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THE

EDINBURGH REVIEW,

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No. LXXXIX.

ART. I. *Memoirs of the Life of the Right Honourable Richard Brinsley Sheridan.* By THOMAS MOORE. Fourth Edition, 2 vols. 8vo. London, Longman & Co. 1826.

WE are very glad to see this book—for the sake both of its readers and of its author. To the former, it is calculated to afford more entertainment and instruction than most publications of the present day; and on the latter, it must confer, we think, a new character, and a still higher station than has yet been assigned him, among the literary ornaments of the age. Mr Moore has been hitherto most known for the least valuable perhaps of his talents. He has passed, we suspect, with most people, for little better than a mere poet—a man of glittering fancy and sweet verse—with boundless stores of splendid images and glorious expressions, and infinite powers of gorgeous description or pungent satire. From all this it has been naturally concluded, that he must be deficient in sound judgment and practical sagacity—that he can have no rational views of men and business—no knowledge of affairs—no sober or deliberate opinions on grave questions of policy. His genius, like that of savages, has been supposed fit only for works of mere ornament or mere offence—for the elaboration of plumes, necklaces and idols—or of sculptured javelins and winged and polished shafts—but incapable of being applied either to useful manufactures or scientific pursuits. Those who best know the individual must always have dissented, we believe, from this conclusion:—and it must also have been disputed by the comparatively small number who were as well acquainted with his prose-writings as with his poetry. But the matter, we apprehend, must now be conclusively settled by

the appearance of the volume before us—which, with some omissions, and perhaps a few mistakes, some little faults of style, and some precipitate opinions, we do not hesitate to characterize as the best historical notice yet published of the events of our own times—going back, as persons of our antiquity naturally do in using such a phrase, to the earlier part of the late reign, and coming down pretty nearly to its termination. Without pretending to give—what this generation can scarcely yet need—a particular or connected detail of the transactions to which it refers, it exhibits the clearest and most intelligent account of all the great questions which were agitated during that momentous period—the best estimate of the great events by which it was distinguished—and not only the ablest exposition of the causes which led to them, and the principles they served either to establish or expose, but the most truly impartial, temperate, and dispassionate view of the merits of the individuals concerned in them—the actual value of their services or amount of their offendings, with the excuses which the times or circumstances should suggest for them, that we ever recollect to have met with, in the difficult and dangerous department of contemporary history.

This impartiality, which is the rarest of all virtues even in those who have to deal with ancient and remote transactions, is truly heroic, and in fact almost without example, in one who has to write under such circumstances as Mr Moore. Many of the distinguished individuals are still alive, of whose principles and conduct it is his business to speak. Their friends, at all events, and relations, and followers, still survive; and still govern public opinion and public affairs, in no small degree, on the credit of the maxims and example of their illustrious predecessors. The same great parties, in short, still divide the country of which they were so recently the leaders: and those by whom they are now conducted, feel, but too accurately, how much their present strength and reputation may still be affected by any grave impeachment, either of the champions in whom they glory, or of the measures on which their strength was most conspicuously tried. To add to the difficulties of his task, Mr Moore himself belongs to one of those parties:—and in dealing *impartially* with its history and that of its opponents, must occasionally have to condemn his political friends, and to approve of the proceedings of their adversaries. If all political friends were reasonable, and all political enemies generous, or even just, the task might have been less arduous; and the contemporary who was able to rise above transient animosities, and to anticipate the tone of history, might have gained nothing but honour and popularity

with both. This, too, we have no doubt, will be his ultimate, and not very distant reward. But in the mean time, he must submit, we fear, to a less magnanimous reception. The irritable friends of his own party will say that he has needlessly acknowledged, or absurdly overstated their errors: while the illiberal, that is, the far greater, part of his opponents, will at once set down those candid acknowledgments as the imperfect admissions of a partial witness, and as proofs therefore of there being far more to admit than can yet be wrung from his partiality. He will be suspected, accordingly, of want of zeal, or courage, or intelligence, by the one party, and allowed no credit for his candour by the other!—so little encouragement is there ever to write contemporary history in a manly and upright spirit. The compensation is, that, when it is done in spite of those discouragements, the just and impartial will give it a proportional share of their admiration and applause—and that their number, which is always greater than it appears to be, may be safely reckoned on as perpetually on the increase, as the events which disturb ordinary judgments sink gradually into distance and obscurity—and that such a history of recent events is, of all human productions, the best calculated to enlighten the public mind on the points where light is most wanted—and both to narrow the reign of faction, and, in spite of themselves, to warn, and soften, and approximate the very parties whom its freedom had at first most offended.

Even from the little we have now said, it may probably be gathered, that we consider the public or political part of the work before us as of more interest than the personal or literary—and such is undoubtedly our opinion. Take it altogether, there is nothing very attractive, we think, nothing very valuable or instructive, in the personal history of Sheridan:—not much that it can be gratifying to any one to see recorded—and not a little which it would be pleasant for most people to be allowed to forget. We cannot say that we care much about his family history, discomforts, or alliances,—and certainly think it time that the ferocious duels and fraternal rivalries, which paved the way to his first marriage, should at length be buried in oblivion. Still less interest, if possible, can we now feel in the detail of his expedients and proceedings as a shareholder or manager of one of the Theatres;—and least of all can we be gratified by the sad story of his improvidence and pecuniary embarrassments—the questionable shifts to which he sometimes descended to relieve them, or the lamentable excesses in which he sometimes tried to drown their recollection. Must the private failings of a public man be recorded, along with his services, for ever? Must the errors and weaknesses

of a man of genius be remembered as long as his writings? Let him rest at last in his grave! A biographer, we are aware, cannot avoid touching on such themes:—and, while many of them are invested with adventitious interest by the graces of Mr Moore's pen, it is but fair to say that, in our humble judgment, he has treated the whole of these delicate matters with equal tenderness and truth. But the mischief is, that their mere discussion is apt to excite that depraved appetite for slander, which is the disgrace of the age in which we live, and to set in motion the malignant industry of the many who are ever ready to pander to it, either for the gratification of party rancour, or the baser purposes of gain.

The literary career of Sheridan has a better claim to notice, no doubt, than his private history. But though it was brilliant, it was short; and closed indeed at so early a period of his existence, that long before the end of his own life, his place might be considered as ultimately fixed among the Immortals, and the public opinion as finally made up on the character and merit of his productions. There are three things chiefly remarkable in their history. First, the author's great idleness and apparent dislike to study in his boyhood; secondly, the singularly early age at which his most finished performances were given to the world; and, lastly, the extraordinary care and laborious preparation with which even the most lively of his sallies are said to have been occasionally produced. As to the first, it seems quite true that he laboured as little as possible at Greek and Latin; and throughout life he seems to have been equally averse from all irksome and ungrateful application. But Dr Parr has recorded that his mind was even then eminently active;—and the fact of his having made various attempts at poetical and dramatic composition while at school, is evidence enough that he did not even then neglect the study of his native literature—which we have no doubt was then looked upon, at Harrow, as very deplorable idleness. The fact of 'The Rivals' having been produced in the 23d, and 'The School for Scandal' in the 26th year of his age, is a great deal more extraordinary; and incapable of being explained upon any ordinary principles. The *gayety* of Comedy may be congenial perhaps to the spirit of youth—but its *satire*, and the knowledge of character and manners, by which alone its loftier flights can be sustained, seem, more than any other kind of composition, to require the aids of observation and reflection. Mr Moore, we think, only accumulates occasions of wonder, by the instances and observations he has suggested in the following passage—

'As this species of composition seems, more, perhaps, than any other,

to require that knowledge of human nature and the world which experience alone can give, it seems not a little extraordinary that nearly all our first-rate comedies should have been the productions of very young men. Those of Congreve were all written before he was five-and-twenty. Farquhar produced the Constant Couple in his two-and-twentieth year, and died at thirty. Vanbrugh was a young ensign when he sketched out the Relapse and the Provoked Wife, and Sheridan crowned his reputation with the School for Scandal at six-and-twenty.

'It is, perhaps, still more remarkable to find, as in the instance before us, that works which, at this period of life, we might suppose to have been the rapid offspring of a careless, but vigorous fancy—anticipating the results of experience by a sort of second-sight inspiration—should, on the contrary, have been the slow result of many and doubtful experiments, gradually unfolding beauties unforeseen even by him who produced them, and arriving, at length, step by step, at perfection. That such was the tardy process by which the School for Scandal was produced, will appear from the first sketches of its plan and dialogue, which I am here enabled to lay before the reader, and which cannot fail to interest deeply all those who take delight in tracing the alchemy of genius, and in watching the first slow workings of the menstruum, out of which its finest transmutations arise.'

The last remark leads to the charge we have already noticed, of the extraordinary labour with which all his good things were prepared, and patiently worked up to perfection. There has been, we suspect, a good deal of exaggeration about this; and even Mr Moore has perhaps contributed to give an impression of his author's habitual study and dependence on long preparation, considerably stronger than the true state of the case would authorize. He, who was for thirty years the most brilliant talker—the greatest conversational wit of the splendid circle in which he moved—could not possibly have been a man to whom preparation was generally necessary in order to shine; and cannot be suspected of having had a cold or sluggish fancy, which did not give its golden harvests till it was diligently laboured and manured. His conceptions, on the contrary, seem always to have flowed from him with great copiousness and rapidity. But he had taste as well as genius—and ambition as well as facility. He was not always satisfied with the first suggestions of his mind: but his labour was almost always employed, not in making what was bad, tolerable,—but in making what was good, better, and best. It was on the favourites of his fancy that he lavished his cares—and their object uniformly was, to improve beauties rather than remove defects. It was when he was captivated with his spontaneous thoughts, and not when he was dissatisfied with them, that he elaborated their expression, and took pains to bring them out with every advantage of diction and

collocation. He dallied fondly with the ideas of which he was most proud, and employed himself very patiently in polishing the diamonds which had been brought to light by the richness of his native vein. This is quite a different kind of work from that of a drudge, who can do nothing extempore; and is perfectly consistent with the character, not only of a prompt and ready genius, but of a man generally impatient of study or application, and really incapable of succeeding in those pursuits in which study and application are indispensable. The one is like the labour by which wealth is anxiously acquired:—the other, like that by which it is spent with taste or magnificence. Sheridan had all his rich materials from the spontaneous bounty of Nature: his only care was to arrange and display them to advantage;—and when a man is once in love with a thought, he is not apt to grudge the time spent in dressing it with all the splendour and exactness he can afford. Nothing, accordingly, is more common than instances of this elaboration, in individuals the farthest removed from all suspicion of slowness or penury of invention. Ariosto, the most original and prolific of the Continental poets, is said to have written the first stanza of his Orlando ten or twelve times over;—and the same daring and ready hands that covered the Roman frescoes with their swift and unchangeable creations, have left innumerable traces of the minutest labour and most fastidious corrections, in the finishing of other works, over which, in a different mood, it was their pleasure, or their fancy, to linger.

