .. .	0 4	0 3	1 0	0 4	0 14	—	½	1
Each Convict } per Week. }	1 12	1 5	7 0	1 12	3 8	12	3½	7

"You are to use every possible means to prevent convicts from selling any part of their allowance one to another, or to any other person, and you are to be careful that no other than standard weights and measures are used."

'Here within one small locality, we find the honest labourer the lowest in point of condition; the indolent pauper the next step above him; the refractory pauper, or the petty delinquent the next step above the pauper, and nearly approaching to the condition, in point of food, of the soldier; and the convicted felon rising far above the soldier, the petty delinquent, the pauper, or the industrious labourer. But it appears to be true, as declared by the refractory paupers, who proclaim their independence of all regulation, that if they get themselves transported for some more grievous delinquency, they will receive even better treatment. I was informed by witnesses in Berkshire that several of the agricultural labourers who had been transported for rioting had written home letters to their friends, stating that they had never before lived so well, and soliciting that their families might be sent over to them. I caused application to be made at the colonial office for the dietaries of the convicts abroad, when I received the following extract from the Hobart Town Calendar, for the year 1829, under the head of "Assigned Servants":—

"By a Government notice, 10½ lbs. of meat, 10½ lbs of flour, 7 oz. sugar, 3½ oz. of soap, and 2 oz. of salt, are laid down as the week's provision for an adult male servant; the supply of tea or tobacco being discretionary. The master is also required to furnish his servant at the rate of two suits of slop-clothing, 3 pair of stock-keeper's boots, 4 shirts, and a cap and hat, per annum. Also the use of a bed, 2 blankets, and a rug, all which are the property of the master. These being supplied, the Government disapproves the supply of money to the prisoner, under any circumstances."

"Female convicts are allowed, upon the same authority, 5½ lbs. of meat, 8½ lbs. of flour, 2 oz. of tea, ½ lb. sugar, 2oz. soap, 1½ oz. salt, per week. The annual allowance of clothing being 1 cotton gown, 2 bed gowns, 3 shifts, 2 flannel petticoats, 2 stuff petticoats, 3 pair of shoes, 3 calico caps, 3 pair of stockings, 2 neckerchiefs, 3 check aprons, and a bonnet, not exceeding in the whole cost 7*l.*; also a bed as supplied to males."

'In the comparison of the dietaries, some allowances must be made for the want of completeness in the details, as to the strength of the beer and other liquids forming part of them; but these are generally proportioned to the comparative magnitude of the allowances of solid food. The general effect of particular modes of living and gradation of dietaries may be best proved by the declarations and conduct of those who have tried them all.'—p. 254.

'From the official returns it appears that nearly all the prison dietaries are twice as good as those of the agricultural labourers; and that many of them are much better than the workhouse dietaries. Although the able-bodied pauper does not *generally* receive so much *solid* food as the

soldier, (he sometimes receives much more,) the pauper is on the whole better kept, much better lodged, and does less work. The soldiers receive brown bread of the sort which is sold in the metropolis to valetudinarians as "digestive bread." In no workhouse have I found the paupers supplied with other than white or wheaten bread; nor have I been able to learn that brown bread is used in any of the prisons. Mr. Hewitt states that the convicts have held up some of their white bread to the soldiers in derision, using such expressions as "Look here! *Brown Tommy*" (the name of soldiers bread) "is good enough for you, but it will not do for us." As the white bread is supposed to go much farther than the brown, the allowances to paupers and convicts are in reality greater than they appear to be from the dietaries.\*

The family of the pauper is much better kept than the family of the soldier. In very few poor-houses have I found any distinction made between the diet of the males and females. In the great majority of the workhouses no distinction is made between the diet of the children and of the adults. From some of the official forms of contract for the transport of troops, it appears that females are allowed, sometimes, only one-half; but, usually, two-thirds the quantity allowed to the males; and that children are only allowed one-half the quantity of females. The latter, probably, approaches to the natural demand for food, and indicates the prevalent extent of waste in the parochial management of the workhouses.\*

In most of the prisons one fare is allowed to those who are suspected or unconvicted, and another fare to those who are convicted, the latter having a much larger allowance of better food; usually on the ground that, as they work, or as they may be called upon to work, they need more food †. But the work is declared to be much less than that of the

\* 'It is very rarely that any parish officer would venture to enforce, or even to recommend, a reduction of these mischievous allowances. The workhouse-keeper of a large parish stated to me in evidence,—"I once ordered one of the attendants on the paupers to pick up the crusts which he found lying about the dust and the places belonging to the females. In a few days he picked up about a half a bushel of crusts which had been thrown away. I contrived that the guardians of the poor should see them, thinking it might suggest to them that the allowance was rather too high, but it produced no effect, and I did not trouble myself again about the matter."

† 'The variations of diet in the prisons throughout the country appear from the gaol returns to be very great. On referring to the convenient abstracts of the returns published in the Eighth Report of the Prison Discipline Society, (which, in addition to the parliamentary returns, appears to obtain its information from zealous correspondents in every part of the United Kingdom,) it will be seen that the cost of maintaining the prisoners throughout the country varies from 1*s.* 2*d.* to 5*s.*, and even 7*s.* per week per head (p. 59.) In the Coventry city gaol, bread only is allowed, and there are 2½ per cent. of sick in the year. In other gaols, where the prisoners are maintained at double and treble the cost, there is double and treble the proportion of sick. Where bread alone is given, the daily rations vary from one to three pounds. The variations of charge in the same county are also remarkable. In Suffolk, the food given in the county gaol costs 1*s.* 9*d.* per head per week (the food of those at hard labour costs 2*s.* 11*d.*); whilst at Woodbridge gaol the cost of food is 3*s.* 6*d.*; at the former gaol there were 10 per cent. sick; at the latter, 18 per cent. sick. The cost of food at the Wakefield house of correction, Yorkshire, is stated (p. 77) to be 1*s.* 8½*d.*, and 6 per cent. of the prisoners are sick in the year; whilst the cost of

agricultural labourer, and such as the prisoners do not care for as soon as they become used to it. The prison work is only ten hours a day: the agricultural labourer works, on an average, twelve hours a day. In one instance, a reduction of an expensive diet of prisoners was tried, but it was effected chiefly by the substitution of a diet a very large proportion of which was liquid, for the previous diets consisting chiefly of solids, and the consequences were injurious. The health appears, on the whole, to be better in those places where the diet is moderate, than in those where it is more abundant. Mr. Hewitt states that the reduction of diet mentioned by him, which was a reduction from a diet consisting of 169 oz. of solids weekly, to one of 134 oz., was productive of no bad effects: the paupers maintained on the low diet were as well, if not better after than before the change; and few of them, comparatively to those who had been accustomed to live on a more full diet, suffered by the cholera. This witness and several others, in their evidence with relation to diet, call attention to the fact, that there are probably some millions of honest men in the three kingdoms by whom even brown bread is never used as food; that the greater part of Scotland is fed with oatmeal, and that Ireland is fed with potatoes. And the witnesses ask, Irishmen a puny race? Is the arm of the Highlander found weak? Is the lesson still to be held out to the honest and independent labourers,—that the food they are content with is not good enough for indolent and vicious paupers or even for felons.'

'The following table, drawn chiefly from official returns, will show more clearly, at a view, the comparative condition of each class, as to food, from the honest and independent labourer, to the convicted and transported felon. For better comparison, the whole of the meat is calculated as cooked.'

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food at North Allerton is reported to be 5s. 0½d., and there are 37 per cent. of sick during the year. In Surrey, the allowance to the prisoners in the Borough Compter costs 1s. 9d. per head per week: in Horsemonger-lane it is 2s. for the employed, and 2s. 2d. for the unemployed. In both these gaols the amount of sick is only 2 per cent in the year. The food given at Brixton costs 2s. 9d. per week, and the sick amount to 7 per cent. At Kingston, the cost is 3s. 6d., and there are 6 per cent. of sick during the year. In the Cold-Bath Fields House of Correction, which is in a smoky neighbourhood, the prisoners receive a diet of 174 ounces of solid food weekly, and the proportion of sick is 4½ per cent. per annum. At the Guildford House of Correction, a diet of 230 ounces of solid food is given weekly, and the proportion of sick annually is 9 per cent. In general, it appears from these returns, (which, unless they are much more accurate than the returns to parliament on parochial matters, can only be depended upon for a rough comparative estimate,) that the smaller and closer the body having the superintendence, the worse is the management. It is in the small local gaols that the cost of the diet amounts to as much as 7s. per head per week; and it is stated that it is in these that there has been the least improvement—"that most of the prisons attached to corporate jurisdictions are in a state so disgraceful as to corrupt all committed to them."—Eighth Report, p. 91.

## THE SCALE.

## I. THE INDEPENDENT AGRICULTURAL LABOURER—

According to the returns of Labourers' Expenditure, they are unable to get, in the shape of solid food, more than an average allowance of

Bread (daily) 17 oz. = per week ..	oz. 119
Bacon, per week .. ..	4 oz.
Loss in cooking .. 1 ,	3 — Solid Food. 122 oz.

## II. THE SOLDIER—

Bread (daily) 16 oz. = per week ..	oz. 112
Meat .. 12 ..	84 oz.
Loss in cooking .. 28 ,	56 — 168

## III. THE ABLE-BODIED PAUPER—

Bread .. .. per week ..	oz. 98
Meat .. .. ..	31 oz.
Loss in cooking .. 10 ,	21
Cheese .. .. ..	16
Pudding .. .. ..	16 — 161 oz.

In addition to the above, which is an average allowance, the inmates of most workhouses have,—

Vegetables .. ..	48 oz.
Soup .. .. ..	3 quarts.
Milk Porridge .. ..	3 ,
Table Beer .. ..	7 ,

and many other comforts.

## IV. THE SUSPECTED THIEF—(see the Gnal Returns from Lancaster.)

Bread .. .. per week ..	oz. 112
Meat .. .. ..	24 oz.
Loss in cooking .. 8 ,	16
Oatmeal .. .. ..	40
Rice .. .. ..	5
Peas .. .. ..	4
Cheese .. .. ..	4 — 181
Winchester.	
Bread .. .. per week ..	192
Meat .. .. ..	16 oz.
Loss in cooking .. 5 ,	11 — 203

## V. THE CONVICTED THIEF—

Bread .. .. per week ..	140
Meat .. .. ..	56 oz.
Lost in cooking .. 18 ,	38
Scotch Barley .. ..	28
Oatmeal .. .. ..	21
Cheese .. .. ..	12 — 239

## VI. THE TRANSPORTED THIEF—

10½ lbs. meat per week	=	168 oz.	
Loss in cooking ..	56 ,		
	—	112	
10½ lbs. flour, which will increase,	}	218—330	(p. 258.)
when made into bread ...			

The whole cannot be better concluded than by the following summary, extracted from the report of one of the assistant-commissioners.

‘It appears to me that the inferences to be drawn from the large body of evidence which I have now stated, and from the much larger body which I shall state in my final report, are these:’—

‘1. That the existing system of poor-laws in England is destructive to the industry, forethought, and honesty of the labourers; to the wealth and the morality of the employers of labour, and of the owners of property; and to the mutual good-will and happiness of all. That it collects and chains down the labourers in masses, without any reference to the demand for their labour: That, while it increases their numbers, it impairs the means by which the fund for their subsistence is to be reproduced, and impairs the motives for using those means which it suffers to exist: And that every year and every day these evils are becoming more overwhelming in magnitude, and less susceptible of cure.’

‘2. That of these evils, that which consists merely in the amount of the rates, an evil great when considered by itself, but trifling when compared with the moral effects which I am deploring, might be much diminished by the combination of workhouses, and by substituting a rigid administration and contract management for the existing scenes of neglect, extravagance, jobbing, and fraud.’

‘3. That, by an alteration, or even, according to the suggestion of many witnesses, an abolition, of the law of settlement, a great part, or, according to the latter suggestion, the whole of the enormous sums now spent in litigation and removals might be saved; the labourers might be distributed according to the demand for labour; the immigration from Ireland of labourers of inferior habits be checked, and the oppression and cruelty, to which the unmarried labourers, and those who have acquired any property, are now subjected, might, according to the extent of the alteration, be diminished, or utterly put an end to.’

‘4. That, if no relief were allowed to be given to the able-bodied, or to their families, except in return for adequate labour, or in a well-regulated workhouse, the worst of the existing sources of evil, the allowance system, would immediately disappear; a broad line would be drawn between the independent labourers and the paupers; the number of paupers would be immediately diminished in consequence of the reluctance to accept relief on such terms; and would be still further diminished in consequence of the increased fund for the payment of wages occasioned by the diminution of rates, and would ulti-

mately, instead of forming a constantly increasing portion of our whole population, become a small, well-defined part of it, capable of being provided for at an expense less than one-half of the present poor-rates.'

'5. That the proposed changes would tend powerfully to promote providence and forethought, not only in the daily concerns of life, but in the most important of all points, marriage.'

'And lastly, that it is essential to the working of every one of these improvements, that the administration of the poor-laws should be entrusted, as to their general superintendence, to one Central Authority with extensive powers, and, as to their details, to paid officers, acting under the consciousness of constant superintendence and strict responsibility.'—p. 338.