But though we think these little fits of irregular industry—this occasional polishing and pointing of favourite sentences—to be no impeachment either of his natural fertility, or his habitual indolence, we are inclined to hold that no small part of his success, as a comic dramatist, may be referred to the union of these two undoubted traits in his intellectual character. The natural bent of his genius was plainly to splendid and glaring imagery;—and if it had been fostered by serious study or scholastic discipline, would probably have led to the adoption of a florid, lofty, and perhaps bombastic style—extremely remote, at all events, from the colloquial familiarity which is indispensable to the diction, or even the existence of Comedy. His social habits, however, and indolent disposition, corrected this propensity; and though it broke out occasionally, to the last, in his more ambitious efforts, it was, on the whole, so tempered and subdued by the effects of his gay and idle life, as merely to lend force and originality to the lighter effusions of his fancy. If the peculiarities of his style were to be strictly analyzed, its chief merit, we are persuaded, would be found to arise from the union or balance of these opposite qualities. He was the

most imaginative of the familiar writers of his day, and the most familiar of the imaginative:—and it was this happy combination that enabled him to excel almost all his competitors in the department of polite comedy. Many dramatists before him had a loftier fancy and a bolder vein of invention; and several were at least his equals, as mere imitators of the ease and sprightliness of actual conversation. But we know none in whom both attributes were ever so happily blended:—and we cannot but think, whatever else it deprived us of, that we owe the best charm of his comedies to those indolent and social propensities, which fought so fatally in other respects against the higher tendencies of his nature.

It would be something of the latest to engage now in a critique on the Rivals or the School for Scandal; and it would be useless. The public and general judgment is right; both in the very high rank it has assigned to these pieces, and in the exceptions with which it has qualified its praise. They are all over sparkling with wit, and alive with character; and nothing, so much better in its substance than the real conversation of polite society, ever came so near it, in manner. But there is too much merely ornamental dialogue, and, with some very fine theatrical situations, too much intermission in the action and business of the play; and, above all, there is too little real warmth of feeling, and too few indications of noble or serious passion thoroughly to satisfy the wants of English readers and spectators —even in a comedy. Their wit is the best of them:—and we do not mean to deny that it is both genuine and abundant. But it is fashioned rather too much after one pattern; and resolved too often into studied comparisons, and ludicrous and ingenious similes. There is a degree of monotony in this; and its very condensation gives it something of a quaint, elaborate, and ostentatious air. The good things are all detached, and finished, and independent, each in itself; and, accordingly, they do not inform the style with a diffusive splendour, such as the sun sheds on a fine landscape, but sparkle in their separate spheres, more in the manner of nightly illuminations in a luxurious city. It is but a forked and jagged lightning, compared to the broad flashes of Shakespeare, that kindle the whole horizon with their wide and continuous blaze! It is not fair, perhaps, to name that mighty name, in estimating the merits of any other writer. But, since it is done, it may serve still farther to illustrate what we mean, if we add, that, where Sheridan resembles him at all in his wit and humour, it is rather in the ostentatious and determined pleasantries of such personages as Mercutio or Benedict, than in the rich and redundant inventions of Falstaff, the light-hearted gayety of Rosalind, the jollity of Sir

Toby, or the inexhaustible humours and fancies of his clowns, fairies, fools, constables, serving-men and justices. What a variety! what force, what facility,—and how little depending on point, epigram, or terseness of expression!

Mr Moore has made many excellent observations on these great works of his author; and we do not know very well why we have not given them to our readers, instead of our own, except that they would necessarily have been longer. We must make room, however, for the following admirable remarks on the *moral* tendency of the School for Scandal.

'A more serious charge has been brought against it on the score of morality, and the gay charm thrown around the irregularities of Charles is pronounced to be dangerous to the interests of honesty and virtue. There is no doubt that, in this character, only the fairer side of libertinism is presented,—that the merits of being in debt are rather too fondly insisted upon, and with a grace and spirit that might seduce even creditors into admiration. It was, indeed, playfully said, that no tradesman who applauded Charles could possibly have the face to dun the author afterwards. In looking, however, to the race of rakes that had previously held possession of the stage, we cannot help considering our release from the contagion of so much coarseness and selfishness to be worth even the increased risk of seduction that may have succeeded to it; and the remark of Burke, however questionable in strict ethics, is, at least, true on the stage—that "vice loses half its evil by losing all its grossness."

'It should be recollected, too, that, in other respects, the author applies the lash of moral satire very successfully. That group of slanderers who, like the Chorus of the Eumenides, go searching about for their prey with "eyes that drop poison," represent a class of persons in society who richly deserve such ridicule, and who—like their prototypes in Æschylus trembling before the shafts of Apollo—are here made to feel the full force of the archery of wit. It is, indeed, a proof of the effect and use of such satire, that the name of "Mrs Candour" has become one of those formidable by-words, which have more power in putting folly and ill-nature out of countenance, than whole volumes of the wisest remonstrance and reasoning.

'The poetical justice exercised upon the Tartuffe of sentiment, Joseph, is another service to the cause of morals, which should more than atone for any dangerous embellishment of wrong, that the portraiture of the younger brother may exhibit. Indeed, though both these characters are such as the moralist must visit with his censure, there can be little doubt to which we should, in real life, give the preference.—The levities and errors of the one, arising from warmth of heart and of youth, may be merely like those mists that exhale from summer streams, obscuring them awhile to the eye, without affecting the native purity of their waters; while the hypocrisy of the other is like the *mirage* of the desert, shining with promise on the surface, but all false and barren beneath.'

The most curious part, however, of Mr Moore's history of

this famous comedy, is that in which he exhibits, by copious extracts from the original manuscripts in his possession, the many great changes and signal improvements it received, in its progress through the patient and skilful hands of its author. It is of course impossible for us to give any adequate specimens of those interesting variations:—and, indeed, they cannot be perused with full advantage, without having the finished copy to refer to;—and we hope, therefore, that Mr Moore will print, or allow them to be printed, in a new edition of the play itself—where the whole course and order of the changes and additions may be at once under the reader's eye, and the original and improved form of the different portions of the work may be conveniently compared. At present, we can only afford to copy the remarks with which he concludes this branch of the publication.

'To trace even the mechanism of an author's style through the erasures and alterations of his rough copy, is, in itself, no ordinary gratification of curiosity; but it is still more interesting to follow thus the course of a writer's thoughts—to watch the kindling of new fancies as he goes—to accompany him in his change of plans, and see the various vistas that open upon him at every step. It is, indeed, like being admitted by some magical power, to witness the mysterious processes of the natural world—to see the crystal forming by degrees round its primitive nucleus, or observe the slow ripening of

"the imperfect ore,
"And know it will be gold another day!"

'In respect of mere style, too, the workmanship of so pure a writer of English as Sheridan is well worth the attention of all who would learn the difficult art of combining ease with polish, and being, at the same time, idiomatic and elegant. There is not a page of these manuscripts that does not bear testimony to the fastidious care with which he selected, arranged, and moulded his language, so as to form it into that transparent channel of his thoughts, which it is at present.

'His chief objects in correcting were to *condense* and *simplify*—to get rid of all unnecessary phrases and epithets, and, in short, to strip away from the thyrsus of his wit every leaf that could render it less light and portable. One instance out of many will show the improving effect of these operations. The following is the original form of a speech of Sir Peter's:—

"People, who utter a tale of scandal, knowing it to be forged, deserve the pillory more than for a forged bank-note. They can't pass the lie without putting their names on the back of it. You say no person has a right to come on you because you didn't invent it; but you should know that, if the drawer of the lie is out of the way, the injured party has a right to come on any of the indorsers."

'When this is compared with the form in which the same thought is put at present, it will be perceived how much the wit has gained in lightness and effect by the change:—

" *Mrs Candour*. But sure you would not be quite so severe on those who only report what they hear?

" *Sir P*. Yes, madam, I would have Law-merchant for them too; and in all cases of slander currency, whenever the drawer of the lie was not to be found, the injured party should have a right to come on any of the indorsers."

By far the most remarkable chapter, however, in the literary part of the book, is that entitled 'Unfinished Plays and 'Poems,' in which Mr Moore has gratified his readers with a variety of very curious and interesting extracts from his author's papers, that have never hitherto seen the light. Many of those, as it appears to us, have very great merit, and deserve to be recorded as fragments of a master's hand—and all have considerable value, as illustrating the character of the author's genius, and his habits of composition. There is a sketch of a drama founded on the Vicar of Wakefield, bearing date so early as the author's seventeenth year. There are also three acts of another drama, or opera, of a very wild and fantastic nature—about outlaws, hermits, and imprisoned damsels—from which more extracts are here given than we think worthy of preservation—though some of the songs are pretty. The date of this performance is uncertain; but it undoubtedly belongs also to the period of his early youth. There are, besides, some fragments of another opera, called 'The Foresters,' which seems to have been intended as an improvement on the preceding—and never to have been carried very far. But by far the most curious and valuable of these posthumous treasures are the fragments, or loose materials rather, for a Comedy on Affectation—on which the author appears to have bestowed more than usual thought and reflection.

'In this projected comedy,' says Mr Moore, 'he does not seem to have advanced as far as even the invention of the plot or the composition of a single scene. The memorandum book alluded to—on the first leaf of which he had written in his neatest hand (as if to encourage himself to begin) "Affectation"—contains, besides the names of three of the intended personages, Sir Babble Bore, Sir Peregrine Paradox, and Feignwit, nothing but unembodied sketches of character, and scattered particles of wit, which seem waiting, like the imperfect forms and seeds in chaos, for the brooding of genius to nurse them into system and beauty.

'The reader will not, I think, be displeased at seeing some of these curious materials here. They will show that in this work, as well as in the School for Scandal, he was desirous of making the vintage of his wit as rich as possible, by distilling into it every drop that the collected fruits of his thought and fancy could supply. Some of the jests are far-fetched, and others, perhaps, abortive—but it is pleasant to track him in his pursuit of a point, even when he misses. The very failures of a man of real wit are often more delightful than the best successes of others—the quicksilver, even in escaping from his grasp, shines; "It still eludes him, but it glitters still."

There are a prodigious number of smart sayings, and not a few very clever thoughts in those singular memoranda—though almost all affording examples of that studied and epigrammatic turn which we have already noticed as infecting much of Sheridan's wit with a cast of mannerism. We cannot deprive our readers of the gratification of some extracts from this newly discovered hoard of pleasantry. The following are very lively sketches of character, of which much might have been made in action.

"One who changes sides in all arguments the moment any one agrees with him.—An irresolute arguer, to whom it is a great misfortune that there are not *three* sides to a question—a libertine in argument; conviction, like enjoyment, palls him, and his rakish understanding is soon satiated with truth—more capable of being faithful to a paradox—'I love truth as I do my wife; but sophistry and paradoxes are my mistresses—I have a strong domestic respect for her, but for the other the passion due to a mistress.'—One, who agrees with every one, for the pleasure of speaking their sentiments for them—so fond of talking that he does not contradict only because he can't wait to hear people out.—A tripping casuist, who veers by others breath, and gets on to information by tacking between the two sides—like a hoy, not made to go straight before the wind.—The more he talks, the farther he is off the argument, like a bowl on a wrong bias.'

"Then I hate to see one, to whom heaven has given real beauty, settling her features at the glass of fashion; while she speaks, not thinking so much of what she says as how she looks, and more careful of the action of her lips than of what shall come from them.—A pretty woman studying looks, and endeavouring to recollect an ogle, like Lady ———, who has learned to play her eyelids like Venetian blinds.

"A true trained wit lays his plan like a general—foresees the circumstances of the conversation—surveys the ground and contingencies—detaches a question to draw you into the palpable ambuscade of his ready-made joke.

"A man intriguing, only for the reputation of it—He says to his confidential servant: 'Who am I in love with now?'—'The newspapers give you so and so—you are laying close siege to Lady L. in the Morning Post, and have succeeded with Lady G. in the Herald—Sir F. is very jealous of you in the Gazetteer.'—'Remember to-morrow, the first you do, to put me in love with Mrs C.'—'I forgot to forget the billet-doux at Brooks's.'—By the bye, an't I in love with you?'—'Lady L. has promised to meet me in her carriage to-morrow—where is the most public place?'—'You were rude to her!'—'Oh no, upon my soul, I made love to her directly.'—An old man, who affects intrigue, and writes his own reproaches in the Morning Post—trying to scandalize himself into the reputation of being young, as if he could obscure his age by blotting his character—though never so little candid as when he's abusing himself.

" He certainly has a great deal of fancy and a very good memory; but with a perverse ingenuity he employs these qualities as no other person does—for he employs his fancy in his narratives, and keeps his recollections for his wit—when he makes his jokes you applaud the accuracy of his memory, and 'tis only when he states his facts, that you admire the flights of his imagination."

" *Lady Clio.* 'What am I reading?'—'have I drawn nothing lately?—is the work-bag finished?—how accomplished I am!—has the man been to untune the harpsichord?—does it look as if I had been playing on it?—'Shall I be ill to day?—shall I be nervous!'—'Your La'ship was nervous yesterday.'—'Was I?—then I'll have a cold—I haven't had a cold this fortnight—a cold is becoming—no—I'll not have a cough; that's fatiguing—I'll be quite well.'—'You become sickness—your La'ship always looks vastly well when you're ill.'—'Leave the book half read and the rose half finished—you know I love to be caught in the fact.'

" One who knows that no credit is ever given to his assertions has the more right to contradict his words.—He goes the western circuit, to pick up all small fees and impudence.'

The following profusion of imagery, on a fat woman and her lean husband, give a great idea of the author's fertility, and powers of ludicrous illustration—while they exemplify very strongly his tendency to condense all his best hits into ingenious, though rather far-fetched comparisons.

" A fat woman trundling into room on castors—in sitting can only *lean* against her chair—rings on her fingers, and her fat arms strangled with bracelets, which belt them like corded brawn—rolling and heaving when she laughs, with the rattles in her throat, and a most apoplectic ogle!—you wish to draw her out, as you would an opera glass.

" A long lean man, with all his limbs rambling—no way to reduce him to compass, unless you could double him like a pocket rule—with his arms spread, he'd lie on the bed of Ware like a cross on a Good Friday bun—standing still, he is a pilaster without a base—he appears rolled out or run up against a wall—so thin, that his front face is but the moiety of a profile—if he stands cross-legged, he looks like a caduceus, and put him in a fencing attitude, you would take him for a piece of chevaux-de-frise—to make any use of him, it must be as a spontoon or a fishing rod—when his wife's by, he follows like a note of admiration—see them together, one's a mast, and the other all hulk—she's a dome and he's built like a glass-house—when they part, you wonder to see the steeple separate from the chancel, and were they to embrace, he must hang round her neck like a skein of a thread on a lace-maker's bolster—to sing *her* praise you should choose a rondeau, and to celebrate *him* you must write all Alexandrines."

Of his Poetical relics there is less to be said. His youthful verses are weak—and those of his maturer age chiefly remarkable for point and personality. He seems to have sketched some epilogues, and other occasional pieces, fragments of which

of considerable merit are here given by Mr Moore;—for example—

" The Campus Martius of St James's Street,
Where the bear's cavalry pace to and fro,
Before they take the field in Rotten Row;
Where Brooks's Blues and Weltze's Light Dragoons
Dismount in files, and ogle in platoons."

' He had also begun another Epilogue, directed against female gamesters, of which he himself repeated a couplet or two to Mr Rogers a short time before his death, and of which there remain some few scattered traces among his papers:—

" A night of fretful passion may consume
All that thou hast of beauty's gentle bloom,
And one distemper'd hour of sordid fear
Print on thy brow the wrinkles of a year.
Ungrateful blushes and disorder'd sighs,
Which love disclaims nor even shame supplies.
* * * * *
Gay smiles, which once belong'd to mirth alone,
And starting tears, which pity dares not own."

' Some verses, of a mixed character, on the short duration of life and the changes that death produces, thus begin:—

" Of that same tree which gave the box,
Now rattling in the hand of FOX,
Perhaps his coffin shall be made.—"

' He then rambles into prose, as was his custom, on a sort of knight-errantry after thoughts and images:—" The lawn thou hast chosen for thy bridal shirt—thy shroud may be of the same piece. That flower thou hast bought to feed thy vanity—from the same tree thy corpse may be decked. Reynolds shall, like his colours, fly; and Brown, when mingled with the dust, manure the grounds he once laid out. Death is life's second childhood; we return to the breast from whence we came, are weaned, * * *"

' An " Address to the Prince," on the exposed style of women's dress, consists of little more then single lines, not yet wedded into couplets; such as—" The more you show, the less we wish to see."—" And bare their bodies, as they mask their minds," &c. This poem, however, must have been undertaken many years after his entrance into Parliament, as the following curious political memorandum will prove:—" I like it no better for being from France—whence all ills come—altar of liberty, begrimed at once with blood and mire."

' There are also some Anacreontics—lively, but boyish and extravagant. For instance, in expressing his love of bumpers:—

" Were mine a goblet that had room
For a whole vintage in its womb,
I still would have the liquor swim
An inch or two above the brim."

' A poem on the miseries of a literary drudge begins thus promisingly:—

"Think ye how dear the sickly meal is bought,
By him who works at verse and trades in thought?"

'The rest is hardly legible; but there can be little doubt that he world have done this subject justice;—for he had himself tasted of the bitterness with which the heart of a man of genius overflows, when forced by indigence to barter away (as it is here expressed) "the reversion of his thoughts," and

"Forestall the blighted harvest of his brain."

These are interesting recollections, undoubtedly. But the business of the author's life was Politics—and, it is beyond all doubt, in their political discussions that the value and importance of the volumes before us substantially consist. Nothing can be better than the following short notice of the character of that lofty and agitating scene upon which his hero was to enter on his accession to Parliament in 1780.

'The period at which Mr Sheridan entered upon his political career was, in every respect, remarkable. A persevering and vindictive war against America, with the folly and guilt of which the obstinacy of the Court and the acquiescence of the people are equally chargeable, was fast approaching that crisis, which every unbiassed spectator of the contest had long foreseen,—and at which, however humiliating to the haughty pretensions of England, every friend to the liberties of the human race rejoiced. It was, perhaps, as difficult for this country to have been long and virulently opposed to such principles as the Americans asserted in this contest, without being herself corrupted by the cause which she maintained, as it was for the French to have fought, in the same conflict, by the side of the oppressed, without catching a portion of that enthusiasm for liberty, which such an alliance was calculated to inspire. Accordingly, while the voice of Philosophy was heard along the neighbouring shores, speaking aloud those oracular warnings which preceded the death of the Great Pan of Despotism, the courtiers and lawyers of England were, with an emulous spirit of servility, advising and sanctioning such strides of power, as would not have been unworthy of the most dark and slavish times.

'When we review, indeed, the history of the late reign, and consider how invariably the arms and councils of Great Britain in her Eastern wars, her conflict with America, and her efforts against revolutionary France, were directed to the establishment and perpetuation of despotic principles, it seems little less than a miracle that her own liberty should have escaped with life from the contagion. Never, indeed, can she be sufficiently grateful to the few patriot spirits of this period, to whose courage and eloquence she owes the high station of freedom yet left to her;—never can her sons pay a homage too warm to the memory of such men as a Chatham, a Fox, and a Sheridan; who, however much they may have sometimes sacrificed to false views of expediency, and, by compromise with friends and coalition with foes, too often weakened their hold upon public confidence; however the attraction of the Court may have sometimes made them librate in their orbit, were yet the sav-

ing lights of Liberty in those times, and alone preserved the ark of the Constitution from foundering in the foul and troubled waters that encompassed it.'

It is well known that Sheridan's first appearances on this great theatre were of doubtful promise. His opening speech was in support of his own election—and was more warm than judicious.

'It was on this night, as Woodfall used to relate, that Mr Sheridan, after he had spoken, came up to him in the gallery, and asked, with much anxiety, what he thought of his first attempt. The answer of Woodfall, as he had the courage afterwards to own, was, "I am sorry to say I do not think that *this* is your line—you had much better have stuck to your former pursuits." On hearing which, Sheridan rested his head upon his hand for a few minutes, and then vehemently exclaimed, "It is in me, however, and, by G——, it shall come out."

'It appears, indeed, that upon many persons besides Mr Woodfall, the impression produced by this first essay of his oratory was far from answerable to the expectations that had been formed. The chief defect remarked in him was a thick and indistinct mode of delivery, which, though he afterwards greatly corrected it, was never entirely removed.'

For two years after, he spoke little; and always shortly and simply—without pretension, and consequently without the hazard of conspicuous failure. He used at this time to write out pretty fully the speeches he intended to deliver—and Mr Moore informs us, that at first they were regularly engrossed into 'the same sort of copy-books which he used for the 'rude drafts of his plays.'

The abandonment of the American war, the resignation of Lord North, and the consequent formation of the Rockingham administration, are noticed with the brevity which their general notoriety required. But the constitution and fate of that short-lived administration draw from Mr Moore some very important remarks.

'Whiggism,' he ingeniously observes, 'is a sort of political Protestantism, and pays a similar tax for the freedom of its creed, in the multiplicity of opinions which that very freedom engenders—while true Toryism, like Popery, holding her children together by the one common doctrine of the infallibility of the Throne, takes care to repress any schism inconvenient to their general interest, and keeps them, at least for all intents and purposes of place-holding, unanimous.'