ART. XIII.—1. *The Harmonicon, a Monthly Journal of Music.*—London. Longman and Co.

2. *The Giulianiad, or Guitarist's Monthly Magazine.* Nos. I, II, and III, for Jan. Feb. Mar. 1833.—London. Sherwood and Co.

THE days of *grands coups de lance* are over. Everything is now done by here a little and there a little; and periodical publications, like timely showers, translate the wilderness into a fruitful field by gradual instillment. Music, the youngest-born of heaven's benevolence, who toils not neither does she spin, but only fills her father's house with smiles, has, as is meet, no want of service here. It is excellent to be great, glorious, and distinguished in arts or arms; but the very phrase implies that this must be the lot of few. The leaders in war must always bear a certain ratio to their followers; and not more than six hundred patriots can by possibility be wedged into the House of Commons. There wanted something that all might join in without crowding; and above all, there was one portion of the human kind and that the gentlest, cut off from most of the vulgar objects of ambition, which had great need of a field for healthful exercise and blameless rivalry. Such want is supplied by music; and this circumstance alone would suffice to make the art a favourite object of utilitarian care.

At the head of the list of periodical works, for extent of information and comprehensiveness of aim, necessarily stands the *Harmonicon*. He is the *chef d'état-major* of the musical forces. Nothing is too much for him, or too little. He can tell all operas, that were performed at all seasons, at every court from Petersburg to the Tagus. He knows the Professor in Denmark, who plays the best fantasia in  $\frac{2}{4}$ ; and commemorates the first public concert ever performed in Australasia. Of all musical speculations he is the great repository, from the gnarled



mysteries of the scale, to the pin of a clavichord. Finally, he has the reputation of being the only English power that could rule the microcosm of the Opera;—*Panaque, pastoresque, Dryadasque puellas.*

If the Harmonicon is a chief of staff, the other is the leader of a small *manipulus* or company, which he is anxious to make the most effective its magnitude will admit of. And he manifestly has the root of the matter in him. The guitar is an instrument even now not comprehended in this country. People cannot find out, that it is an orchestra in little, a miniature painting of *le donne, i cavalier, l'arme, gli amori*. Its forte is the picturesque; meaning thereby the presenting of pictures,—*des tableaux*. It wants force, as a miniature wants acres of canvass, but is not the less a painting for that. A young lady with her guitar, is neither Mr. Harpur with his trumpet, nor the Petrides with their horns; but it does not therefore follow she is nothing. She may be compared to an artist who for some reason has no great depth of shadow at command; the keeping may be more difficult, but it is not impossible. The great countervailing power, is in the intimate connexion between the performer and the instrument, giving a command over the strength and quality of tone, which can scarcely be equalled but on the violin, and *then* there must be at least a trinity of performers to approach to the same effects. The authors of the 'Giulianiad' (a crabbed name) have proved that they understand the thing. They are the first or nearly so, that have shown they comprehend the bounty of Providence in the guitar. On many points they go so close to what has been impressed in the present utilitarian organ, that it may not be misplaced to state that there is no community of source. They are altogether a second voice in the desert, returning a responsive halloo to the other.

The music in their two first numbers, throws more light on what the guitar is meant for, than could be got by the pillage of a music-shop. All that bears the name of Giuliani is first-rate. Publish no tinkling; but give some organ sounds; some recitative in harmony; let us hear the evil power, the Ahrimân of the stage, grumbling in discords on the bass, and then the heavenly influences come to the rescue in sounds like those which told the magician of old time his guardian spirits were arrived. Since Giuliani is a voluminous composer\*, he is himself a mine. But those who have mastery on

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\* 148 *Opere*, solos; besides duetts &c. to an extent unknown; published by Richault, Boulevard Poissonnière, No. 16, Paris.

an instrument, can *improvise*,—much more, write fluently what others have invented. What is wanted, is that they should open the portals of music to the student of their art. Why not begin by giving four pages monthly of some well-known opera, the Freyschutz for instance, from the overture to the conclusion; in such form as to be easily taken out and united. Musical men have a considerable degree of community of goods, and much picturesque music is impressed into the service of the pantomimes. Can no man invent a *Harlequin Voyageur* or other trivial machinery, which should enable him to string together in such order as should give most mutual relief, all that the stage has of grave or gay, ridiculous or sad? From this go higher, and to the highest. Give the *grande Opéra*, recitative and all, but cutting down freely where it would be wearisome, leaving in fact no more than shall give distinctness to the rest; and afterwards, sacred music. The Hallelujah Chorus in the hands of Huerta, would be like the last sounds before the angels grew too small for mortal ken; the clown that would despise it, would giggle at the sight of the Lord's Supper on a gem. Save a sweet female voice, no earthly instrument would sooner bring tears in 'I know that my Redeemer liveth;' its power depending on the resemblance to the expression of mental emotion, supported by a moderate use of the ornament which is often so misplaced in singing, but is necessary to assist sounds not singly possessed of *sostenuto* tone. Instruct arpeggios to draw an organ's power from short-lived strings; give a chaunt, a mass, a funeral service in little. Bear still in mind, that magnitude is relative, not absolute; that music is not in noise but concord of sweet sounds; and that the lowest class of amateurs, are the elderly gentlemen who count kettle-drums, and go into fits at the crash of a certain number of fathoms of fiddle-string.

Another point of advantage in the guitar, is that it is in reality the most scientific instrument in use. None other, so inevitably leads to acquiring some knowledge of the innate springs and causes of harmony. A pianoforte is a box of prepared sounds from the shopman, from which no art can extract any idea of origin or relation. The guitar is six monochords, if the Hibernicism may be allowed; and the dullest perception, though unprompted, can scarcely fail to arrive at some ideas of cause. It was time for some stimulus of this kind; it was dull climbing to a school-girl's pitch of lesson-playing on the spinet. Much is to make out in music yet; there is the theory of temperament to overturn; and the singers and violinists have yet to know the ground they stand upon, and force the players on pipes and psalteries to follow and not to lead. All

that tends to this end is a good ; and all that leads either old or young to ask *why* certain lengths of strings make music and others do not, has a tendency to it which nothing can conceal.

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ART. XIV.—*London Gazette for the Year 1832.*

OF late, great progress has been made towards a complete understanding of the character and condition of the Public Press of this country. Despite too the backwardness of our fiscal governors, there is every promise of its early release from the toils and burthens which our Tory rulers have employed to manacle and thwart its natural and wholesome energies.

The iniquitous Taxes on Knowledge have favoured the tendency of the public mind to scrutinize this national question. But in these oppressive fiscal burthens is not involved the whole evil. Several latent agents of mischief are concealed, or unknown to the general inquirer. The present paper is designed to disclose some of them ; to exhibit their relative contributions to the mass of wrong.

In former numbers, the subject has been discussed on principle, and in reference to some of the more obvious conditions of mischief, with which the press of England is afflicted.

Following the course of reiteration adopted in other cases, with the view of bringing forward whatever arguments are new, or facts hitherto unknown, the subject is here resumed. This is perhaps the most favourable method of examining a complicated subject imperfectly understood, or observed from one position, or in a single relation, and moreover not very attractive, by reason of the general ignorance, or imperfect understanding of it.

Among the latent causes and conditions of mischief are—

1. The Law of Libel.
2. The Law of Partnership.
3. The Law of Copyright.
4. The neglect of the Country Papers of their own local matters for general politics.
5. Corruption of the Local Press by means of Patronage ; and the quasi monopoly thereby occasioned.
6. The want of National and Local Gazettes.
7. The defective Post-Office arrangements.
8. The high price of Postage.
9. The agency of the Newsmen.
10. The Cost and difficulty of advertising.
11. The defective state of General Education;

What share of evil is ascribable to each of these causes of mischief, cannot be determined accurately. It will be an impossible task, until all the data have been discovered ; nor is it practicable in the space of a single paper, to follow out in all their circumstances, and to their remotest consequences, the specimens of mischief exhibited.

The law of libel alone would demand a separate disquisition, and other parts of the inquiry deserve equal consideration. But it is proposed to indicate the connexion, though it be briefly, of some of the constituent parts of the great question of journalism, or to use the commoner English phraseology, of the Press.

This plan of proceeding is desirable, as from the habit of viewing the great questions separately, our politicians are apt to disregard the mutual help which they are capable of contributing to each other, and the order of precedence most conducive to a favourable or successful issue of their general labours.

The tyranny of the law of libel dwells more in the capricious forms of proceeding established and perpetuated by judges and attornies-general, than in the principle of the law itself.

The question of libel or none, must *ipso facto* be almost always subtle, in the case of a skilful writer.

The right of juries now assured, after a long struggle, to return a verdict both on the law and the fact of the case, has stripped the law, as far as the law alone is concerned, of its tyranny.

How far the generality of juries are competent, or likely, to bring intelligent understandings to the trial of the question of libel or no libel, or to be swayed by the complaisant exposition of the case presented by a judge whose tones are winning, and manners pleasing, is a question which experience would decide *against* the infallibility of juries.

Common cases rarely escape rash judgment. In periods of political excitement, when the minds of the men who compose the jury are roused, and the public is supposed to look upon the proceedings with interest and determine as the High Court of Appeal on the decision, the verdicts are more often just ; and trial by jury vindicates its claim to the praises, so unqualifiedly bestowed upon it.

But the risk of misjudgment in common cases, is aggravated by the tortuous course of the proceedings.

These may be by action, by indictment, or by criminal information. In public cases, the Attorney-General may file the last proceeding, *ex officio* ; but the usual practice is to obtain the

leave of the Court. In the case of private individuals, leave is always first obtained. The indictment is seldom resorted to where leave to file the information can be obtained, and is almost always prosecuted on behalf of private persons.

In the proceeding by action, the individual proceeds upon his own responsibility; and the defendant may meet the charge by justifying, that is, by proving the truth of the libel.

Not so in Criminal Informations. The plaintiff moves, on affidavit by himself rebutting the statements of the libel, by distinct denial; but as the court does not read the affidavits, it is possible for a wary counsel, by a skilful statement of the contents of the affidavits, to delude the court, and gain the rule *nisi*, or conditional rule.

Afterwards the other party may show cause by counter affidavits; but as here again the court does not read the affidavits, it is not apt, if it have given an unjust judgment in the first instance, to revoke its first decision, or even to discover its error. Then leave to file a criminal information is granted.

The libel is proved, but it is not permitted to the defendant to justify. The question becomes 'libel or no libel,' on the face of the written book. Malice is inferred. Moreover, the defendant is prejudged; the court above has determined there is a libel; and if the fact of publication be proved, God send deliverance to the defendant.

The proceedings by indictment differ from those under the Criminal Information only in the preliminary proceeding,—the investigation by the Grand Jury instead of the Court of King's Bench.

So far on the general question; but in the case of newspapers, the law is still more galling.

By the policy of the law, the publisher is made amenable, in order that in case of a fraudulent entry at the Stamp Office of the names of the proprietors, the law may reach the real proprietors through him.

This expedient is manifestly unnecessary when the real proprietors are avowed. The office of publisher consists in the mere distribution of the papers to the newsmen or retail salesmen. He has neither time nor opportunity to peruse the paper before it is published, and cannot, therefore, be regarded as cognizant of its contents.

In the absence of the proprietors, or of the editor of the paper, or writer of the article, the policy of the law which makes the publisher amenable may be a wise one; but it must be a rigorous and unjust law which shall fix the responsibility on him, when the parties whom the law was designed to reach, are before the court.

The same principle applies to the proprietors, when a responsible editor, or the writer of the article, is before the court.

And here is the special iniquity of the law. No distinction is taken, whether there be five, ten, fifty, or five hundred proprietors; they are all by the law of England as propounded by the judges, guilty of libel.

A very obvious question might be put by the proprietors to the jury,—‘Libel or no libel, was it written by *me*? If not, why am I charged with the offence? Why are the consequences, ‘fine and imprisonment,’ sought to be visited upon *me*? If written and not written by *me*, am I guilty of the act which I did not do?’

‘What is the degree and quality of my guilt?’ The law holds the proprietor guilty, because, as the late Lord Tenterden once said in passing judgment on a proprietor, ‘you profit by the slander, therefore you should pay for it.’ If it were the plan and scope of the particular paper to slander,—if such were its attraction, and the proprietors earned their bread by it, the conclusion might be fair; but what evidence is ever adduced, that the act in question is a specimen of a course of action? But be it so or not, if the proprietors are punished, as they profit commercially they should suffer commercially, and not criminally. Their penalty should be fine, not imprisonment (except in default to pay the fine); but it may be both or either, according to the discretion of the judges.

But if it be admitted, that the proprietors of a particular journal do not deal in slander,—that the case in question may be a single and insulated offence;—will it be supposed that they expended many thousand pounds, that three lines or thirty might be written against the individual, be he whom he may, alleged to be libelled?