Of the Rockingham Ministry itself he afterward observes, that—

'During the four months of its existence, it did more perhaps for the principles of the Constitution, than any one administration that England had seen since the Revolution. They were betrayed, it is true, into a few awkward overflowings of loyalty, which the rare access of Whigs to the throne may at once account for and excuse;—and Burke, in particular, has left us a specimen of his taste for extremes, in that burst of

optimism with which he described the king's message, as "the best of messages to the best of people from the best of kings." But these first effects of the atmosphere of a court, upon heads unaccustomed to it, are natural and harmless—while the measures that passed during that brief interval, directed against the sources of Parliamentary corruption, and confirmatory of the best principles of the Constitution, must ever be remembered to the honour of the party from which they emanated. The exclusion of contractors from the House of Commons—the disqualification of revenue-officers from voting at elections—the disfranchisement of corrupt voters at Cricklade, by which a second precedent was furnished towards that plan of gradual Reform, which has, in our own time, been so forcibly recommended by Lord John Russell—the diminution of the patronage of the Crown, by Mr Burke's celebrated Bill—the return to the old constitutional practice of making the revenues of the Crown pay off their own incumbrances, which salutary principle was again lost in the hands of Mr Pitt—the atonement at last made to the violated rights of electors, by the rescinding of the resolutions relative to Wilkes—the frank and cordial understanding entered into with Ireland, which identifies the memory of Mr Fox and this ministry with the only *oäsis* in the whole desert of Irish history—so many and such important recognitions of the best principles of Whiggism, followed up, as they were, by the Resolutions of Lord John Cavendish at the close of the Session, pledging the ministers to a perseverance in the same task of purification and retrenchment, give an aspect to this short period of the annals of the late reign, to which the eye turns for relief from the arbitrary complexion of the rest; and furnish us with, at least, *one* consoling instance, where the principles professed by statesmen, when in opposition, were retained and sincerely acted upon by them in power.'

His remarks upon the Coalition of Mr Fox and Lord North, in 1783, are full of candour and good sense: and we gladly make room for a large part of them—not merely on account of their intrinsic value, but as exemplifying in an eminent degree the fair, courageous, and truly historical spirit in which the whole work is composed.

'At the commencement of the following session,' he observes, 'that extraordinary Coalition was declared, which had the ill-luck attributed to the conjunction of certain planets, and has shed an unfavourable influence over the political world ever since.'

And a little after—

'To the general principle of Coalitions, and the expediency and even duty of forming them, in conjunctures that require and justify such a sacrifice of the distinctions of party, no objection, it appears to me, can rationally be made by those who are satisfied with the manner in which the Constitution has worked, since the new modification of its machinery introduced at the Revolution. The Revolution itself was, indeed, brought about by a Coalition, in which Tories, surrendering their doctrines of submission, arrayed themselves by the side of Whigs, in defence of their common liberties. Another Coalition, less important in its object and effects, but still attended with results most glorious to the country, was

that which took place in the year 1757, when, by a union of parties from whose dissension much mischief had flowed, the interests of both king and people were reconciled, and the good genius of England triumphed at home and abroad.

'On occasions like these, when the public liberty or safety is in peril, it is the duty of every honest statesmen to say, with the Roman, "*Non me impedient privatæ offensiones, quo minus pro republicæ salute etiam cum inimicissimo consentiam.*" Such cases, however, but rarely occur; and they have been in this respect, among others, distinguished from the ordinary occasions, on which the ambition or selfishness of politicians resorts to such unions, that the voice of the people has called aloud for them in the name of the public weal; and that the cause round which they have rallied has been sufficiently general, to merge all party titles in the one undistinguishing name of Englishman. By neither of these tests can the junction between Lord North and Mr Fox be justified. The people at large, so far from calling for this ill-omened alliance, would on the contrary—to use the language of Mr Pitt—have "forbid the banns;" and though it is unfair to suppose that the interests of the public did not enter into the calculations of the united leaders, yet, if the real watchword of their union were to be demanded of them in "the Palace of Truth," there can be little doubt that the answer of each would be, distinctly and unhesitatingly, "Ambition."

'It has been truly said of Coalitions, considered abstractedly, that such a union of parties, when the public good requires it, is to be justified on the same grounds on which party itself is vindicated. But the more we feel inclined to acknowledge the utility of party, the more we must dread and deprecate any unnecessary compromise, by which a suspicion of unsoundness may be brought upon the agency of so useful a principle—the more we should discourage, as a matter of policy, any facility in surrendering those badges of opinion, on which the eyes of followers are fondly fixed, and by which their confidence and spirit are chiefly kept alive.

'"Court and country," says Hume, "which are the genuine offspring of the British government, are a kind of mixed parties, and are influenced both by principle and by interest. The heads of the factions are commonly most governed by the latter motive; the inferior members of them by the former." Whether this be altogether true or not, it will, at least, without much difficulty be conceded, that the lower we descend in the atmosphere of party, the more quick and inflammable we find the feeling that circulates through it. Accordingly, actions and professions, which, in that region of indifference, high life, may be forgotten as soon as done or uttered, become recorded as pledges and standards of conduct, among the lower and more earnest adherents of the cause; and many a question, that has ceased to furnish even a jest in the drawing-rooms of the great, may be still agitated, as of vital importance, among the humbler and less initiated disputants of the party. Such being the tenacious nature of partisanship, and such the watch kept upon every movement of the higher political bodies, we can well imagine what a portent it must appear to distant and unprepared observers, when the stars to which they trusted for guidance are seen to "shoot madly from their

spheres," and not only lose themselves for the time in another system, but unsettle all calculations with respect to their movements for the future.

'If, indeed, in that barter of opinions and interests, which must necessarily take place in Coalitions between the partisans of the People and of the Throne, the former had any thing like an equality of chance, the mere probability of thus gaining any concessions in favour of freedom might justify to sanguine minds the occasional risk of the compromise. But it is evident that the result of such bargains must generally be to the advantage of the Crown—the alluvions of power all naturally tend towards that shore. Besides, where there are places as well as principles to be surrendered on one side, there must in return be so much more of principles given up on the other, as will constitute an equivalent to this double sacrifice. The centre of gravity will be sure to lie in that body, which contains within it the source of emoluments and honours, and the other will be forced to revolve implicitly round it.'

The account of Mr Fox's India Bill, and his consequent removal from office, is given with equal brevity and spirit. But too little, we humbly conceive, is said of the extraordinary interference of the Sovereign with the deliberations of the Upper House, and of the perilous experiment which was afterwards made, of retaining a ministry in office for upwards of four months, in the face of reiterated resolutions and addresses of the House of Commons for their removal. No such thing, we are persuaded, would now be ventured on, in any conceivable emergency: and these portentous measures deserve therefore to be conspicuously recorded, as the last expiring efforts of the principle of governing by prerogative, or the marked and direct exercise of the royal authority, which seems no longer to be recognised as a practical element in the Constitution. It is obvious, indeed, on the slightest reflection, that such an open array of hostility—such an unsoftened collision of the great powers of the State, would lead, on any question of vital importance, to nothing less than the actual dissolution of the government: and accordingly, it is well known that, in this desperate, and, we trust, final conflict, the Commons distinctly intimated their purpose of withholding the supplies, while the Sovereign actually contemplated a virtual abdication of the throne, and a retreat to his Continental dominions! *

But if Mr Moore has said less than he might have done on this very marking passage of our recent story, his remarks on the connexion between the Heir-apparent and the Whig Opposition are full of that dignified impartiality and practical wisdom, for which a poet and a satirist is so little apt to get credit.

'The Whigs,' he observes, 'who had now every reason to be convinced of the aversion with which they were regarded at court, had lately been, in some degree, compensated for this misfortune by the ac-

* See Bishop Tomlins's Life of Pitt, p. 253, vol. i.

cessio to their party of the Heir Apparent, who had, since the year 1783, been in the enjoyment of a separate establishment, and taken his seat in the House of Peers as Duke of Cornwall. That a young prince, fond of pleasure and impatient of restraint, should have thrown himself into the arms of those who were most likely to be indulgent to his errors, is nothing surprising, either in politics or ethics. But that mature and enlightened statesmen, with the lessons of all history before their eyes, should have been equally ready to embrace such a rash alliance, or should count upon it as any thing more than a temporary instrument of faction, i. e. to say the least of it, one of those self-delusions of the wise, which show how vainly the voice of the Past may speak amid the loud appeals and temptations of the Present. The last Prince of Wales, it is true, by whom the popular cause was espoused, had left the lesson imperfect, by dying before he came to the throne. But this deficiency has since been amply made up; and future Whigs, who may be placed in similar circumstances, will have, at least, one historical warning before their eyes, which ought to be enough to satisfy the most unreflecting and credulous.

'In some points, the breach that now took place between the Prince and the King, bore a close resemblance to that which had disturbed the preceding reign. In both cases, the Royal parents were harsh and obstinate—in both cases, money was the chief source of dissension—and in both cases, the genius, wit, and accomplishments of those with whom the Heir Apparent connected himself, threw a splendour round the political bond between them, which prevented even themselves from perceiving its looseness and fragility.

'In the late question of Mr Fox's India Bill, the Prince of Wales had voted with his political friends in the first division. But, upon finding afterwards that the King was hostile to the measure, his Royal Highness took the prudent step (and with Mr Fox's full concurrence) of absenting himself entirely from the second discussion, when the Bill, as it is known, was finally defeated. This circumstance, occurring thus early in their intercourse, might have proved to each of the parties in this ill-sorted alliance, how difficult it was for them to remain long and creditably united. On the one side, there was a character to be maintained with the people, which a too complacent toleration of the errors of royalty might,—and, as it happened,—*did* compromise; while, on the other side, there were the obligations of filial duty, which, as in this instance of the India Bill, made desertion decorous, at a time when co-operation would have been most friendly and desirable. There was also the perpetual consciousness of being destined to a higher station, in which, while duty would perhaps demand an independence of all party whatever, convenience would certainly dictate a release from the restraints of Whiggism.'

In the middle of all these grave and important matters, Mr Moore cannot resist stopping to moralize on the wit and personality of the once famous Rolliad.

'Mr Rolle,' he observes, 'was one of those unlucky persons, whose destiny it is to be immortalised by ridicule, and to whom the world

owes the same sort of gratitude for the wit of which they were the butts, as the merchants did, in Sinbad's story, to those pieces of meat to which diamonds adhered.' And then adds more seriously—'The Rolliad and The Antijacobin may, on their respective sides of the question, be considered as models of that style of political satire, whose lightness and vivacity give it the appearance of proceeding rather from the wantonness of wit than of ill-nature, and whose very malice, from the fancy with which it is mixed up, like certain kinds of fireworks, explodes in sparkles. They, however, who are most inclined to forgive, in consideration of its polish and playfulness, the personality in which the writers of both these works indulged, will also readily admit that by no less shining powers can a license so questionable be either assumed or palliated, and that nothing but the lively effervescence of the draught can make us forget the bitterness infused into it. At no time was this truth ever more strikingly exemplified than at present; when a separation seems to have taken place between satire and wit, which leaves the former like the toad, *without* the "jewel in its head;" and when the hands, into which the weapon of personality has chiefly fallen, have brought upon it a stain and disrepute, that will long keep such writers as those of the Rolliad and Antijacobin from touching it again.'

The Impeachment of Mr Hastings was the occasion of Sheridan's most splendid success—and is dwelt on with proportional partiality by his biographer. Of the first and greatest speech, on moving the Impeachment, nothing like an adequate report has been preserved: But the testimonies of the most competent judges, of all parties, leave no doubt of its extraordinary merit.

'Mr Burke declared it to be "the most astonishing effort of eloquence, argument, and wit united, of which there was any record or tradition." Mr Fox said, "All that he had ever heard, all that he had ever read, when compared with it, dwindled into nothing, and vanished like vapour before the sun;"—and Mr Pitt acknowledged, "that it surpassed all the eloquence of ancient or modern times, and possessed every thing that genius or art could furnish, to agitate and controul the human mind."—'And when we recollect,' adds Mr Moore, 'the men by whom the House of Commons was at that day adorned, and the conflict of high passions and interests in which they had been so lately engaged;—when we see them all, of all parties, brought (as Mr Pitt expressed it) "under the wand of the enchanter," and only vying with each other in their description of the fascination by which they were bound;—when we call to mind, too, that he, whom the first statesmen of the age thus lauded, had but lately descended among them from a more aerial region of intellect, bringing trophies falsely supposed to be incompatible with political prowess;—it is impossible to imagine a moment of more entire and intoxicating triumph.

The greatness of the triumph cannot indeed be questioned. But doubts may well be entertained whether the speech, if it had been preserved, would have produced any thing like the same effect, on its readers at the present day, as it did at the time on its hearers; and this doubt is grounded on the infinite

disappointment with which we have perused the extracts from *the Second* great oration, in Westminster-Hall, with which Mr Moore has enriched his pages. That speech, which divided the public admiration with the former, was taken down in short-hand by Mr Gurney; and a corrected report of it from his notes was long in the hands of Mr Sheridan himself, and passed afterwards into those of his biographer. He has here selected from it, as was his duty, the most shining and remarkable passages—and yet the general impression is that of singular diffuseness, frequent commonplace, and occasional tirades of the most puerile and false eloquence. What better specimen of falsetto, for instance, could be produced from a school exercise, than this description of 'the Cherub, Innocence?'

'"You see how Truth—empowered by that will which gives a giant's nerve to an infant's arm—has burst the monstrous mass of fraud that has endeavoured to suppress it.—It calls now to your Lordships, in the weak but clear tone of that Cherub, Innocence, whose voice is more persuasive than eloquence, more convincing than argument, whose look is supplication, whose tone is conviction!—it calls upon you for redress; it calls upon you for vengeance upon the oppressor, and points its heaven-directed hand to the detested, but unrepenting author of its wrongs!"'

There is another diatribe, on Filial Affection, which appears to us as strained and mawkish as any thing we ever read in a novel by a young lady;—and it is really inconceivable to us that such bald and puny rhetoric as the following, should have been listened to with admiration, by the greatest and most fastidious auditory in the world.

'"And yet, my Lords, how can I support the claim of Filial Love by argument—much less the affection of a son to a mother—where love loses its awe, and veneration is mixed with tenderness?—Filial Love! the morality of instinct, the sacrament of nature and duty!—or rather let me say, it is miscalled a duty, for it flows from the heart without effort, and is its delight, its indulgence, its enjoyment! It is guided, not by the slow dictates of reason; it awaits not encouragement from reflection or from thought; it asks no aid of memory; it is an innate, but active, consciousness of having been the object of a thousand tender solicitudes, a thousand waking, watchful cares, of meek anxiety and patient sacrifices, unremarked and unrequited by the object. It is a gratitude founded upon a conviction of obligations, not remembered, but the more binding because not remembered,—because conferred before the tender reason could acknowledge, or the infant memory record them—a gratitude and affection, which no circumstances should subdue, and which few can strengthen,"' &c. &c.

We know very well that short-hand reporters are not to be trusted to—that passages detached from a long speech often wear a very different aspect from what they had as parts of it—and, above all, that the best words that can be *spoken* to

crowded and eager hearers, are scarcely ever the best that can be *written* for solitary and indifferent readers. But we cannot but think that all these causes must have co-operated with more than usual intensity, if a speech composed in any thing approaching to the tone of these passages did not appear eminently deficient in force, nature, or dignity. Mr Moore's reflections on the result of all these mighty denunciations are well worth extracting. But we cannot now make room for them: and indeed can only mention that, after stating, with great candour, the apologies which may be made for Mr Hastings, from the circumstances in which he was placed, he thinks himself entitled to conclude, that the revulsion of sentiment we have lately witnessed, is far less to be justified than the general reprobation to which it succeeded.

Next comes the malady of the King, and the memorable debates on the Regency. There are some curious letters, printed for the first time in this work, both as to the true state of the Royal Patient, and the negociations with Lord Thurlow—who appears to have been very willing to have joined the Prince's party, up to a very few hours before the delivering of his famous speech on the opposite side of the question. We have no thoughts of reviving at present the question as to the right of the Heir-Apparent, on which we have elsewhere (Vol. XVIII. p. 57, &c.) delivered our opinion at full length; but we cannot withhold from our readers the concluding part of Mr Moore's judgment on the more practical and important question of the restrictions on the powers of the Regent, which appears to us to contain the most masterly, judicious, and important view of the subject which has yet been offered to the public.

'On the one side,' says he, 'to sanction from authority the notion, that there are some powers of the Crown which may be safely dispensed with,—to accustom the people to an abridged exercise of the Prerogative, with the risk of suggesting to their minds that its full efficacy needs not be resumed,—to set an example, in short, of reducing the Kingly Power, which, by its success, may invite and authorize still further encroachments,—all these are dangers to which the alleged doctrine of Toryism, whenever brought into practice, exposes its idol; and more particularly in enlightened and speculative times, when the minds of men are in quest of the right and the useful, and when a superfluity of power is one of those abuses, which they are least likely to overlook or tolerate. In such seasons, the experiment of the Tory might lead to all that he most deprecates; and the branches of the Prerogative, once cut away, might, like the lopped boughs of the fir-tree, never grow again.

'On the other hand, the Whig, who asserts that the Royal Prerogative ought to be reduced to such powers as are beneficial to the people, and yet stipulates, as an invariable principle, for the transfer of that Pre-

rogative full and unimpaired, whenever it passes into other hands, appears, even more perhaps than the Tory, to throw an obstacle in the way of his own object. Circumstances, it is not denied, may arise, when the increase of the powers of the Crown, in other ways, may render it advisable to controul some of its established prerogatives. But, where are we to find a fit moment for such a reform,—or what opening will be left for it by this fastidious Whig principle, which, in 1680, could see no middle step between a change of the Succession and an undiminished maintenance of the Prerogative, and which, in 1789, almost upon the heels of a Declaration that "the power of the Crown had increased and ought to be diminished," protested against even an experimental reduction of it!

'Upon the whole, however high the authorities, by which this Whig doctrine was enforced in 1789, its manifest tendency, in most cases, to secure a perpetuity of superfluous powers to the Crown, appears to render it unfit, at least as an invariable principle, for any party professing to have the liberty of the people for their object. The Prince, in his admirable Letter upon the subject of the Regency to Mr Pitt, was made to express the unwillingness which he felt "that in his person an experiment should be made to ascertain with how small a portion of Kingly power the executive government of the country might be carried on;"—but imagination has not far to go in supposing a case, where the enormous patronage vested in the Crown, and the consequent increase of a Royal bias through the community, might give such an undue and unsafe preponderance to that branch of the Legislature, as would render any safe opportunity, however acquired, of ascertaining with *how much less* power the executive government could be carried on, most acceptable, in spite of any dogmas to the contrary, to all true lovers as well of the monarchy as of the people.

'Had the situations of the two leaders been reversed, it is more than probable that their modes of thinking and acting would have been so likewise. Mr Pitt, with the prospect of power before his eyes, would have been still more strenuous, perhaps, for the unbroken transmission of the Prerogative—his natural leaning on the side of power being increased by his own approaching share in it. Mr Fox too, if stopped, like his rival, in a career of successful administration, and obliged to surrender up the reins of the state to Tory guidance, might have found in his popular principles a still more plausible pretext for the abridgment of power in such unconstitutional hands. He might even too, perhaps, (as his India Bill warrants us in supposing), have been tempted into the same sort of alienation of the Royal patronage, as that which Mr Pitt now practised in the establishment of the Queen, and have taken care to leave behind him a strong hold of Whiggism, to facilitate the resumption of his position, whenever an opportunity might present itself. Such is human nature, even in its noblest specimens, and so are the strongest spirits shaped by the mould in which chance and circumstances have placed them!'

The celebrated letter of the Prince to Mr Pitt, the composition of which had been ascribed to so many distinguished persons, Mr Moore had almost satisfied himself proceeded

from Sheridan alone; when by an inquiry, to which he was directed by his friend Sir James Mackintosh, he at last ascertained that it was entirely the work of Burke, with a very few slight alterations by Sheridan.

It is at this period of his life that Mr Moore conceives his hero to have attained his highest point of elevation,—not merely in glory, but in personal satisfaction. The following short passage seems to us as full of fine observation, as of good sense and eloquence.

'He was just now, too, in the first enjoyment of a feeling, of which habit must have afterwards dulled the zest, namely, the proud consciousness of having surmounted the disadvantages of birth and station, and placed himself on a level with the highest and noblest of the land. This footing in the society of the great he could only have attained by Parliamentary eminence;—as a mere writer, with all his genius, he never would have been thus admitted *ad eundem* among them. Talents, in literature or science, unassisted by the advantages of birth, may lead to association with the great, but rarely to equality;—it is a passport through the well-guarded frontier, but no title to naturalisation within. By him, who has not been born among them, this can only be achieved by Politics. In that arena, which they look upon as their own, the Legislature of the land, let a man of genius, like Sheridan, but assert his supremacy,—at once all these barriers of reserve and pride give way, and he takes, by storm, a station at their side, which a Shakespeare or a Newton would but have enjoyed by courtesy.

'In fixing upon this period of Sheridan's life, as the most shining æra of his talents as well as his fame, it is not meant to be denied that, in his subsequent warfare with the Minister, during the stormy time of the French Revolution, he exhibited a prowess of oratory no less suited to that actual service, than his eloquence on the trial of Hastings had been to such lighter tilts and tournaments of peace. But the effect of his talents was far less striking;—the current of feeling through England was against him;—and, however greatly this added to the merit of his efforts, it deprived him of that echo from the public heart, by which the voice of the orator is endued with a sort of multiplied life, and, as it were, survives itself. In the panic, too, that followed the French Revolution, all eloquence, but that from the lips of Power, was disregarded, and the voice of him at the helm was the only one listened to in the storm.'

To that stormy and agitating period Mr Moore now conducts us;—and nothing, in our judgment, can be more truly impartial and comprehensive than the view he has taken of that great cause of disturbance and excess in all political opinions.