Did they intrust the editor so to write? Did they specifically direct the abuse to be written? But it will be said, the proprietors ought to be answerable for the conduct of their editor. As well might it be said, that the government should be individually responsible for every false judgment of the judges whom they appoint. No paper can be conducted well, without the appointment of an editor, for the time being irresponsible to the proprietors, who may be a motley body, of no particular cast of opinions, and indifferently informed.

It will be said however by the narrow policy of the law,—If you had not established the paper, if you did not supply the funds, the editor could not have committed the offence. This is good, but not a whit better than the story of the Turkish judgment. A young man killed himself for love of a Turkish maiden. His

friends, as we should say brought their action, for damages for the loss of their kinsman, and thus they rested their case.

‘The young man drowned himself for love of the Turkish maiden.’

‘The Turkish maiden was the daughter of the defendant.’

‘Had the defendant not brought into the world the young maiden, the young maiden would not have caused the young man to fall in love, and he would not have drowned himself.’

The reasoning of English law, though it be *summa ratio*, is of parallel goodness.

The proprietor though he have not written a line, and in fact done nothing but contribute a guinea or five thousand guineas, is charged with a crime. Such is the nature of the offence as indicated by the proceedings. It is a criminal information; but the lawyers will say this is mere form; that it is not intended to stigmatize the conduct of the proprietor as an offence against morals, and that the form of the proceeding has nothing to do with the offence.

What are the consequences of a verdict of guilty? Either fine, or imprisonment, or both. These are penalties which the law attaches to a crime. Therefore it must be considered, that under whatever name, under whatever form of proceeding, the offence with which the proprietor is charged, is in effect a crime. If there could be a doubt of it, the language of the charge is sufficiently strong to force the conclusion that it is a crime wherewith the proprietor is charged, and nothing else.

Being charged with a crime, he is asked whether he is guilty or not? and not having written the libel, or supplied the false information, or directed the libel to be written, he answers ‘not guilty.’

If a man lend another a sword, or money, and that man use the sword or the money to kill another or bribe an assassin to do it, who but a lawyer would say that the lender had been guilty of the act perpetrated, having lent the instrument for another purpose? Civilly, a man is made by the law answerable for the damage done by his servant to another while he was in the discharge of his duty as a servant, but never was it contended, to use a strong instance, that if the servant committed a rape, or robbery, or murder, or even assaulted another, the master should be liable; this law was reserved for the press.

The act of the editor of a paper, whether committed once or repeatedly, inadvertently or in wanton malice, is imputed as a crime to the proprietors, without investigating the degree of control which they could exercise over him, or whether he had

acted in total defiance of them ;—whether in short they had done anything but contribute their money for another object.

This brings the question to a very absurd consequence. Suppose a proprietary where the contributions varied from one pound to one thousand pounds or more, in every gradation of amount,—how is the degree of participation in the crime to be measured ; equally, or according to the amount of the contribution ? If Lord Tenterden's measure of guilt be adopted, is the guilt of the criminal to be in the ratio of the contribution ? And so in the Turkish case, as both father and mother contributed to the production of their daughter, is the mother, if living, to share the guilt of killing the unfortunate lover ?

Is imprisonment awarded to the offence ? Does eighteen months, twelve, or nine meet its enormity ? If three proprietors, the three proprietors may divide rateably according to their shares ; but if 300 or 3,000, as will naturally be the case when every class has its organ, what shall be the dimension of the gaol to hold them ? Shall they undergo imprisonment as sailors perform the watch, or soldiers do guard duty,—take it by turns till the whole number have performed their allotted march on the tread-wheel ?

The whole form of these criminal proceedings is as ridiculous and absurd, as it is cruel and oppressive. If the libelled has suffered, let him visit the offending journal with an action. Let the truth of the libel form the subject of full investigation. Let the sufferer recover damages according to the measure of the injury inflicted ; and abandon the absurdity of charging others than the criminal, with the guilt of an action in which they had no share.

But the practical effect of this state of the law, on the condition of the press, is even more pernicious than the law is absurd. Capital is driven from this field of enterprise. A man well to do in the world, will not subject himself to be placed in the position described ; and he cannot contribute his means without losing control over them. This is not a hypothetical case. It has occurred in the experience of the writer, and must be of perpetual occurrence. For many reasons the press is an attractive property. The idea of power, of influencing public opinion, all the chances of speculative enterprise, are involved ; great and triumphant success, or it may be, failure, may attend it, but the brighter prospects prevail. Some will think the check described wholesome, as it prevents much disappointing speculation ; but it works quite the wrong way. The men of substance are deterred, the men of straw take the field. The quality of the press depends upon its substantiality, it must be able to



pay its way ; and this ability will be greater as the competition is more open and unrestricted. As the press is, it requires little labour, little cost ; if papers of a better quality were started, the existing ones must quit the field or improve. Of the general or mixed kind, there would be fewer ; the peculiar would be more numerous. The former would swallow up by successful competition many of the existing ones, and the public would be better served. But wholesome competition producing good papers will not exist, while the law subjects the proprietors to be locked up, and questions which must perpetually arise even with the most cautious journal, can only be met by a ruinous expense.

Besides, it is now in the power, and the power is acted upon, of the complaining party to keep the proceedings hanging over the head of the offending journal for a couple of years ; and to postpone the investigation till proprietors are changed, evidence forgotten, and changes in the atmosphere of the times, which makes a very essential part of every political libel, have happened, bringing with them an altered feeling in the public mind, and in that portion of the public which forms the jury. If the question were promptly tried, the issue would often be different ; but an old question originating in altered circumstances, is now often tried with a feeling entirely changed.

Of a similar quality of mischief to that attributed to the law of libel, is the law of partnership ; and the mischief, it so happens, consists principally in its obstruction to the natural corrective of that found in the law of libel.

If multitudes could by small contributions, combine to support the press, it would not be of so much importance that large capitals were deterred from embarking in this branch of enterprise ; though there are many advantages incident to the unshackled possession of a large capital in a single hand devoted to one object, which can never be found where the resources are the contributions of many. The freedom of volition, and the promptitude and energy of action found in one person or a small body, is frittered away, clogged, or lost, in the multitude of rules, and the complicated machinery, of a large body.

The law of partnership operates here, as well as in other channels of enterprise, to confine, control, and thwart the efforts of the feeble and the non-capitalist.

By the law of partnership, it is not possible to have a limited risk. The capitalist is not suffered to declare the extent of his liability ; but should the adventure fail, the whole of his property must be sacrificed to meet, not the share of the losses which

belongs to him, but to indemnify the creditors for the losses which belong to the other shareholders.

This mutual and unlimited liability prevents the union of many for the accomplishment of objects requiring large resources, and presenting but little hope of profitable returns; though such objects may have a utility of another kind, not to be measured by the mere amount of returns. Such are often newspapers.

The law objected to, prevents also the union of the capitalist and the literary workman; as the latter may become through the effects of this law, liable for life's duration, to obligations which forbid the hope and the means of ever rising above difficulties. Such cases have been, and form the history of many failures of the press.

But the especial effect of this obnoxious law is felt in the above-mentioned prevention of the union of numbers. Why should not each sect, each class have, if it would, an organ, as well as a church, a chapel, or club-house, or place of meeting. This method of assembling the spirit of the class, has advantages which can never be derived from the bodily assembling of the members, even where such assembling can be accomplished. But how often is it the only means of communication as well as the best?

A subscription of one guinea, continued or discontinued as the paper succeeds or fails in accomplishing the common objects of the society, from a hundred or a thousand members, would be sufficient, but for the Tory and Whiggish stamp, to establish such a method of communication. If the members are numerous, subscriptions may be small; but greater if few, varying again according to the frequency of the communication. Sometimes a monthly, sometimes a weekly, fortnightly, three-weekly, quarterly publication, would suffice, or it might be daily, every other day, or twice a week. Some publications might be maintained partly by sale, partly by subscription. The cost price might be the average standard of price for such publications. If the public feeling did not receive favourably such a journal, the sect, class, or party, to whom its use and desirableness was more apparent, might supply the difference by contributions.

Many journals would start into existence, where now capital cannot be found, or it would be imprudent to risk it; and these journals would address themselves to every variety of taste and interest. The journal should publish the number of its sale; the readers and subscribers should be made acquainted with the fact, that the existence of the journal thus consulting their peculiar tastes or interests, depended on their exertions. Each reader or subscriber would constitute himself advertiser of the

merits of his favourite journal. He would know those who would think with him, and therefore to whom it would be useful and proper to address himself. Success would give relief from further contribution. Attachment would arise between the publication and its readers. The feeling of a mere chance purchaser, who buys today and discards tomorrow, and feels no further interest in the success of the commodity purchased, would be exchanged for a strong interest affording a cogent motive to active exertion.

But some men, perhaps the greater number, prefer the interest and the control which a proprietor has. This is prevented by the law of partnership. A share of risk may involve a partner in the whole risk, though he have told the partnership and the world, that he will go so far only.

The man of five thousand pounds may make twenty per cent by his money; the man of four hundred, four. If the little monies of each little man could be collected in a large heap, the opportunities of obtaining so large a return might not be so frequent, but the poor man would be placed on a par with the rich. Here is monopoly again.

The folly and madness of joint-stock companies in 1825, will be cited by favourers of things as they are, or by those who understand not the nature of the principle and the power of combination. The monopoly was here again the source of mischief;—the monopoly created by the difficulty of obtaining the requisite consent of parliament for the establishment of those companies, the jobbing of the men of parliament of that day, the impracticable condition of the courts of law for the adjudication of the disputes which must arise, the absolute denial of justice from the state of the law.

The men of the day that is gone by, were ever talking of the rights of property. What did they mean? Were they anxious to secure the half blanket and petty possessions of the poor man,—the certain reward of his labour,—or the secure possession of the fruits of mental exertion? What say the laws? Let us take the law of copyright as one instance, and see how the men of the universities protected the most precarious, the most precious, and hardly earned produce of men's labour. No; these men were thinking of land, of houses, of money, of silver-spoons.

The law, careful of the press where its vices are concerned, has thought nothing of its rights. In the whole field of discussion on this subject, which has been treated with all the petty wisdom of lawyers, the newspapers are hardly mentioned. But one case of copyright has arisen, and then the question was not

treated in reference to the broad principles of right or wrong, but the tools, the materials, the blocks and papers, were made the criterion of the case.

The morality of the press is in curious plight. It displays columns of indignation on political profligacy, stolen from the columns of one another,—eloquence redounding to the honour of the writer and the glory of virtue,—stolen without acknowledgement, from motives differing not at all from those of the forger or the pickpocket.

Sometimes whole columns of valuable matter are stolen, and one paragraph of least credit acknowledged; thus made to act as a foil to the better selected matter from the same journal. Sometimes the best articles are avowedly selected, not from one but from many, thus offering an attraction which no single journal can have.

Thus are the able journals robbed of their just distinction, and of their reward earned at great expense.

In a former number of this journal it was recommended that a summary punishment should be inflicted for such delinquencies, and so the thieving press be driven to purchase its borrowed honours.

In such case, journals like the *Examiner*, the *Atlas*, the *Spectator*, might raise a revenue which should command and well requite the labours of the most accomplished writers.

An annual tribute or rent of ten or twenty pounds from 100 journals would enable those journals to meet their costly editorial charges, which amount probably on the average to twenty or thirty pounds a Number. With a larger revenue their contributors would be better paid, or a greater number might be retained. Instead of a drudgery to which no other occupation is subject, men employed in writing would have time to look around them; to read what others write; to talk and mix with the world; to think. Instead of all things being grappled with by one or two minds, each might devote itself to a single branch of public affairs and master it. Our journalists might then vie with the men of the French press, be statesmen, or competent to be such. There would be tempting prizes in the lottery of this kind of life as well as others, and the general standard of talent in this department would be raised.

Perhaps the chief defect of the country press is its general neglect of topics especially within its province, while all its resources are devoted to subjects falling more properly within the province of the general or national journal.

This defect arises from the difficulty and cost of obtaining

local information, and the impunity with which space may be filled from the metropolitan journals.

Of the country papers how few can be pointed out as faithful records of what most peculiarly concerns their own districts. How few tell of the progress of education, or even know the extent to which that agent of good is established. Some even omit all notice of law reports; and the details of the police offices of the country, the petty sessions of the justices, are in many cases altogether omitted or irregularly noticed. Preferments, official appointments, the sinecures and placemen of the province, obtain little or no consideration.

The corruption of the country press has arisen in a great measure from the patronage of the local magistrates, which is rendered in the shape of advertisements. If this source of revenue were withheld, many of the provincial Tory organs—now very numerous—would be deprived of their chief support, and Toryism must thrive by its own means instead of those of the public.

But while on the subject of the regeneration of the press, and the causes of its backwardness and corruption, it is important to consider how far that portion of the general duties of government which consists in the promulgation of the national decrees, is performed, and in what way.

Some things are announced in the Gazette,—some in the local papers, as by act of parliament directed,—some are to be stuck up at church doors, whither not a tithe of the population goes,—some to be recorded in petty ecclesiastical courts, of which few know the existence,—others in the office of the clerk of the peace,—some are notified by ringing of bells,—some by the criers,—some by beat of drum,—some things are to be read from the pulpit,—others by the clerk.

Proclamations are read in the County Court in the presence of twenty persons, or at the corner of the street in the presence of two hundred, for the information of two hundred thousand.

When shall the old methods die away, and follow the things that produced them? Why should the population of a county or a city flock to the door of a county court, or to a church, to decipher the pot-hooks and hangers of some stripling clerk, when the whole matter might be brought under the eye of each man, woman, and child of the county in distinct type at their own firesides?

Why? Because Lord Althorp cannot dispense with the revenue collected on the Gazette. O sagacious governors!

By a return of last session it appears, that between two and three thousand pounds, the surplus income of the London

Gazette after paying all expenses, is divided annually between the Home and Foreign Offices, to be devoted to the expenditure of those departments.

The other day was heard the following colloquy at one of the police-offices.

*Messenger* (gruffly).—What do you want here ?

*Person* (meekly).—A warrant, Sir.

*Messenger*.—Have you any money ?

*Person*.—No, Sir.

*Messenger*.—Then you may as well go home as wait here.

In the same way says the government of Great Britain,—the envy of surrounding nations. In its wisdom it appoints that a Gazette be established to tell aloud and far through the nation what the law is, that no man may break the law in ignorance of the law ; but for as much as the mass of the people is poor already, it directs that the said Gazette be printed on a sheet of the smallest, and that each sheet be charged with the duty of 4*d.*, to the end that the said Gazette may for each be charged 3*s.* 6*d.*, the other journals being charged 7*d.* only and containing six times as much information.

Moreover, that the revenue be increased and the sheets as aforesaid multiplied, it is also directed that each advertisement be suffered to be of the longest and most diffuse form ; and though intelligence such as that of the bankrupts might be reduced to a tabular form, and the matter of several pages brought within one, direction is given to the conductor to suffer it to be magnified in space, and in the difficulty of any given thing being discovered and reduced to use.

And this our said Gazette shall contain nothing, which, by law it is not required to contain ; therefore, it shall not tell of laws passing, the decisions of the courts, which are to be of the force and effect of law, nor any other matter or thing which it is useful and proper for the subjects of the state to know, and to be informed of by their governors.

The Autocrat, the monarch of Prussia, the despot of Austria, and Miguel, do not add to the wickedness of their decrees the folly of taxing them. For good or for evil, they are promulgated throughout the land without check or hindrance of that kind. Those governments do at all events endeavour to promulgate their laws ; while we who boast of the beneficence of our own, are at no pains to tell what they are.

This matter of Gazettes is of primary importance. Individual journals cannot be at the expense of collecting official details ; and, collected or not, they have not the means of authenticating them.

The Gazette might, and ought to be published at the mere cost of the paper and press-work, and a trifle, as in the case of stamps, for the remuneration of the retail vender. The advertisements would more than repay the cost of editing, and that part of the printing which is technically called the composition.

Furthermore the London or National Gazette, should contain those matters only, which concern the whole kingdom ; such as general laws, &c. It should be published daily ; and every general law proposed in the legislature should be published in the first instance in this Gazette, that all interested in its enactment may know wherein they need to instruct their representatives. Every appointment to a public office, be it what it may, should be published in this Gazette ; and from time to time the candidates to offices, that the public may know from whom, as well as by whom, the selection has been made. Decisions of cases referred to the Treasury, to the Excise, and to the Customs, should also be recounted. All this will be done, when the Gazette is managed by those who have an interest in these things being known, instead of their being concealed.

The statistics of our general courts of justice ; the actions or other cases brought ; the what done, when, and by whom ;—that the public may see how its institutions work. No case should be omitted. This would be the regulator of the state machinery ; which needs such an index of its working, fully as much as machinery of any other kind.

When the legislature has learned its duty and the ministers theirs, and in what their interests as well as duty consist,—they will be anxious to establish these methods of governing. The police magistrates of London know how much they have been helped by the gas lights ; when other governors shall know and feel that a nation's welfare depends on aids of the same kind, they also will seek them, and not before.

Besides this National Gazette, local gazettes, that is one for each county, should be established. In these should be published every kind of statistical information ; every return now required to be made to the clerk of the peace, the county court, the sessions, or other public office, whether such return be duly made or not, in the first instance should be published in this gazette.

The county should publish therein its expenditure, and the sources of revenue ; the parishes should do the same. The quarter sessions, and the petty, should publish the names of the cases brought before them, and the results. The state of education should be exhibited by a return of the number of schools, of scholars, and the expenses. Every charitable

institution should be required to publish an account of its revenue and expenditure. Every public officer advanced, be his office what it may, should be signified, whether such office be national but exercised in the county, or peculiar to the county, or parochial. All public affairs, carried on by means of public money and sanctioned by law, should be regularly announced in the 'County Gazette.' All this has manifestly hitherto been in the hands of the enemy.

And every local or bye law proposed by a corporation or local body, should be published before the law is passed, and when it is passed. Not as now, in vague and unintelligible terms, before the law is determined upon in form and words; but published *ipsissimis verbis*,—precisely as the law is intended to be submitted to the legislature or the body by whom it is enacted. Who in the country knows the local laws by which he is bound? 'rights of property' forsooth,—'liberty,' too;—the lion is free in the shackles of the net, if the Englishman is so, who is choked and fettered by laws, general and local, of which he knows nothing till he has struggled with the meshes.

These gazettes, like the national one, should be sold for the mere cost of paper and press-work, and the retail dealer's charge. The advertisements which the law now requires to be published in the local papers, would support the other cost; and the corruption of the press produced by granting the advertisements to the servile part of it, would be at an end.

Objectors to this plan would exclaim against the expense; but the expense is incurred at present; the returns are made at present; irregularly, and imperfectly because irregularly. Parliament in its cellars has accumulations of such returns; now and then they escape, and their results are collected by the researches of laborious statisticians, or occasionally on the eve of discussing an important question. But the casual and irregular returns thus obtained for the nonce, not tested by experience, and collected in many cases by the most un-trustworthy agents, are not to be depended on, and have led to one half of the blunders which crowded the debates of past legislatures. Moreover, they are often false,—known to be false, by those who make them. Now it is proposed, that what is now done irregularly—shall be done constantly, upon system, and under responsibility; that the returns shall not be made to parliament to be thrown among lumber and forgotten, but made in the face of the whole country—open to the remarks of all within it—authenticated by the signature of the man by whom the return is made, and not made by favour, but by law, and subject to the penalty



of loss of office, if not of honour or respectability, for a false return.

Were this system established, the whole of the provincial press would be changed. A flood of light would break in on the provincial public, which would force attention to home affairs.

The *quasi* monopoly of many of the provincial papers would be broken down. It is notorious that in many districts they do not depend upon sale, and are indifferent to its extension. They live upon the advertisements. If the advertisements of a public kind are numerous, they are indifferent to the rest, and thrive in spite of the disgust of the local public. Many local papers have been bought by this kind of patronage; and are maintained by it.

Strength attracts strength; so that the possession of this advantage is sure to draw other advertisements, especially from those persons who desire to be favoured by the favourers of the favourite journal.

Hence competition is discouraged. Besides, every one knows the tendency of unearned support to produce a relaxation of enterprise,—not to say of ordinary exertion.

To one method of raising the indemnification to the state for its charges in the transmission of newspapers, it has been objected that everybody would dislike to be charged on the delivery of his welcome friend, even one penny for the postage. To this objection has been replied, that the substitution of a postage for the present duty by no means involves the necessity of the postage being paid by the purchaser, but that it might be arranged, as in America, that the news-vender should pay the postage on putting the paper into the office. Let us look, however, at the nature of the predicament.

The government of this country, for the purpose of suppressing intelligence, put on the tax.

In spite of the impost, however, newspapers have prevailed, and the tax has yielded a considerable revenue.

Now, the duty is contended for on account of the revenue.

Hence the acquiescence of the government in the Post-Office arrangements.

And the only plea which Lord Althorp will use in contending for the continuance of the duty, is the fair requital of the Post Office charges.

Here then is the gist of the case;—

The newspaper duty is now become the price of the trans-

mission by post; a disproportionate price for the service done,—tending too to check rather than increase the revenue.

And here the public may be convinced, as in other cases, that it is better to pay the tax directly and shame the tax-gatherer, than submit to a growing increase of charge, at compound interest, through every channel by which the commodity can pass to the consumer.

Of the postage, it is contended that, unpleasant as the tax may be, the purchaser should pay it,—and that it is for his interest, and that of the newspapers.

The postage is a payment for a service done, or understood to be done; but somehow or other papers do not always reach the purchasers. On complaint made,—publisher, news-vender, post-office, all deny the charge of neglect or dishonesty.

Would it not be better to lay hold of one of the parties, and secure the best motive to an honest discharge of duty? The Post-office may be secured, by making its remuneration contingent on the delivery of the paper. The payment beforehand is a most unfavourable security. As accurate an account would then be taken of newspapers as of letters; and if the publisher or news-vender failed in his part, he could be detected with more facility, and perhaps the Post-office would find motive to lend its aid.

The vexation of the purchaser who is deprived of his daily or weekly political adviser, in periods of excitement, can hardly be understood by the inhabitant of the metropolis or of a large town; it is, however, one of the severest of the smaller miseries of life. The anticipation of the result of the last prophecy,—the thought of the funds,—the hope or fear of war,—the destruction or revived briskness of trade,—are but some of the feelings which the newspaper excites. Good easy people are apt to imagine, in these quiet times, that newspapers are only the pabulum of quidnuncs, the physician called in to cases of ennui, and that the world and all things in it would thrive and prosper, whether they were published or suppressed. But were it possible for a week or a month successfully to suspend them, a darkness would come over the land, exciting apprehensions in the sensitive people of this busy commercial community, which would spoil trade, credit. But why think of such events? if the government of England should ever attempt so mad a thing, tens of thousands of papers, of all forms and sizes, would start up without the favour of a stamp.

The Post-office contends, that if the newspapers, under a reduced duty, or without any, were transmissible by post, its mails could not carry them. An objection well befitting a

monopoly. In a state of free competition, the tradesman joyfully adapts his arrangements to the demand upon him. He does not tell his customer 'Sir, if you require me to supply you with the best of everything, my warehouses will not hold the goods,—my capital is not sufficient,—my servants and establishments are not numerous or convenient enough.' Or if he should hold such language, the customer would betake himself elsewhere.

If our mails with their equipments will not suffice, then must more mails and additional equipments be supplied. Is it supposed that the trade of this country shall be as it is for ever? Will its population and their concerns not multiply, because the post-office establishment is not adapted to an increase of business. Railroads must supply what the mails cannot. Instead of a daily starting, why not start morning and evening? Surely the New Post-office in St. Martin's le Grand was not intended to fix the limit to the accommodations which the public business shall in all coming time require;—though, if the truth were known, it would probably be found that, notwithstanding the experience of the perpetually growing increase of the business in that department, and the probability of its future growth in an even greater ratio, that elegant pile has been built without much regard to a consideration so peculiarly important to an institution requiring extensive arrangements, minute subdivision of labour, facility, accuracy, and despatch.

The Twopenny-post arrangements appear to be most faulty. To one half of the town, the nominal delivery at ten, and twelve, and two, is nearly twelve, and two, and four. If a letter is to be despatched, and requires an answer in the course of the day, it is not safe to trust to the post. Hourly deliveries would add to the number of letters; if instead of the duty, a postage only, were charged upon newspapers, the labour would be multiplied, and with it the occasion for scientific and businesslike arrangements. This, in relation to the welfare of the press, is a subject of some practical importance. It is one of those checks which are quickly discerned by one engaged in the conduct of newspaper business. The transmission by the post would enable the purchaser to obtain his paper direct from the office, or through a newsmen. Under the present system the newsmen have the power, every now and then exercised, of putting down, or thwarting, or retarding the progress of a journal not in favour with them. Others they cherish and advance. If a subscriber order a paper not in favour, another is substituted on an early opportunity; and in answer to any complaint, every pretext is

resorted to to justify the substitution,—the paper was out late,—and the like.

Let both parties be subject to competition,—the Post-office, and the newsmen. But the charge should not therefore be double,—one for the Post-office, another for the newsmen. At present, papers circulated in London pay for both. If, as is represented, the stamp is the purchase of transmission, it ought, where the Post-office does nothing, to be wholly remitted.

The high rate of postage is another serious evil upon the press, and check to its public usefulness. In the country it is felt even more than in London. Here the news is collected by the agency of penny-a-line men. In the country, no such agency exists; and the conductors of the press are dependent on the voluntary contributions of persons in all parts of their district. To a great extent this is the case with the London papers which are most active.

By a rule of obvious necessity, all papers require that communications, except from known and confidential and regular correspondents, should be postage-paid. Now whatever the active interest of an individual may be in public matters, this postage is a great bar to its constant indulgence. Hence every individual, unless in the neighbourhood of the paper, retains in his own mind intelligence that can only be given at considerable cost; and as all or the majority do this, the press lacks precisely that information which can only be given accurately by persons conversant with the subject; and thus it is that everybody finds his paper ill informed on his own topic, and therefore has no good reason to suppose it to be wiser on any other. Thus too it is, that from consciousness of weakness, the conductors of the local papers evade giving their attention to those matters which are of local interest, and which they have greater leisure and better opportunities to discuss than the metropolitan journals; and seek relief from emptiness in copying from their more industrious and better informed rivals, the London Weekly Press.