'The powerful and the rich,' he observes, 'both of State and Church, must naturally have regarded with dismay the advance of a political heresy, whose path they saw strewed over with the broken talismans of rank and authority. Many, too, with a disinterested reverence for ancient institutions, trembled to see them thus approached by rash hands, whose talents for ruin were sufficiently certain, but whose powers of reconstruc-

tion were yet to be tried. On the other hand, the easy triumph of a people over their oppressors was an example which could not fail to excite the hopes of the many as actively as the fears of the few. The great problem of the natural rights of mankind seemed about to be solved in a manner most flattering to the majority;—the zeal of the lover of liberty was kindled into enthusiasm, by a conquest achieved for his cause upon an arena so vast; and many, who before would have smiled at the doctrine of human perfectibility, now imagined they saw, in what the Revolution performed and promised, almost enough to sanction the indulgence of that splendid dream. It was natural, too, that the greater portion of that unemployed, and, as it were, homeless talent, which, in all great communities, is ever abroad on the wing, uncertain where to settle, should now swarm round the light of the new principles,—while all those obscure but ambitious spirits, who felt their aspirings clogged by the medium in which they were sunk, would as naturally welcome such a state of political effervescence, as might enable them, like enfranchised air, to mount at once to the surface.

'Amidst all these various interests, imaginations, and fears, which were brought to life by the dawn of the French Revolution, it is not surprising that errors and excesses, both of conduct and opinion, should be among the first products of so new and sudden a movement of the whole civilized world;—that the friends of popular rights, presuming upon the triumph that had been gained, should, in the ardour of pursuit, push on the vanguard of their principles, somewhat farther than was consistent with prudence and safety; or that, on the other side, Authority and its supporters, alarmed by the inroads of the revolutionary spirit, should but the more stubbornly intrench themselves in established abuses, and make the dangers they apprehended from liberty a pretext for assailing its very existence.'

This leads naturally to an account of the secession of Burke from the party to which he had hitherto been attached, and an examination of the causes which prompted him to that memorable change. Mr Moore, we have already seen, is jealous of all political recantations; but in the following splendid passage, it cannot be denied that the severity of his moral judgment is duly tempered with respect for the many eminent qualities of the individual on whom it is pronounced.

'It was rather from circumstances than from choice, or any natural affinity, that Mr Burke had ever attached himself to the popular party in politics. There was, in truth, nothing democratic about him but his origin;—his tastes were all on the side of the splendid and the arbitrary. The chief recommendation of the cause of India to his fancy and his feelings was, that it involved the fate of ancient dynasties, and invoked retribution for the downfall of thrones and princedoms, to which his imagination, always most affected by objects at a distance, lent a state and splendour that did not in reality belong to them. Though doomed to make Whiggism his habitual haunt, he took his perch at all times on its loftiest branches, as far as possible away from popular contact; and, upon most occasions, adopted a sort of Baronial view of liberty, as

rather a question lying between the Throne and the Aristocracy, than one in which the people had a right to any efficient voice or agency. Accordingly, the question of Parliamentary Reform, from the first moment of its agitation, found in him a most decided opponent.

'This inherent repugnance to popular principles became naturally heightened into impatience and disgust, by the long and fruitless warfare which he had waged under their banner, and the uniform ill success with which they had blasted all his struggles for wealth and power. Nor was he in any better temper with his associates in the cause,—having found that the ascendency, which he had formerly exercised over them, and which, in some degree, consoled him for the want of official dominion, was of late considerably diminished, if not wholly transferred to others. —He saw the party, too, who, from the moment they had ceased to be ruled by him, were associated only in his mind with recollections of unpopularity and defeat, about to adopt a line of politics which his long knowledge of the people of England, and his sagacious foresight of the consequences of the French Revolution, fully convinced him would lead to the same barren and mortifying results. On the contrary, the cause to which he proffered his alliance, would, he was equally sure, by arraying on its side all the rank, riches, and religion of Europe, enable him at length to feel that sense of power and triumph, for which his domineering spirit had so long panted in vain. In this latter hope, indeed, of a speedy triumph over Jacobinism, his temperament, as was often the case, outran his sagacity; for, while he foresaw clearly that the dissolution of social order in France would at last harden into a military tyranny, he appeared not to be aware that the violent measures which he recommended against her would not only hasten this formidable result, but bind the whole mass of the people into union and resistance during the process.

'Lastly—to these attractions, of various kinds, with which the cause of Thrones was now encircled in the eyes of Burke, must be added one, which, however it may still further disenchant our views of his conversion, cannot wholly be omitted among the inducements to his change,—and this was the strong claim upon the gratitude of government, which his seasonable and powerful advocacy in a crisis so difficult established for him, and which the narrow and embarrassed state of his circumstances rendered an object by no means of secondary importance in his views. Unfortunately,—from a delicate wish, perhaps, that the reward should not appear to come in too close coincidence with the service,—the pension bestowed upon him arrived too late to admit of his deriving much more from it than the obloquy by which it was accompanied.

'The consequence, as is well known, of the new course taken by Burke was, that the speeches and writings which he henceforward produced, and in which, as usual, his judgment was run away with by his temper, form a complete contrast, in spirit and tendency, to all that he had put on record in the former part of his life. He has, indeed, left behind him two separate and distinct armouries of opinion, from which both Whig and Tory may furnish themselves with weapons, the most splendid, if not the most highly tempered, that ever Genius and Eloquence have condescended to bequeath to Party. He has thus too, by

his own personal versatility, attained, in the world of politics, what Shakspeare, by the versatility of his characters, achieved for the world in general,—namely, such a universality of application to all opinions and purposes, that it would be difficult for any statesman of any party to find himself placed in any situation, for which he could not select some golden sentence from Burke, either to strengthen his position by reasoning, or illustrate and adorn it by fancy. While, therefore, our respect for the man himself is diminished by this want of moral identity observable through his life and writings, we are but the more disposed to admire that unrivalled genius, which could thus throw itself out in so many various directions with equal splendour and vigour. In general, political deserters lose their value and power in the very act, and bring little more than their treason to the new cause which they espouse :—

" *Fortis in armis*
Cæsaris Labienus erat ; nunc transfuga vilis."

' But Burke was mighty in either camp ; and it would have taken *two* great men to effect what he, by this division of himself, achieved. His mind, indeed, lies parted asunder in his works, like some vast continent severed by a convulsion of nature,—each portion peopled by its own Giant race of opinions, differing altogether in features and language, and committed in eternal hostility with each other. '

There is an excellent account of the public and private rupture between this great man and Mr Fox, from which we have no room to make extracts. We do not know, however, that the true ground of the distinction between our Revolution in 1688, and that upon which these illustrious friends now differed, in France, were ever so clearly stated as in the few following words of Mr Moore. ' There was, in truth, but little ' similarity between them,—the task of the former being to pre- ' serve liberty, that of the latter to destroy tyranny ; the one ' being a regulated movement of the Aristocracy against the ' Throne, for the Nation, the other a tumultuous rising of the ' whole Nation, against both for itself. '

In some parts of the following passage on the war policy of Mr Pitt, the temperate and impartial tone which is in general so steadily maintained throughout these volumes, may appear to be lost, in the ardour of an eloquent crimination : But the undeniable truth of the facts, and the singular importance of the cause, may excuse some warmth — even in an historian ; and the concluding sentences seem at all events to prove, that the author's judgment was not warped, even on this occasion, by personal or party favour.

' In judging of the policy of Mr Pitt, during the Revolutionary war, his partisans, we know, laud it as having been the means of salvation to England, while his opponents assert that it was only prevented by chance from being her ruin—and though the event gives an appearance of triumph to the former opinion, it by no means removes or even weakens the grounds of the latter. During the first nine years of his administra-

tion, Mr Pitt was, in every respect, an able and most useful minister, and, "while the sea was calm, showed mastership in floating." But the great events that happened afterwards took him by surprise. When he came to look abroad from his cabinet into the storm that was brewing through Europe, the clear and enlarged view of the higher order of statesmen was wanting. Instead of elevating himself above the influence of the agitation and alarm that prevailed, he gave way to it with the crowd of ordinary minds, and even took counsel from the panic of others. The consequence was a series of measures, violent at home and inefficient abroad—far short of the mark where vigour was wanting, and beyond it, as often, where vigour was mischievous.

'When we are told to regard his policy as the salvation of the country—when (to use a figure of Mr Dundas) a *claim of salvage* is made for him,—it may be allowed us to consider a little the nature of the measures, by which this alleged salvation was achieved. If entering into a great war without either consistency of plan, or preparation of means, and with a total ignorance of the financial resources of the enemy—if allowing one part of the Cabinet to flatter the French Royalists, with the hope of seeing the Bourbons restored to undiminished power, while the other part acted, whenever an opportunity offered, upon the plan of dismembering France for the aggrandizement of Austria, and thus, at once, alienated Prussia at the very moment of subsidizing him, and lost the confidence of all the Royalist party in France, except the few who were ruined by English assistance at Quiberon—if going to war in 1793 for the right of the Dutch to a river, and so managing it that in 1794 the Dutch lost their whole Seven Provinces—if lavishing more money upon failures than the successes of a century had cost, and supporting this profusion by schemes of finance, either hollow and delusive, like the Sinking Fund, or desperately regardless of the future, like the paper issues—if driving Ireland into rebellion by the perfidious recall of Lord Fitzwilliam, and reducing England to two of the most fearful trials, that a nation, depending upon Credit and a Navy, could encounter, the stoppage of her Bank and a mutiny in her fleet—if, finally, floundering on from effort to effort against France, and then dying upon the ruins of the last Coalition he could muster against her—if all this betokens a wise and able minister, then is Mr Pitt most amply entitled to that name;—then are the lessons of wisdom to be read, like Hebrew, backward, and waste and rashness and systematic failure to be held the only true means of saving a country.

'Had even success, by one of those anomalous accidents, which sometimes baffle the best founded calculations of wisdom, been the immediate result of this long monotony of error, it could not, except with those to whom the event is every thing—"*Eventus, stultorum magister*"—reflect back merit upon the means by which it was achieved, or, by a retrospective miracle, convert that into wisdom, which chance had only saved from the worst consequences of folly. Just as well might we be called upon to pronounce Alchemy a wise art, because a perseverance in its failures and reveries had led by accident to the discoveries of Chemistry. But even this sanction of good-luck was wanting to the unredeemed mistakes of Mr Pitt. During the eight years that intervened

between his death and the termination of the contest, the adoption of a far wiser policy was forced upon his more tractable pupils; and the only share that his measures can claim in the successful issue of the war, is that of having produced the grievance that was then abated—of having raised up the power opposed to him to the portentous and dizzy height from which it then fell by the giddiness of its own elevation, and by the reaction, not of the Princes, but the People of Europe against its yoke.

'What would have been the course of affairs, both foreign and domestic, had Mr Fox—as was, at one time, not improbable—been the Minister during this period, must be left to that superhuman knowledge, which the schoolmen call "*media scientia*," and which consists in knowing all that would have happened, had events been otherwise than they have been. It is probable that some of the results would not have been so different as the respective principles of Mr Pitt and Mr Fox might naturally lead us, on the first thought, to assert. If left to himself, there is little doubt that the latter, from the simple and fearless magnanimity of his nature, would have consulted for the public safety, with that moderation which true courage inspires; and that, even had it been necessary to suspend the Constitution for a season, he would have known how to veil the statue of Liberty, without leaving, like his rival, such marks of mutilation on its limbs. But it is to be recollected that he would have had to encounter, in his own ranks, the very same patrician alarm, which could even to Mr Pitt give an increase of momentum against liberty, and which the possession of power would have rendered but more sensitive and arbitrary. Accustomed, too, as he had long been, to yield to the influence of Burke, it would have required more firmness than habitually belonged to Mr Fox, to withstand the persevering impetuosity of such a counsellor, or keep the balance of his mind unshaken by those stupendous powers, which, like the horses of the Sun breaking out of the Ecliptic, carried every thing they seized upon so splendidly astray—

"*quaque impetus egit,*
Hac sine lege ruunt, altoque sub æthere fixis
Incursant stellis, rapiuntque per avia currum."

His notice of the conversion of Mr Windham and other illustrious alarmists to the side of the Minister, in 1794, is distinguished by the same calmness and impartiality,—though he cannot refrain from observing, that

'It is to be regretted that, in almost all cases of conversion to the side of power, the coincidence of some worldly advantage with the change should make it difficult to decide upon the sincerity or disinterestedness of the convert. That these Noble Whigs were sincere in their alarm there is no reason to doubt; but the lesson of loyalty they have transmitted would have been far more edifying, had the usual corollary of honours and emoluments not followed, and had they left at least one instance of political conversion on record, where the truth was its own sole reward, and the Proselyte did not subside into the Placeman.'

In what he says of Mr Canning's first introduction into public life, there is the same spirit of perfect candour and dignity. That distinguished person had been bred up in Whig principles, and in the particular circle of Sheridan, who had even

announced, somewhat rashly, in the House of Commons, the accession which his party was likely to receive in his talents and energy. But before committing himself in public, the young statesman took other counsel—and came out under the auspices of the Minister.

'However dangerous,' says Mr Moore, 'it might be to exalt such an example into a precedent, it is questionable whether, in thus resolving to join the ascendant side, Mr Canning has not conferred a greater benefit on the country than he ever would have been able to effect in the ranks of his original friends. That Party, which has now so long been the sole depositary of the power of the State, had, in addition to the original narrowness of its principles, contracted all that proud obstinacy in antiquated error, which is the invariable characteristic of such monopolies; and which, however consonant with its vocation, as the chosen instrument of the Crown, should have long since *invalided* it in the service of a free and enlightened people. Some infusion of the spirit of the times into this body had become necessary, even for its own preservation,—in the same manner as the inhalement of youthful breath has been recommended, by some physicians, to the infirm and superannuated. This renovating inspiration the genius of Mr Canning has supplied. His first political lessons were derived from sources too sacred to his young admiration to be forgotten. He has carried the spirit of these lessons with him into the councils which he joined, and by the vigour of the graft, which already, indeed, shows itself in the fruits, bids fair to change altogether the nature of Toryism.'

The year 1795, when the new Treason and Sedition Bills were first enacted, is distinguished by Mr Moore as the era of the grossest servility on the part of the advocates of the Court, and the greatest excesses on that of their opponents. The two extremes, as he justly remarks, mutually provoked each other; and the reflections with which he closes the following brief notice of them, seem to us to breathe the very spirit of dispassionate truth and monitory wisdom.

'Among the worst effects, as I have already remarked, of the rigorous policy adopted by the Minister, was the extremity to which it drove the principles and language of Opposition, and that sanction which the vehement rebound against oppression of such influencing spirits as Fox and Sheridan seemed to hold out to the obscurer and more practical assertors of freedom. This was at no time more remarkable than in the present Session, during the discussion of those arbitrary measures, the Treason and Sedition Bills, when sparks were struck out, in the collision of the two principles, which the combustible state of public feeling at the moment rendered not a little perilous. On the motion that the House should resolve itself into a Committee upon the Treason Bill, Mr Fox said, that "if Ministers were determined, by means of the corrupt influence they already possessed in the two Houses of Parliament, to pass these Bills, in violent opposition to the declared sense of the great majority of the nation, and they should be put in force with all their rigorous provisions—if his opinion were asked by the people as to their

Obedience, he should tell them, that it was no longer a question of moral obligation and Duty, but of Prudence." Mr Sheridan followed in the bold footsteps of his friend, and said, that "if a degraded and oppressed majority of the people applied to him, he would advise them to acquiesce in those bills only as long as Resistance was Imprudent." This language was, of course, visited with the heavy reprobation of the Ministry;—but their own partisans had already gone as great lengths on the side of absolute power, and it is the nature of such extremes to generate each other. Bishop Horsley had preached the doctrine of passive obedience in the House of Lords, asserting that "man's abuse of his delegated authority is to be borne with resignation, like any other of God's judgments; and that the opposition of the individual to the sovereign power is an opposition to God's providential arrangements." The promotion of the Right Reverend Prelate that followed was not likely to abate his zeal in the cause of power; and, accordingly, we find him in the present session declaring, in his place in the House of Lords, that "the people have nothing to do with the laws but to obey them."

'The Government, too, had lately given countenance to writers, the absurd slavishness of whose doctrines would have sunk below contempt, but for such patronage. Among the ablest of them was Arthur Young—one of those renegades from the cause of freedom, who, like the incendiary that set fire to the Temple with the flame he had stolen from its altar, turn the fame and the energies which they have acquired in *defence* of liberty *against* her. This gentleman, to whom his situation as Secretary to the Board of Agriculture afforded facilities for the circulation of his political heresies, did not scruple, in one of his pamphlets, roundly to assert, that unequal representation, rotten boroughs, long parliaments, extravagant courts, selfish Ministers, and corrupt majorities, are not only intimately interwoven with the practical freedom of England, but, in a great degree, the causes of it!

'But the most active and notorious of these patronized advocates of the Court was Mr John Reeves—a person who, in his capacity of President of the Association against Republicans and Levellers, had acted as a sort of Sub-minister of Alarm to Mr Burke. In a pamphlet, entitled "Thoughts on the English Government," which Mr Sheridan brought under the notice of the House, as a libel on the Constitution, this pupil of the school of Filmer advanced the startling doctrine, that the Lords and Commons of England derive their existence and authority *from the King*, and that the Kingly Government could go on, in all its functions, without them.'

And here, in reference to this notice of the dangers to which the conflict of opposite extremes must always expose the peace and the liberty of a country like England, we may be allowed, perhaps, to pause a little in our abstract,—and to say a word or two in answer to the manifold attacks which we, and the party to which we are supposed to belong, have lately had to sustain, from the extreme parties of the present pacific time—the uncompromising Tories, on the one hand, and the Radical Reformers, on the other. We should regret extremely if the

interest or credit of the old constitutional Whigs should ever have been compromised in public opinion, by any weakness or rashness of ours:—and that not only because we certainly have no warrant to hold ourselves out as their spokesmen, but because, though agreeing in the main with their tenets, we do not profess to acknowledge their authority, or to be guided in our opinions by any thing but our own imperfect lights. The imputations to which we now allude, however, certainly do not touch us individually—at least in the view we take of them, but are plainly applicable to all who happen to stand midway between the two contending factions, and therefore in an eminent degree to the true constitutional Whigs of 1688—with whom, in this question, we are proud to be identified.

The topics of reproach which these two opposite parties have recently joined in directing against us, seem to be chiefly two:—*First*, that our doctrines are timid, vacillating, compromising, and inconsistent; and, *secondly*, that the party which holds them, and to which they are addressed, is small, weak, despised, and unpopular. These are the texts, we think, of those whose vocation it has lately become, to preach against us, from the pulpits either of servility or democratical reform. But it is necessary to open them up a little farther, before we enter on our defence.

The *first* charge then is, That the Whigs are essentially an inefficient, trimming, half-way sort of party—too captious, penurious, and disrespectful to authority, to be useful servants in a Monarchy, and too aristocratical, cautious, and tenacious of old institutions, to deserve the confidence, or excite the sympathies, of a generous and enlightened People. Their advocates, accordingly—and we ourselves in an especial manner—are accused of dealing in contradictory and equivocating doctrines; of practising a continual see-saw of admissions and retractions; of saying now a word for the people—now one for the aristocracy—now one for the Crown; of paralysing all our liberal propositions by some timid and paltry reservation, and never being betrayed into a truly popular sentiment without instantly chilling and neutralizing it by some cold fears of excess, some cautious saving of the privileges of rank and establishment. And so far has this system of inculpation been lately carried, that a liberal Journal, of great and increasing celebrity, has actually done us the honour, quarter after quarter, of quoting long passages from our humble pages, in evidence of this sad infirmity in our party and principles.

Now, while we reject of course the epithets which are here applied to us, we admit, at once, the facts on which our adversaries profess to justify them. We acknowledge that we are fairly chargeable with a fear of opposite excesses—a desire to com-

promise and reconcile the claims of all the great parties in the State—an anxiety to temper and qualify whatever may be said in favour of one, with a steady reservation of whatever may be due to the rest. To this sort of trimming, to *this* inconsistency, to this timidity, we distinctly plead guilty. We plead guilty to a love for the British Constitution—and to all and every one of its branches. We *are* for King, Lords, and Commons; and though not perhaps exactly in that order, we are proud to have it said that we have a word for each in its turn; and that, in asserting the rights of one, we would not willingly forget those of the others. Our jealousy, we confess, is greatest of those who have the readiest means of persuasion; and we are far more afraid of the encroachments of arbitrary power, under cover of its patronage, and the general love of peace, security, and distinction, which attract so strongly to the region of the Court, than of the usurpations of popular violence. But we are for authority, as well as for freedom. We are for the natural and wholesome influence of wealth and rank, and the veneration which belongs to old institutions, without which no government has ever had either stability or respect, as well as for that vigilance of popular controul, and that supremacy of public opinion, without which none could be long protected from abuse. We know that, when pushed to their ultimate extremes, those principles may be said to be in contradiction. But the escape from inconsistency is secured by the very obvious precaution of stopping short of such extremes. It was to prevent this, in fact, that the English constitution, and indeed government in general, was established. Every thing that we know that is valuable in the ordinances of men, or admirable in the arrangements of Providence, seems to depend on a compromise, a balance; or, if the expression is thought better, on a conflict and struggle, of opposite and irreconcileable principles. Virtue—society—life itself, and in so far as we can see, the grand movements and whole order of the universe, are maintained only by such a contention.

These, we are afraid, will appear but idle truisms, and shallow pretexts for foolish self-commendation. No one, it will be said, is for anyt hing but the British constitution; and no body denies that it depends on a balance of opposite principles. The only question is, whether that balance is now rightly adjusted; and whether the Whigs are in the proper course for correcting its obliquities. Now, if the attacks to which we are alluding had been reducible to such a principle as this—if we had been merely accused, by our brethren of the Westminster, for not going far enough on the popular side, and by our brethren of the Quarterly, for going too far—we

should have had nothing to complain of beyond what is inseparable from all party contentions; and must have done our best to answer those opposite charges, on their separate and specific merits,—taking advantage, of course, as against each, of the authority of the other, as a proof, *a fortiori*, of the safety of our own intermediate position. But the peculiarity of our case, and the hardship which alone induces us to complain of it is, that *this is not* the course that has been lately followed with regard to us,—that our adversaries have effected, or rather pretended, an unnatural union against us,—and, deserting not only the old rules of political hostility, but, as it humbly appears to us, their own fundamental principles, have combined to attack us, on the new and distinct ground of *our moderation* —not because we are opposed to their extreme doctrines respectively, but because we are not extremely opposed to them! —and, affecting a generous indulgence and respect for those who are diametrically against them, seem actually to have agreed to join their arms, to run down those who would mediate between them. We understand very well the feelings which lead to such a course of proceeding; but we are not the less convinced of their injustice,—and, in spite of all that may be said of neutrals in civil war, or interlopers in matrimonial quarrels, we still believe that the peace-makers are blessed,—and that they who seek conscientiously to moderate the pretensions of contending factions, are more likely to be right than either of their opponents.