This is but one instance of the evil of our revenue-seeking and all-else-neglecting institutions; and it is a strong one, for it is a check to good government in the provinces, to cheap government too,—for an unrestricted and righteously protected press, is the natural, effective, and cheap Preventive Police of the country.

All this precaution is the more necessary from the cost of advertising. Fortunes are expended to tell the public there is something they wish to see. If people want to have things at

no cost, let them at least be so wise as to give a helping hand to rid themselves of the checks to the indulgence.

Of advertising, one third goes to the government. Suppose a commercial adventure to require the expenditure of 1,500*l.* to advertise it. One third, on an average of long and short advertisements, is expended in duty. But 1,500*l.* is a low rate of calculation; it may be 3,000*l.* first and last. Some houses of trade expend 4,000*l.* a year on advertising. Now all this enormously reduces the quantity of advertisements, and, proportionably, the amount of what can be derived from this source to the support of newspapers.

Why do not the clamourers on dearness rail at government for continuing the duty, or not proposing its repeal? Why do they not save the necessity of such expenditure? This would be done, if the public felt the pecuniary value of the freedom of communication by the press. The day is coming if it have not yet arrived, when its value, not as a declaimer, but a simple every-day organ of utility will be known,—the everlasting telegraph of the wants and sentiments of all classes,—above and below nothing—understanding all things,—and everywhere.

The defective state of general education is also a cause and a result of the state of the press; for had the press been free, there would not have been much lack of education. But the defective state of the education of the lower classes is not here meant; but that of the higher and middle classes, whose tastes are perverted, narrowed, and blighted, by limited instruction,—by confined communion with the world,—by the ascendancy of Mammon worship,—by dependency on the corruption of a huge expenditure, sinecures, and overpaid offices. These are the causes of the rancour displayed towards the press; and the servility of the press, in licking up the spittle of such men, comes in turn of the taxes on knowledge and other enumerated causes combined.

The press and the aristocracy abuse one another. Each ignorant of the other in essentials,—of their true power and real deserts; but both, like diplomatists, aware of the cheat which they would put on one another.

The press has no virtue, and no vice. It is as innocent of moral desert of any kind, as the lawyers. The question for the public is, whether it shall be allowed to attack and defend everything; or whether, as has occurred to some persons on the subject of lawyers, there should be a power to determine who shall and who shall not have the benefit of counsel. The press is a great spy-glass; and the grand debate is whether the public shall have the liberty of bringing it to the focus they can

see with, or the government shall take measures to secure its being always an inch on one side.

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ART. XV. — *First and Second Reports of the Select Committee of the House of Commons on Petitions.* Parliamentary Papers.—1833.

THE Reformed Parliament has met, and there has not been for many a year one so despotic, or so imbued with the spirit of Toryism. Whiggism has sunk under the evil atmosphere of power, and the eloquent rhetoric of the advocates of freedom is turned into the dull joke or vapid common-place. If in sentiment changed, so it is in conduct. Would that it would do nothing, rather than shame, as it has done, the generous prophecy which foretold all good should issue from it.

In a former Number, on the subject of the tactic of a Reformed House of Commons, the necessity of various changes was stated, and a suspicion ventured, that if some plan were not adopted, the present Parliament would obtain the character of the do-nothing Parliament.

Some attempts have been made to mitigate inconveniencies, now universally confessed ;—experiments to stay the voice of complaint, while the evils were hourly growing of greater magnitude ;—but no subject has been approached with the spirit of men understanding the evil in its extent, or even with the decided appearance of honest intention.

For the remedy of the grievance of much speaking on Petitions, and the practical denial of the right to Petition arising from the impossibility of presenting them, the House has assembled at twelve o'clock and sitten till three ; but the evil still continues in the same force. In the space of a week not one hundred and fifty have been presented ; while on the list of Members waiting to present, between three and four hundred names were found, many of whom have a complete budget.

If the plan of Committees had been adopted, these petitions might have been presented to, and arranged by, the respective Committees to whose province the subject matter of such petitions might belong. A day might then be appointed on which the debate on such class of Petitions should take place. For instance, of taxation,—let it be announced, that on such a day, the Report on the Petitions relative to Taxation should be read, and debate thereon ensue ; and that all petitions not received before such and such a day (a short period previous to the Report, to admit of its preparation) should be merely presented

in silence, unless such petition referred to some measure actually before the House or since announced. One regular debate on the subject would arise; all the suggestions of the petitioners would be considered and supported, while the Chancellor of the Exchequer would state once for all the several natures and conditions of each class of taxation. Instead of the vague clamour on this subject, the House and the public would soon form rational and practicable notions upon it.

What is true with regard to taxation, would not be less true with the other usual subjects of petitions.

To separate this function from the other business of the House, it might meet as now, at twelve, and continue to sit daily, or every other day, till three. Some results would follow a method like this; the vague and desultory discussion is of no value now but to fill the columns of the newspapers.

The Radicals, if sincere in their professions, are much interested on this question. They might obtain important occasions of wringing from the men in power concessions in principle, which might be made the stepping-stone to practical concessions. In this view the solemnity of this proceeding would have the best effects.

On the discussion of the Motion of Mr. Harvey, suggesting a plan for the taking of the votes, or rather that a Committee should be appointed to consider it, very few voices were raised in its behalf; and not a Member in the whole debate seemed to comprehend the circumstances. Nothing was said of the plan, but that it would take a great deal of time; and some ingenious calculator demonstrated how great a portion of the Session would be consumed by any plan. The fallacy here, as in other cases, arose from not going to the root of the matter. Everybody supposed that every disorderly practice now existing, except that to be especially remedied, was to continue in its full vigour.

Let us understand the case. It was alleged, that the constituents ought to know what their representatives do, in order that they might judge whether they were fit persons to be trusted again. 'Admitted,' said Sir Robert Peel; 'but the conduct of Members ought not to be determined by their vote on one occasion;' which was a fallacy not contended for, but the identical evil sought to be remedied. For it is contended that now, the divisions are published on a few occasions of particular moment, and not upon all; so that a man who should vote once against the feelings of his constituents, might be condemned for the single act, though his convictions were righteously formed in that instance, and his votes on all other occasions had been such as

they could not fail highly to approve. The objection of Sir Robert Peel, therefore, if there had been anybody to point out its fallaciousness, strengthened the original position. The constituents ought to know in all cases what their representatives do. It was alleged, however, that the work of taking down the names would consume much time ; more time than is at present consumed by the *herding out* of members. This shows how little the matter could have been studied with a view to its final adjustment. True, it would take time, but not more time, if properly done.

Let prepared lists of names be printed, with columns for the ayes, noes, neutral, absent.

Let each member have his own seat, a seat belonging to the place which he represents.

Let the members in the different counties be seated together.

Let tellers be appointed for each county, or for so many seats ; and on the occasion of a division, let each teller pass from one seat to another, and take from each member's mouth his aye, no, or neutral ; if his seat were vacant, his absence would be declared.

The teller of each division should immediately give his list to the clerk of the House appointed to receive the lists from the tellers, and it should be his duty to cast up the lists, a most simple operation. The four or five clerks appointed for the purpose, might then hand over their lists to the principal clerk, who would add together the results. The whole of this process would consume ten minutes, or less.

The members would on the occasion of a debate flock to their respective seats ; many of the most regular, and who were not attached to particular parties, would be already there.

In this way the divisions might be taken many times in the course of a single evening ; and the frequency, so far from being an objection as was urged, would produce greater facility in the operation, and compel a more regular attendance.

The question, however, was slurred over ; as all questions are, where the convenience of the members is antagonist to reasons of public convenience. A general expression of dissent awes the mover, and he humbly craves leave to withdraw his motion ; the object of his enemies is thus gained ; viz. the obviating the disgrace of opposing or the necessity of supporting. If a member honestly desires that voting should be facilitated in order to its publication, let the House be divided on every occasion ; herded out, and put to all the inconvenience of that tedious and barbarous proceeding.

Stress has been laid on this suggestion, to show to new members that a way of doing the thing existed in spite of all the



plausible reasons urged, and to encourage a more pains-taking investigation of questions of this kind in future.

The question of building a new House of Commons is one which is likely to be made the subject of discussion in the course of this Session. The plan should be considered in reference to some such scheme of voting as above indicated.

Instead of fighting for places like school-boys, or attending prayers to secure a place which is to be left vacant till the member who secured it has dined, or been at a party or two, or whither else he pleased, let each member have of right his own seat. But there is little hope of carrying the plan of a new House this Session, or perhaps any other plan of improvement from which the real representation of the people may gather strength.

The Reformed House contains by far too much of the old leaven. Radical Reform cannot count upon 150 members; 500 Tories and Whigs are combined against them, or what amounts to the same thing, as it produces the same results. 500 men of aristocratic prejudices, hating to the back-bone the Radicals, personally and in their purposes; prepared, bent upon offering every resistance to suggestions emanating from them, or even such as should come from elsewhere, if they were likely to augment the tendency to Reform within the House. A word then to the Radical Members;—the proverb, ‘a new broom sweeps clean,’ seems not to hold in their case. They lack the energy of enthusiasm, they make no manifestations of determined purpose, but crouch, as it were, before the conventional courtesies of the House. A few individual exceptions may be stated; but these are not so marked as to authorize the exemption of the aggregate from the position. As a body, the Radicals are weak and purposeless; and therefore, ever thrown, almost without a conflict. Why is this so? Their enemies are combined; *they* on the contrary, stand in small clusters, or alone. Their enemies compose bodies, knit together by the sympathy of rank, by self-interest, by old associations. They belong to the same clubs of old standing, and are not accustomed to the intruders and their strange views,—the effect of their own Reform Bill; *they* hate their own child, as a misbegotten thing, bringing disgrace and ruin upon themselves. The Radicals come forward, each with his own little budget of crotchets, impracticable, linked to nothing but the self-importance of the mover. Unsupported by the open alliance of a considerable minority, every effort is weak, because it is individual; it speaks not the sense of a number of persons, but of him only who speaks. The speech may be praised, but it scarcely kindles opposition, for it is not supposed to indicate a

power to be feared. The majority of the present House of Commons, bound together and resistless, regard all these efforts with complacency from this cause, and smile upon their inefficiency.

But why are the Radicals so weak? Want of union; of a common purpose; against a body united, and having a common purpose, perhaps not avowed, but secured by fellow-feeling.

The Radicals, moreover, are unused to the House and its forms; they are jealous of each other, and would all rush to do the same thing.

What is the remedy?

The Tories, The Whigs, the Conservatives, have their clubs at White's, at Brookes's, and in Carlton Place. The matter in debate is talked over in the morning, the friends counted, and prepared for the evening muster. There is nothing to be done, but to wait the close of a tedious debate, and then pour into the house in full force. Each Radical is the depositary of his own decision,—issues forth without consultation with his fellows,—and finds the battle won by a party who have taken the field at the moment when the oratory should have secured the victory.

None can deny the honesty of the Radicals way; but though honest, it does not win.

Again, the Radicals have no leader, and those whose standing gives them the best claim to take the position are not in universal repute;—they want the pre-eminence of talent which would induce the young aspirant to place himself under their banner.

Now there seems no special reason why the Radicals should not take up such weapons as their adversaries wield. If they have clubs, why should not the Radicals have clubs also? If they take to themselves leaders, why should not the Radicals do the same? On the latter point, if they *will* all be leaders, let them take it by turns;—let each man be leader in some one department,—that in which his experience, knowledge, and talent may be best exerted.

They might follow the example of the great Whig Club at Brookes's, and form a library, after the model of that celebrated body of wits and statesmen. An imperfect set of the Court Calendar for the last thirty years might be secured at a small expense, and a convenient receptacle could be found for it in the waiter's pantry. This Encyclopædia of useful knowledge is all that it was formerly necessary to possess; what places existed and where, and if possible the amount of the salaries and

other emoluments, was perhaps the most interesting information to be afforded to a young statesman. The Radicals might derive a different result from such books; but if they did not furnish forth sufficient instruction of how things are worked, there are the Parliamentary Papers, in voluminous masses, and the Parliamentary Debates. In short, the Radicals would probably have other objects than the convenience of dining; and being generally men of moderate means, would desire to purchase a library to which all might have access, with such other aids as individual members could not readily obtain.

While one man devoted his energies to finance, another might deal with law, a third with education, a fourth with the Secretary for Ireland, a fifth look to colonies, a sixth treat of trade, a seventh of Scotland, and so on; or instead of one member, several might be allotted to the task of these different departments; and so of particular measures, one or more should have the charge;—should master them in every detail;—and when the minister presented himself with an evasion in reply to any question,—or with a measure, in itself a practical evasion,—he should feel that there was at least one person in the House who would meet him foot to foot. Suppose a body of 100 members thus acting together, not conscience-bound, but secure that some member is to take up a question, and suppose him strengthened in the feeling that he is backed by the body, so far at least as to secure a fair hearing; would not a moral power be gained to the effecting of good purposes on behalf of the people, such as it is notorious does not now exist in the single-handed and divided state of Radicalism in the House. Petty jealousies would subside, where each knew that at least one part was his own, and the whole field before him. Grand measures would not end with the echo of a mere attempt;—a speech, a first reading, and silence for ever;—or a committee, investigation, report, and oblivion.

To members who are eager to do good, a club of independent members of this description would give strength and importance; and while each should be engaged in doing some one thing, he would add strength and importance to others doing severally some one other thing.

If the huge inert masses of opposing or unfriendly members are to be wrought upon by the energy, the intelligence, and the moral power of the Radicals, the latter must consent to array their forces in such combined form as shall operate like a wedge on the compact phalanxes opposed to them.

The difficulties which beset individual members who have not the means, or the time, or the previous experience, to collect all

the information necessary for the discussion of public questions, might be removed, at least in part, by the resources of such a body. All could contribute in some degree to the fund, though it must usually be left to a portion of the number to appear in the front of the battle.

What is now done at a great expense by one member for his own personal use, might then be done for the use of a large number of members; and it requires but slight experience in parliamentary matters, to perceive how impossible it is to prepare an elaborate law, or even a motion, or to collect the various additions of information arising on every subject,—without the aid of persons not actually engaged in personal attendance at the House. A single subject with nothing else to do, might be managed by one man; but not many subjects, nor one, with the requisite attention to what others are doing.

The Radicals owe it to themselves, to vindicate their power by such combination and co-operation; they owe it to the public also, whose champions they profess to be, to throw aside all personal pique or conceit, in order that each Radical may derive strength from the political union. Nor is it necessary that they should run into the sin of partizanship; their object should be to give scope to the peculiar qualifications of the independent members, and so secure support to all measures conducive to the public and not mere party welfare.

The sin lies not in the combination, but in the perversion of its uses to personal or party objects as opposed to the public good.

If the Radicals would have moral power, let them adopt this remedy; their neglect of such means will bring defeat and disgrace, or at all events, a tardy issue to their labours. The short experience of the present Session has gone far to manifest the truth. If this experience serve to show the Radicals their course, the time will not have been lost. They have learnt the nature of the field; let them now take up their ground. Arrayed under a good cause, their numbers will be augmented by many who hesitate to join their disorganized and powerless body; and the day is not distant when they will have gathered strength enough to defeat triumphantly the hostility of their open and secret enemies.

ART. XVI.—*Cruchley's New Map of the British Isles.* Engraved and published by F. G. Cruchley, 28, Ludgate street, St. Paul's, London.

WHEN the people of an extensive country are irritated and full of complaint,—which in their own phraseology is always being oppressed, though of course no man will be found to own to the cognomen of oppressor,—one of the first things a considerate individual does, is to look into the map. The collection of old almanacs out of which mankind makes new ones,—history,—points strongly to the fact, that no numerous people was ever oppressed in perpetuity. There are constant causes in operation, to equalize the struggle; of which it is enough to mention one, the continual desertion from what the oppressor trusts to as his allies, and siding with the sufferers. In these times nobody is to be trusted to work oppression; there is no telling in what strange place the opposition may break out; it may show itself in the camp, the court, the field, or the workshop; even the pulpit is not entirely to be depended on. Every man that now-a-days insists on riding a hobby-horse of wrong, curvets on the crust of a volcano;—and might see the fire shining through the cracks, if his brains could direct his eyes between the hoofs of his Bucephalus.

Now here is a larger island and a smaller,—bearing to each other in rough numbers about the proportion of three to two,—so that their strength in union is as five, while their strength in opposition is as one. And the governors in the larger country, after having been raised by the popular aid to a triumph over their bitterest opponents, can find no way of using their newly given power, and no means of letting off the exuberant energies they are afflicted with, but imitating the practice of their enemies in making a 'raid' against unhappy Ireland. Where was the necessity; what was the urgent motive? Could not any given minister have amused himself with a battue anywhere else instead? What manly reason will they give, when history holds them up for little boys to point at, why nothing could serve them but making a set at Ireland? Ireland was going on, not very well, but very much as usual. It had been fully agreed that the time was come for removing some of her causes of complaint,—and it was on the very promise and engagement to do this, that the present ministers had been raised upon the shoulders of the people. It was a thing settled and determined, that Ireland had been scourged and manacled into madness; the Tory doctors fairly gave her up, for the more they coerced the

more she raved, as was only right. The English people, thoughtful, sensible, and good, called out to try conciliation, and brought forward a new race of doctors with that very view. They said, 'It is plain coercion only does harm; manacles throw the patient into convulsions; there has been much ill-treatment,—you cannot wonder at it. Try something kind. Do a little that may look brotherly.' Whereon say the board of Machaons; 'We will begin;—we will conciliate, but it shall be in a straight waistcoat;—we will be brotherly, but we will have the patient on the floor;—depend on us for the best intentions, but we must let off our own foolishness by the way.'

When men follow a course of this kind, it is always on the presumption that they can and shall coerce the sufferer to the end. Presumptions of this description have in all ages been the seed of independent nations. Whenever a great revolution is to take place in the political relations of masses of men, nature is put to the expense of turning out some half dozen of rash gentlemen to be dry-nurses to the change. There is no preventing this; on the contrary it is a reason for seeing in all a superintending Providence. It is the order of nature; which cannot be an evil. And the way in which these agents of nature's progress attain to their desired result, is always by miscalculation of their means. They trust to something supporting them, that turns out neutral; or something being neutral, that turns out against them. For example, in the present instance, the assumption is, that the people of England would have a great objection to the independence of Ireland. If query why,—among other reasons, because Ireland would probably be republican. Now both these are rotten sticks,—mere props for old women in pantaloons, which will break and pierce the hands that lean on them. It is very true that the people of England do *not* desire the establishment of republican government either in Ireland or here. But *why*? Not because there are not great masses of them that are conscious that by the irresistible extension of knowledge, to republican government, in name or in substance, all in the end must come. Not because they are not deeply conscious of the inbred and inseparable infirmities of the monarchical principle, and the many ways in which it opposes the reasonable connexion between the end of governing and the agents. But singly for the reason that makes a man desire to live in an old-fashioned and smoky house, rather than incur the risk of expending twice the value of the difference in pulling down and rebuilding. It is not *the object*, that they fear; but *the going to* the object. And the same in respect of Ireland. There is no considerate and independent Englishman, who does not know, that Ireland has

in all ages been a warren of the aristocracy's, and by that very fact an injury and loss to England. There is none that does not know, that if Ireland had at this moment a government as totally separate as that of the United States of America, the two countries would be in a situation to enjoy all the good derivable from their geographical and physical conditions, and avoid the evils of their present state. They have had centuries of evidence, that the aristocracy of England are utterly incompetent to the task of governing Ireland, in any way that does not render the connexion an abstract curse. But they fear a greater curse behind. Knowing the strength of parties, the animosity of interests,—they dread the process by which the abstract blessing of the separation should be brought about. They weigh evil against evil; and they decide that the smaller evil, if the ministry could allow of it, would be to continue as they are. In short they think that no prospective good would be worth a civil war. But if the ministry make a civil war in *gaieté de cœur*, what becomes of these objections then? If civil war there is to be, why should not the English people wish to see it take the advantageous turn instead of the disadvantageous? Is there no impressing on ministerial imaginations, the difference there is between that attachment to an existing state of things which depends upon the dread of contest, and the attachment that is left with men after the contest has been forced upon them.

The military situation of Ireland is probably nearly this;—That if a contest were commenced in which free access was given to the relative strength of the two parties, the shock from the organized force actually in the hands of her assailants, would be such as Ireland would have no physical chance of resisting. But if anything should happen to blunt the operation of that first shock, and give Ireland one clear year for preparation at home and for the operation of cool reflexion in the masses of the English people,—the chance of ever overpowering Ireland by force, would be just where that of overpowering America is;—the Honourable Napper Tandy or anybody else, might put on his bag and small-sword when he pleased, and prepare for presenting himself at the English court as Mr. Adams did. The reasons are strong, why both sides should avoid the contest; yet these are the risks and chances a few aristocratical persons insist on running against. And because they are backed by a shoal of shallow men of good estate, who would believe in any green-bag necessity a ministry chose to detail to them, and consent next month to any mode of creeping out of the danger they had hatched,—they feel bold and cheery, and think the trampling a

gallant nation of eight millions under the iron heels of courts martial, the natural'st thing on earth. They know full well, that if they were to attempt such practice with the English people, the country would run *a muck* against them,—mothers would bring forward their sons, and charge them to come back no more, till the ministers were quaking for their heads like the prisoners of Ham. But because Ireland is a smaller country, they think the ill must be submitted to. In this they are in one sense right; for the theory of resistance has not been so often discussed, without coming to a pretty general arrangement on the circumstances which justify it. For a weak nation to resist, is a *fault*, and therefore a *crime*. This connexion of things may not hold good invariably; but it is the allowed theory of political resistance. But how foolish is that government, which puts itself into the category of injustice, in reliance on its strength.

Another ground on which they possibly calculate, is that the Irish could never agree among themselves, and consequently one of two halves would be on their side. But this is not to be trusted in too much. National independence is a tempting thing; which is a proof it is a great good, where overpowering obstacles do not oppose. Men will sacrifice a great deal, even of their prejudices, for the sake of the brilliant chances held forth by such a consummation. The probability is, that as relates to internal politics, two parties in Ireland would be nearly balanced. The inference thence drawn in Ireland might be, that one should seek the aid of England to cut the throats of the other; but they *might* also happen to find out, that it was for their mutual interest to treat each other handsomely, and set up the orange and green in loving union. The position of the Irish church revenues might seem to be an obstacle; but suppose Ireland should take the freak, of applying these altogether to setting up her new housekeeping, making such settlements only as should satisfy existing occupants, and agreeing that all sides should pay for their own divinity as they may want it. There is nothing in this so improbable, as to make a man leave his mouth open on the chance of what may not come in.

If the measure of the talents which bring these perils on the country be desired, it may be taken in the miscalculation of what the legislature (which is not the country after all) would endure and what it would not. To have shown their teeth, for the purpose only of proving that they could not bite;—to have given the exact impression of what they *would* do, and up to what particular point it was checked by what they dared not do;—is a folly few have committed since the giants of John Bunyan.



All the other proceedings are of a piece. Not the slightest assurance is there, that after they have carried their bill of inflictions, they shall ever carry their bill of conciliation at all. Men with the wisdom of a parish clerk, would have seen that the way to prevent mischief was to insure the conciliatory measure first, and let the other follow; or at all events take care the two were contemporaneous. It is strange if such leaders do not find a pit to tumble into. When soft heads and timid hearts in Parliament congratulate themselves on giving powers to such trustworthy ministers, what reasonable assurance have they that they have not been spreading a bed for their enemies to roll in? Suppose the Tories throw out the bill on the Irish Church, as why should they not;—what nook will the ostriches thrust their heads into for their salvation afterwards? Human affairs are not carried on in this way. If any of the members of the government sigh for glory, or otherwise possess an irrepressible activity, they should be sent fox-hunting, or presented with a new Manton; but not allowed to make eight millions of human creatures their field of fame. Why will well-meaning, good sort of people, never take advice? If they would have asked the English republicans, at least the moderate ones,—men who have neither fear nor shame in avowing their principles ‘by any kind of light,’—*they* would have said to them, ‘You have just got the Reform Bill. Whatever you do, avoid stirring first principles without occasion. Keep things as quiet as you can, and so will we. You know the bargain was to try the Reform Bill, and its quiet, easy-going results, to the uttermost; and we are here to keep it. But do not *you* raise any gigantic questions. Try to soften things gradually, and give us the substantial good of a republic under the forms of monarchy. You know we do not care a great deal about the matter, and should on the whole perhaps rather enjoy the playing out the play the other way. But still, we are ‘wae to think’ on the confusion that might arise. Keep a soft rein, and see if the world will not go on without. If you will not, we must act according to the throws of the dice; but we do not want you to cog the dice. Keep well when you are well, if you have wit. There is plenty to alter and amend, to keep you in employment for the average life of man; you will not be so silly now, as to invent some crusade as the Tories did, by way of putting off compliance with the people’s demands. Think what the Tories got by the invention; and think what you will get by the invention in the end. If you were to do such a thing, you would be very likely to give a fillip to the whole future course of history. Men may hereafter talk of ‘the vast change in the face of Europe, which

arose out of the conduct of the Whig ministry after the Reform Bill.' You have a very rotten house over your heads; tread gently, and do not dance sarabands in it more than needs. Besides, you do not know what may be coming. The French government exists only from quarter to quarter; and you have no notion what a muster there might be, if a change in France were to happen in the nick of time for setting republics 'two and indivisible' smirking at one another across the Irish Channel. Look too at your people at home. Have not your landlords brought you to the very eve of an agrarian war? Nobody will insure you upon Change, that you shall not have a Jacquerie within twelve months. In the West Indies, three years have been assigned as the natural term of a tyranny; you may have something there to do, either with master or with man, that would fall in awkwardly with your crusade. Gentlemen, good gentlemen! honest, well-meaning, round-sterned gentlemen! reflect how pleasant it is to lie in bed on a rainy morning, and not have to mount one of your own coach-horses and ride over brake and fell to get your brains let out by some stalwart rustic with a scythe-blade, or be shot through a hedge with an old pistol with the lock tied on with packthread since last rejoicing-day. Hunt, eat, drink, shoot, speak, fiddle, sell fatted calves, do anything to amuse yourselves except getting up some strange question that will be too much for you. Your enemies are keen dogs,—a bull-dog to a turnspit to you; nothing supports you but your homely usefulness, and the affections of the roast meat-loving public;—they will play you some dog's trick, as certainly as ever you play the fool. Nature never meant you to be magnanimous; it meant you to be good. Go on in that course, and defy the devil and his works; but if you forget yourselves and take to the tricks of those you have turned out, depend on it that all men everywhere will look out in hope and expectation of seeing you get some prodigious overthrow. There will be ballads made about you; there will indeed. Now don't have ballads made about you, when you might just as well be quiet and live respected by your neighbours.'

Assuredly if a man had endeavoured to guess the most unlikely things, he could not have hit on the idea that the Whigs, after all they had done and said, would have been for going 'colonelling' in Ireland. He might have fancied the Archbishop of Canterbury pouring out the unknown tongues at Mr. Irving's meeting-house; or the Member for Oldham circumcising himself on the eighth day after the Jew Bill was brought into parliament. But he never would have devised, that the eloquent and pacific Whigs,—the men who had so constitutional and

long-standing a horror of the triangle and the walking gallows made of commissioned shoulders,—should have been for disgracing their earliest course by resorting to such beggarly elements of exploded tyranny. The *facts* are all against them; nobody wants their courts. The ordinary civil courts are going on with their occupations just as ever. It is not courts that are wanted, but witnesses. If the military courts are to do anything not done by the others, they must make the evidence as well as the decision; they must perform the operation demanded by the Babylonian legitimate, who wanted to be told 'his dream' as well as 'the interpretation thereof.' If the 'Rules and Regulations, Hoyle's Games, and the Army List' have taught the captains of fifties to perform this feat, it will be a new and ministerial road to knowledge which nobody had thought of. But unless they can do this, there is no more pretence for employing them at all, than for sending a spurred and whiskered bench into Yorkshire. The truth probably is, the Whigs have made a cake and somebody must eat it. They have concocted with great pains a laborious measure, and though the plums and the ginger have been pretty well picked out in committee, somebody must swallow the dough and the suet. It is an awful thing personally, to stand in this position to a ministry.

One inference the British people must make from the whole, is that they *want a Constitution*. Some years ago they had something talked of as such; but the people of England do not want a *bad Constitution*. The old mischief being removed, they now want one for good. A *Constitution*, is a code of laws the governors dare not break. It is a bound hedge assigned to the churchwardens and office-bearers of the state, by the sovereignty of the community saying to them 'Hitherto shall ye come and no farther.' As it is, Englishmen hold all they have, by the discretion of a few hundred very indiscreet gentlemen. The aim and object of a constitution, is manifestly to embody the great lessons of history, and correct the vagaries of men acting under momentary fears and instant impressions, by introducing elements derived from the world's larger periods. Everything is a crisis, to a member of this present parliament; no man ever stood in a situation of such responsibility before, or was so well entitled to make all reasons bend to his necessities of state. Now the grand warning of extended experience is, that men who are allowed to do certain things, always do wrong. No man looks, for instance, on a suspension of the Habeas Corpus at any period gone by, but as an instrument for doing mischief which might have been prevented if the government could not

have suspended the Habeas Corpus. The ministry says, 'We cannot go on without.' The unflinching decision of History on which is, 'Then you ought not to go on.' Some governments cannot govern without torture,—some without *ex post facto* laws; all bad governments have a morsel of some kind which they roll beneath their tongues, and plead they cannot go on without. The verdict of mankind, not uttered by hourly installments, but given every now and then in a voice like that which shook the Bourbons out of their tapestried halls, is that they know no reason *why they should*. The defect is in supposing that it is for the good of mankind they should go on;—in not seeing that the legitimate inference is, that they ought to be changed for those who can do better. Constitutional liberty, means having a government that shall be obliged to govern within certain rules. If you say you cannot,—dismount and make room for those that can. Imagine a man saying, 'My dear courser, I cannot ride unless I may have a bitt that will pull you on your haunches every time I twist my little finger; I must have a pair of spurs *à feu d'enfer*, or I cannot be responsible for keeping in the saddle; a whip of course, is a necessary of life; you must be prepared too to amble with your legs tied together, whenever I may wish the same; in short you must give up the totality of your *habeas corpus* whenever I desire; it is on these terms alone, that I feel myself competent to take an airing; you must agree to all this, or you are an undone horse.' If men were horses, such argument might do; but it lamentably overlooks the difference between equine and human reason. Why should men go without law, because their delegated lawgivers chuse to be lawless? Is it a reasonable confidence in their lawgivers,—any more than it would be reasonable to leave it to the steward of an estate, whether there should be an estate at all? The case is plain, the Whigs have undone the bag;—We want a Constitution. The world at large is only beginning to grope for knowledge of what a Constitution is. Most seem to think it means a form of government; and in England circumstances have not been such as to direct attention specifically to the difference. The case may be altered now; at all events the times are favourable for throwing light upon the question.

England, then, is just entering on that phase, in which most of the continental nations have preceded her, of feeling for a constitution,—that is, for a code of rules it shall not be permitted to the acting government to break. Whether this can be effected without a crisis, or without waiting for a crisis, is what time only can decide. But the actual government has

decided to draw men's minds to it in the strongest way that can be done by human art. It is plain that English as well as Irish, hold the administration of civil law by sufferance. It only requires a ministry with a point to push by martial law, and by martial law it will be pushed. The interest of Englishmen clearly is, that a ministry which cannot carry its point without martial law, shall have its *Descendas* before it puts its hobby into that air. Our forefathers had constitutional restrictions, and so must we. Theirs might be adapted to their own times; but they were obsolete, gone-by, and harmful in ours, and therefore they were wisely superseded. We are left therefore in the gap between the pulling down a bad constitution and the setting up a better. Not by raw, rash acts of guess-work, but by turning the public mind for some half dozen years next following the Irish invasion, to extending, first, the knowledge of the gap,—next of the thing wanted to fill it,—and lastly of the means of substantially obtaining what is wanted. It is not enough that there should be a vague horror, of martial law and similar extravagancies. Experience has shown in all countries in the present state of Europe, that it is in the nature of a representative government to push forward numbers of individuals, of large fears and narrow views,—mere *gobemouches* of all kinds of terrors,—men nursed in the lap of peace and affluence, and ready to decree by acclamation any measure of injustice, which they think will act as a blister on some distant part of the body politic and secure their own,—quiet cool men, ready to order a civil war any morning as they munch their breakfast, if the minister tells them it will conduce to the safety of their supper. Such men work admirably on a parish bill,—are the hope of their country upon a question of drainage or inclosure,—but utterly incompetent to be the depositaries of the personal freedom of their countrymen and the guardians of the *Habeas Corpus*. In fact the *Habeas Corpus* should have no guardians, except the bodies that it guards. A proposal for touching it, should be an act of resignation of the existing government. Look forward some score of years, and think what will be the world's opinion of a country, where the law was that law was suspensible,—where the denial of justice was part of the required powers of an administration for the time being,—where it was possible to hear and think of such monstrosities as making a law that no man should have remedy against the actors under a given Act. There is a large gap in the ideas of a society where such things can be dreamed of. And for what end, but to enable a minister to do, what everybody ought to wish undone; to gratify some personal ambition, some restless energy, or at

best to secure the execution of some darling wrong? If the people of England go on not finding out that they are blind and naked, it can only last till some daring scheme against themselves opens their eyes to their condition. The landlords, for instance, have martial law in their view before they will give up the Corn Laws; they sat their yeomanry horses for that very chase. By their Irish bill, they cut off the fellow-feeling of two-fifths of the united country, against the hour of England's distress,—a deed of generalship on a large scale, and worthy of agrarian genius. With the same tameness that the gross and porsy *juste milieu* see Ireland invaded, they would see Yorkshire, if the same wisdom told them it was necessary, and their particular toad-stool was in a Southern county. There must be an end of this 'tyranny avowed;' for it is avowed,—the records of Parliament are there to state, that the Whigs came forward and avowed it was a tyranny and a gross one, and *for that they liked it better*. There has been no shuffling; the thing has been laid down in its enormity. Evil may be our good, as well as the Whigs'; the chances are all the greater that the English people may think of laying it to heart.

What would be thought of military leaders, who, after being brought forward by the people on their shields in an hour of crisis, and then invited to go forward and show the way to reaping the fruits of victory, should say 'Stay a little; we must commune with the enemy, and get his help bitterly to coerce certain battalions of you. We must try to please him; and if we propose more than we follow up, you must understand that it was to appear willing in his eyes, and prevent his point-blank refusing to co-operate. The secret of directing an army, is always to have the enemy in the plot. It tends to peace, and the orderly settling of things; as you will see.' This is precisely what the Whig leaders have done. They know that a people at large is a slow agent; disunited, and each part easily induced to act against the other; a very tool for tricking, except in those rare moments when the strategic spirit rushes on every private of the force in the shape of one irresistible cry of Forward. The salvation of nations is, that governors always miscalculate this point. It comes on them like a thief in the night; when the good man of the ministry least dreamed of its arrival.

The ministers are possibly mistaken in thinking there is as little feeling out of doors for Ireland, as in the houses where the liberties of the country are made and unmade. The English people have viewed the Irish as their fellow-labourers, and in fact the turning-point in their Reform. Numbers of them are filled with

recollections of Irish gallantry and Irish good fellowship; things are not where they were, when an Irishman was a hobgoblin of the stage, a sort of helot, whether in the higher or lower classes, produced to pamper English superiorities. The ministers had forgotten the steam-boats, when they went back to Tory times for precedents. They overlooked the host of Irish writers who had as effectually linked the feelings of Englishmen with the merry misery of the Irish peasant, as with the grave endurance and stout resistance of the Scotch. The strong and general feeling in England is, that all Irish misery springs from wrongs. Those who have seen Ireland, know it; and those who have not, take their word. An insolent ascendancy, of just such a kind as if the Normans were prancing about in chain mail to this day in England, and backed by an insulting church establishment of the same nature as if catholicism had been established by 'Colkitto's' myrmidons in defiance of the English people, keeps the vast majority of the Irish people in the situation of slaves looking to all points of the horizon for any aid that will break their fetters. If something is not done, a fleet of steam-boats from the United States will some fine morning be the Euthanasia of the Irish struggle.

The ministry in fact have staked their existence on the dice. If heaven sends them all sixes, they may get on; but if there comes the smallest check, they will discover the rottenness of the position nothing could hinder them from taking. They have gone on against the loudest avowals in the House of Commons, that the occasion justified resistance far more than their own applauded case of America. No such phenomenon was ever exhibited before; a people was never pushed upon a civil war by a House of Commons, one side of which took glory to itself for the monstrosity of the tyranny, and the other virtually avowed the duty of resistance. Such an intensity of weakness, was reserved for Whiggery. What will come of it, those that live will know; but it is a glorious prize for the active 'movement' party; it is *nuts* for the zealous republicans, here and everywhere. The more moderate ones would have gone down upon their knees to prevent it; but what can they do,—can they arrest the course of fate, or pretend to stay the optimism that is in the world? Submission was made for man; and if Providence have chosen the Whigs for leaders into the promised land, there is nothing left but bowing to the dispensation.

How small is the use of history,—to those who have neither ears to hear, nor eyes to see. No statesman, however bad, perhaps ever failed to speculate upon a niche. Laud with his

*Thorow*, and his fellow-workman *Strafford*, undoubtedly intended to occupy a lofty station; and so they do, with the trivial accident of losing their heads by the way. Much of the merit of a measure is in its exit; and those who put on their harness, are not to boast as those who put it off. The ministry have chosen to harness themselves against poor Ireland, and will most probably succeed in their immediate object of putting down; but they have laid the foundation of changes, of which they must have a long telescope to see the end, and which are very likely to be as anti-Whiggish in their termination as their worst enemies could desire. It is plain the Whigs are one of three not very unequally balanced parties in the country. One of these was their natural enemy, and must continue so; not even hostility to the people, could appease the wide enmity and leave the Whigs in possession of the spoils of place. With the other party they have now broken, as far as regards any substantial confidence or faith. The Radicals, (who are the masses), must play out the game, stepping on the shoulders of either enemy that will betray the other, and trusting to the good use of opportunities to resist them both. The position is at least an interesting one; and since the Long Parliament, the reasonable friends of popular rights never stood so fair before. They have all the benefit of the game, without the responsibility. Eight millions of people have been taught to look on them, as those that would have helped them if they could. The represented may have been slack, but the representatives in Parliament have not. They have stood well to their work, and some good knights have won their spurs, to be used with better chances another day. If the Irish are wise, they will not despond; still less break off communion with the cause of freedom in England. We are all in the same net, and there is nothing to be done but gnaw a mesh asunder where we can, without asking whether Jew or Greek is to have the instant benefit. There is no use in getting into a passion with a nation; there are good and bad in all, and the good do the best they can, and the bad the worst. Strength is in union,—and in the eschewing of that basest of all policies, the true test of enemies in disguise, which props up one evil by descanting on the non-removal of another. Drive the pick-axe wherever it will go best and farthest. He that shakes slavery in the West Indies, gives it a push in the half-way house of Ireland; and commercial freedom at Liverpool, will re-act on the equality of creeds throughout the empire.

It may be urged that many of these considerations are too late; though it was no fault of this Review if the ministry would



not wait for the First of April. They may be so or not; it is uncertain as all things are. In one shape, however, they are not too late. If the ministers have thrown the die in the legislature, it is not absolutely impossible that they may still possess some influence over the execution of their own laws. They cannot be expected to have much; for as they never had the vigour to put a new garrison into the Horse-Guards, they must look for everything from that source to be directed in the spirit of bitterest hostility. If there is the ministers man, there will be the Horse-Guards man to look after him. Woe to the individual, who shall have any ambition to serve again, and shall do the Lord's work slackly in Ireland. A cross against a man's name in the list of promotion is not so easily rubbed off, as that it should be incurred for other men's convenience. The army have no scruples upon such influence; they do not do it in ill intent, but in innocence. It is not long since the writer of this was president of what is called a 'General Regimental Court-Martial,' in Ireland; and a superior officer directed him to 'Tell the Court it was the General's particular desire that this man should be tried by a *General Regimental Court*.' And on the hearer's looking what was taken for non-comprehensive, the words were repeated in the benevolent tone which is meant to give a stupid man the chance of understanding at twice, what he fails to do at once. Now the meaning of this, in plain English, was, 'Tell the Court it is the General's particular desire this man should be transported if they can;' for what is called a *General Regimental Court* has the power of transportation, and what is simply called a *Regimental Court* has not. Now suppose this president had refused. In two or three weeks, he had to appear before the General that 'particularly desired;' who had it in his power to do all a man prepared, can do to puzzle another that must act upon the moment,—who could demand of him to perform everything that was obsolete and therefore not practised, and everything that was new and therefore imperfectly known,—and who upon the slightest failure, could make a remark against his name which should attach to him for life. In two or three months, he had to present himself to the other superior officer, to request him to certify that he was a proper subject for promotion;—was it likely that he should offend him by any useless violence of virtue? And all this was done in no ill intent. There was no malice, no cruelty designed; it was the simple exertion of what military persons think the fairest of all agency. The actual agents were the most regular and orderly of men; pure military automata, that would not commit themselves by an irregularity,

if they knew it, though it was to save a nation. But how many Irishmen will be sent before the Whig courts-martial, with a recommendation from the General commanding? The officers likely to be appointed after all the cutting-down that has been practised on the Bill, may not be precisely in the situation above described; but they will be in one closely akin to it. If one sharp confidential man be put forward by the Horse-Guards into each court, there is an end of the independence of all except the martyrs. There is no doubt that military officers may decide with great impartiality when there is nothing to bias them; but the question is, whether they will decide so when *there is*,—and whether they are not, of all living men, those who if they act independently in circumstances of trial, must do it at the greatest expense of individual prospects and well-being. When evidence is brought before the House of Commons of the evil deeds of Courts Martial in time past, it is quashed on the ground of pain to relatives. It will be much more painful, to the relatives that are to come. There is wonderful nicety about what is done and over; and equal carelessness about what is still to do. It will be vast consolation to the relatives of those who are to be transported for being out of bounds, that Sir Edward Crosbie's relatives were spared the pain of hearing his murder commented upon with indignation.

Where a larger country holds a smaller in a legislative union, it clearly ought to do one of two things,—either make the union comfortable to the smaller country, or quietly give it up. All else is tyranny; and tyranny does not last; and what does not last, is sure to fall. Men cannot and will not go on in the old throat-cutting way; and so the Whigs will find. There must be reason, there must be some aim for the public happiness, and for such causes men will fight. But they will not fight for the convenience of a ministry; or not fight long. The ministers may hold out 'to the death;' but they may die by themselves. The fighters may be willing to fight; but who will keep the fighters? Two-thirds of the British people believe the objects for which Ireland is deprived of law, to be decidedly opposed to their own immediate interests. They not only do not believe in the necessity, but they believe against it; they believe that if the truth were told, the necessity would be the other way.

The great comfort in all this, is the certainty that final good will come of it. It is all only stirring the soil, for the great harvest of human advancement. Who knows, but it is destined to advance the cause of rational government by half a century. All great goods have sprung from great ills. The evil is great.

enough ; and it only remains to see whether there is the usual connexion with the consequence.

A curious contrast is all this time presented, between the ardour of the ministry to resort to extreme measures in Ireland, and their placability where the Crown and people of Great Britain are really suffering wrong and insult. A race of colonial bullies whom nothing but the interference of the British administration prevents from being crushed like cockroaches by their own negroes, may insult the head of the government and organize associations for illegal violence upon their countrymen, and the ministers as meek as mice shall be arranging with the home branch of the cart-whip dynasty the price at which they will consent to abate their nuisance. The whole horse has been paid for by the British public by a poll-tax, and when the question is of substituting working in harness for drawing by the tail, the ministry is in negotiation with the barbarian for paying him the price of the horse over again as the price of his consent. The slave-owner, whose slave and all he has, has been bought for him once out of the pockets of the British public,—is to be told he shall be paid the price over again, on condition that he will consent to employ free labour afterwards. Why is not he rather charged with the difference between the expense of slave labour and of free? And why is not he asked to lay down the cost of protecting him from the just retribution which his own obstinacy has brought almost upon his head?

How much money has been paid by the British labourer and manufacturer, to support slavery already? Let us see a balance sheet, in which this and the other items named shall be put down; and then show how much is owing to the men of the cow-skin. Will not the Irish members help us in this? Cannot some confidence be put in them, that they will stand up in a mass in defence of the general empire upon this point, and trust to the gratitude of the whole community when the time shall come for showing it? Let them consider well, how strongly this would tend to combine the general interest with theirs. Let them reflect in what numerous classes, hostile it may be to them hitherto on many points of belief or prejudice, this would quash the feeling of distrust, and substitute the confidence of fellow-labourers in one great cause. If the Irish members will come forward as one man, and stand in the gap between the English people and their enemies on the West Indian question, whatever may be the event they will not fail in one point,—the securing an adhesion to the cause of Ireland, which first or last will vastly overbalance the puny efforts of the cabinet to raise themselves in the eyes of their enemies by the depression of

a gallant people. All good feelings will join and link themselves. The hearts of the legislature 'thrill at Poland;' but considering 'the condition of the country,' 'the distress,' &c. they cannot reconcile it to their consciences to grant any public money to assist the persecuted Poles. *They will have no such scruples, with respect to the persecuting West-Indians.* At this moment, unless all surmise is wrong, they are haggling with them, to know the lowest price at which they will sell their nuisance. Could not something be done upon this point, which should carry the name of Ireland into the far-off divisions of the globe, and give her one more link with the everywhere rising cause of man and of humanity?

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POSTSCRIPT TO THE ARTICLE ON *EQUITABLE ADJUSTMENT* IN THE  
PRESENT NUMBER.

A provincial paper has started two objections to the contents of this Article; which will be taken in succession.

'If then this calculation be correct, the fundholders and not the public have been wronged by the alterations in the value of money. But are not the whole of the calculations of Mr. Mushet and Mr.

Childs vitiated by the assumption that the difference between the mint and the market price of gold measured the depreciation of paper money? Was not the price of gold itself lowered by none being required for the circulating currency?' .....

'We should be glad if he [Mr. Childs] would favour us with his opinion on this question, and to learn from him what difference an addition of 5 or 7½ per cent to Mushet's estimate of the extent of depreciation of paper would make in the result of his calculation.'—*Manchester Times*. 16 March, 1893.

The question then is, whether, supposing such a fact to have existed, its operation would be *against* the general results stated by Messrs. Mushet and Childs, or in favour of them. Assume then that the calculators have not rated the depreciation high enough, and that it ought to have been rated, for instance, at one-twentieth more than was done, throughout. The first effect will be, to increase each of the losses of the old or original fundholders by one-twentieth; and of consequence the amount of each and all of these losses at compound interest to 1821, will be increased in the same proportion. In the same manner the several gains and losses arising from the difference between the depreciations at the two moments of lending and receiving the interest, must be increased by one-twentieth; for if each of these two depreciations is to be increased by a twentieth, their difference, which is the element of gain or loss, will be increased in the same ratio; and the amounts at compound interest to 1821, and the balance of these amounts, and the yearly value of that balance, will be increased in the same also. So also the *Gain* to the fundholders arising out of the debt contracted above that redeemed from 1800 to 1821 having been contracted in an inferior currency, must be increased by the same addition of one-twentieth; for it was contracted in a currency whose depreciation was greater by a twentieth than was reckoned for. The final consequence therefore is, to *increase* the 'Annual permanent result to the Fundholders,' as given in the 'General Abstract' in p. 273 for any particular rate of interest, by one-twentieth;—that is to say, to make the annual *Loss* greater in the case where interest was reckoned at 5 per cent, and the annual *Gain* where it was reckoned at 3. And the same if the depreciation had been underrated in any other proportion.

At the same time there may be great doubt whether there was any such thing as a fall in the value of gold from the cause assigned. 410 millions were borrowed and expended between 1800 and 1821, principally in loans and foreign wars; and the

question is, whether much of the 40 millions (for that must have been the utmost amount) of gold thrown out of employment in the English currency, could have staid to cheapen bullion at home, or have produced any sensible effect by being thrown, at the average rate of about two millions a year, upon the market of the universe. If, however, it *was* so,—the consequence would seem to be, to give the fundholders at 5 per cent a claim for an additional yearly sum, proportioned to the addition to the estimate of depreciation.

The other objection is to the illustration of paying the lender with a pound of mutton; and may be answered in less space. In fact it has perhaps arisen altogether from the want of sufficient explanation in the original statement; and circumstances hereafter mentioned having induced the cancel of a leaf, advantage has been taken of it to try to supply the defect.

‘It would, indeed, be robbery to give less for the man’s leg of mutton than he consented to take for it during a famine. But the question comes, whether its price was raised by the scarcity of meat, or the over abundance of money.’—*Manchester Times. Ib.*

That question is settled by the fact, that the *leg of mutton* answer is only intended to apply to the case where the rise of price shall be urged as having arisen from the scarcity of meat. If it is urged as arising from the over abundance of money, then *the other* is the answer; to wit, that the fundholders have after all been underpaid. The answers must not be put to the wrong objections, and then declared not to fit.

Finally, as this Postscript was on the point of being printed, information was received from Mr. Childs, that he imagined he had discovered an error in Mr. Mushet, consisting in employing in the calculation of the *Gain* of the fundholders (in the last article but one in the General Abstract in p. 273 of this Number), the proportion of 12*l.* 13*s.* 7*d.* to 87*l.* 6*s.* 5*d.* instead of to 100*l.* There has hardly been time for giving to the point the consideration it demands; but there has appeared sufficient ground to induce the alteration of the results in p. 273. If the debt (to take round numbers) had been contracted in money of which 100 nominal pounds were intrinsically worth only 80*l.*, and the interest (suppose 5 per cent) is now paid in pounds of substantial value;—five pounds interest are in fact paid for every 80*l.* instead of every 100*l.* And the proper interest for 80*l.* would be 4*l.*; the interest thereof is 1*l.* too much, or  $\frac{20}{100}$  of the actual interest paid. Mr. Mushet seems to have reckoned  $\frac{20}{100}$ . If the alteration is right, it would have given Mr. Mushet a victory instead of something like a failure. It would

have shown a loss to the fundholders even upon the calculation of *simple* interest at 5 per cent; and would probably have produced a powerful effect on the public mind. As it is, Mr. Childs's correction is worth six millions to the fundholders; they will therefore probably look into it, and see whether it is maintainable or not. If it is, the final result will be,—that instead of the fundholders having 'for many years received twice as much interest as is their due,' the value of nearly eight millions and a half is owing to them, and likely to be.

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#### CORRECTIONS IN PRECEDING NUMBERS.

*In No. XXXIII, p. 242, l. 30, for another on B, read another on C.*

*In No. XXXV, p. 34, l. 35, for this country read in this country.*

*p. 131, l. 4, for eternal read external.*

*p. 158, l. 8, after equal length insert a comma.*

*p. 161, l. 2, after being the simplest. insert Harmonic notes of this kind may be called stopped Harmonics, as being produced on a stopped string; while the others may be called open Harmonics, as being produced on an open or un-stopped string.*

*p. 230, l. 19, for the original owner would have spent it another way, videlicet upon tailors. read the tailor would have equally spent it another way, videlicet upon tailor's journey-men. In l. 27, after the loss of the tailors, insert (putting out of sight the loss to the consumer,)*

*p. 232, l. 10, for intervention read invention.*

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