The natural, and, in our humble judgment, the very important function of a middle party is, not only to be a check, but a bulwark to both those that are more decidedly opposed;—and though liable not to be very well looked on by either, it should only be very obnoxious, we should think, to the stronger, or those who are disposed to act on the offensive. To them it naturally enough presents the appearance of an advanced post, that must be carried before the main battle can be joined,—and for the assault of which they have neither the same weapons, the same advantages of position, nor the same motives of action. To the weaker party, however, or those who stand on their defence, it must always be felt to be a protection—though received probably with grudging and ill grace, as a sort of half-faced fellowship, yielded with no cordiality, and ready enough to be withdrawn if separate terms can be made with the adversary. With this scheme of tactics we have long been familiar; and for those feelings we were prepared. But it is rather too much, we think, when those who are irreconcileably hostile, and whose only quarrel with us is, that we go half the length of their hated opponents,—have the face to pretend that we are more hateful than those who go the whole length,—that they

have really no particular quarrel with those who are beyond us, and that we, in fact, and our unhappy mid-way position, are the only obstacles to a cordial union of those whom it is, in truth, our main object to reconcile and unite!

Nothing, we take it, can be so plain as that this is a hollow, and, in truth, very flimsy pretext: and that the real reason of the animosity with which we are honoured by the more eager of the two extreme parties, is, that we afford a covering and shelter to each—impede the assault they are impatient mutually to make on each other, and take away from them the means of that direct onset, by which the sanguine in both hosts imagine they might at once achieve a decisive victory. If there were indeed no belligerents, it is plain enough that there could be no neutrals and no mediators. If there was no natural war between Democracy and Monarchy, no true ground of discord between Tories and Radical Reformers—we admit there would be no vocation for Whigs. The true definition of that party, as matters now stand in England, is, that it is a middle party, between the two extremes of high monarchical principles on the one hand, and extremely popular principles on the other. It holds no peculiar opinions, that we are aware of, on any other points of policy,—and no man of common sense can doubt, and no man of common candour deny, that it differs from each of the other parties on the very grounds on which they differ from each other,—the only distinction being that it does not differ so widely.

Can any thing then be so preposterous as a pretended truce between two belligerents, in order that they may fall jointly upon those who are substantially neutral?—a dallying and coquetting with mortal enemies, for the purpose of gaining a supposed advantage over those who are to a great extent friends? Yet this is the course that has recently been followed, and seems still to be pursued. It is now some time since the thorough Reformers began to make awkward love to the Royalists, by pretending to bewail the obscuration which the Throne had suffered from the usurpations of Parliamentary influence,—the curtailment of the prerogative by a junto of ignoble boroughmongers,—and the thraldom in which the Sovereign was held by those who were truly his creatures. Since that time, the more prevailing tone has been, to sneer at the Whig aristocracy, and to declaim, with all the bitterness of real fear and affected contempt, on the insignificance of men of fortune and talents, who are neither loyal nor popular—and, at the same time, to lose no opportunity of complimenting the Tory possessors of power, for every act of liberality which had been really forced upon them, by those very Whigs whom they refuse to acknowledge as even cooperating in the cause. The

high Tory or Court party have, in substance, played the same game. They have not indeed affected, so barefacedly, an entire sympathy, or very tender regard for their radical allies: but they have acted on the same principle. They have echoed and adopted the absurd fiction of the *unpopularity* of the Whigs —and, speaking with affected indulgence of the excesses into which a generous love of liberty may occasionally hurry the ignorant and unthinking, have reserved all their severity, unfairness, and intolerance, for the more moderate opponents with whose reasonings they find it more difficult to cope, and whose motives and true position in the country, they are therefore so eager to misrepresent.

Now, though all this may be natural enough in exasperated disputants, who are apt to wreak their vengeance on whatever is most within their reach, it is not the less unfair and unworthy in itself, nor the less shortsighted and ungrateful in the parties who are guilty of it. For we do not hesitate to say, that it is substantially to this calumniated and mutually reviled Whig party, and to those who act on its principles, that the country is truly indebted for its peace and its constitution—and one at least, if not both the extreme parties, for their very existence. If there were no such middle body, who saw faults and merits in both, and could not consent to the unqualified triumph or unqualified extirpation of either—if the whole population of the country was composed of intolerant Tories and fiery reformers —of such spirits in short, to bring the matter to a plain practical bearing, as the two hostile parties have actually chosen, and now support as their leaders and spokesmen, does any man imagine that its peace or its constitution could be maintained for a single year? On such a supposition, it is plain that they must enter immediately on an active, uncompromising, relentless contention; and, after a short defying parley, must, by force or fear, effect the entire subversion of one or the other; and in either case, a complete revolution and dissolution of the present constitution and principle of government. Compromise, upon that supposition, we conceive, must be utterly out of the question; as well as the limitation of the contest to *words*, either of reasoning or of abuse. They would be at each other's throats before the end of a year! or, if there was any compromise, what *could* it be, but a compromise on the middle ground of Whiggism?—a virtual conversion of a majority of those very combatants, who are now supposed so to hate and disdain them, to the creed of that moderate and liberal party?

What is it, then, that prevents such a mortal conflict from taking place at the present moment between those who represent themselves as engrossing all the principle and all the force

of the country? what, but the fact, that a very large portion of the population do *not* in reality belong to either; but adhere, and are known to adhere, to those moderate opinions, for the profession of which the Whigs and their advocates are not only covered with the obloquy of those whom they save from the perils of such frightful extremities, but are preposterously supposed to have incurred the dislike of those with whom in fact they are identified, and to whom they belong.

And this leads us to say a few words on the second grand position of the Holy Allies, against whom we are now called to defend ourselves, that the Whigs are not only inconsistent and vacillating in their doctrines, but, in consequence of that vice or error, are in fact weak, unpopular, and despised in the country. The very circumstance of their being felt to be so formidable as to require this strange alliance to make head against them, and to force their opponents to intermit all other contests, and expend on them exclusively the whole treasures of their sophistry and abuse, might go far, we think, to refute this desperate allegation. But a very short resumption of the principles we have just been unfolding will show that it cannot possibly be true.

We reckon as Whigs in this question, all those who are not disposed to go the length of either of the extreme parties who would now divide the country between them—all, in other words, who wish the Government to be substantially more popular than it is—but, at the same time, to retain more aristocratical influence, and more deference to authority, than the Radical Reformers will tolerate:—And, we do not hesitate to say, that so far from being weak or inconsiderable in the country, we are perfectly convinced that, among the educated classes, which now embrace a very large proportion of the whole, it greatly outnumbers both the others put together. It should always be recollected, that a middle party like this is invariably much stronger, as well as more determined and formidable, than it appears. Extreme doctrines always make the most noise. They lead most to vehemence, passion, and display,—they are inculcated with most clamour and exaggeration, and excite the greatest alarm. In this way we hear of them most frequently and loudly. But they are not, upon that account, the most widely spread or generally adopted;—and, in an enlightened country, where there are two *opposite* kinds of extravagance thus trumpeted abroad together, they serve in a good degree as correctives to each other; and the great body of the people will almost inevitably settle into a middle or moderate opinion. The champions, to be sure, and ambtious leaders on each side, will probably only be exasperated into greater bitterness and greater confidence, by their contention. But the

greater part of the lookers on can scarcely fail to perceive that mutual wounds have been inflicted, and mutual infirmities displayed,—and the continuance and very fierceness of the combat is apt to breed a general opinion, that neither party is right, to the height of their respective pretensions; and that truth and justice can only be satisfied by large and *mutual* concessions.

Of the two parties—the Thorough Reformers are most indebted for an appearance of greater strength than they actually possess, to their own boldness and activity, and the more curiosity it excites among the idle, cooperating with the sounding alarms of their opponents,—while the High Tories owe the same advantage in a greater degree to the quiet effect of their influence, and to that prudence which leads so many, who in their hearts are against them, to keep their opinions to themselves, till some opportunity can be found of declaring them with effect. Both, however, are conscious that they owe much to such an illusion,—and neither, accordingly, has courage to venture on those measures to which they would infallibly resort, if they trusted to their apparent, as to their actual strength. The Tories, who have the administration in some measure in their hands, would be glad enough to put down all popular interference, whether by assemblies, by speech, or by writing; and, in fact, only allow the law to be as indulgent as it is, and its administration to be so much more indulgent, from a conviction that they would not be supported in more severe measures, either by public opinion without, or even by their own majorities within the walls of the Legislature. They know very well that the greater part of their adherents are attached to them by no other principle than that of their own immediate interest,—and that, even among them as they now stand, they could command at least as large a following, for Whig measures as for Tory measures, if proposed by an administration of as much apparent stability. It is not necessary, indeed, to go farther than to the common conversation of the more open or careless of those who vote and act among the Tories, to be satisfied, that a very large proportion, indeed, of those who pass under that title, are really Whigs in heart and conviction, and are ready to declare themselves such, on the first convenient opportunity. With regard to the Radical Reformers, again, very little more, we think, can be necessary to show their real weakness in the country, than to observe how very few votes they ever obtain at an election, even in the most open boroughs, and the most populous and independent counties. We count for nothing in this question, the mere physical force which may seem to be arrayed on their side in the manufacturing districts, on occasions of distress and suffering; though, if they felt that they had even this permanently at their command, it is impossible that they should

not have more nominations of parliamentary attorneys, and more steady and imposing exhibitions of their strength and union.

At the present moment, then, we are persuaded that the proper Whig party is in reality by much the largest and the steadiest in the country; and we are also convinced, that it is in a course of rapid increase. The effect of all long continued discussion is to disclose flaws in all sweeping arguments, and to multiply exceptions to all general propositions—to discountenance extravagance, in short, to abate confidence and intolerance, and thus to lay the foundations for liberal compromise and mutual concession. Even those who continue to think that all the reason is exclusively on their side, can scarcely hope to convert their opponents, except by degrees. Some few rash and fiery spirits may contrive to pass from one extreme to the other, without going through the middle. But the common course undoubtedly is different; and therefore we are entitled to reckon, that every one who is detached from the Tory or the Radical faction, will make a stage at least, or half-way house, of Whiggism, and may probably be induced, by the comfort and respectability of the establishment, to remain; as the temperate regions of the earth are found to detain the greater part of those who have been induced to fly from the heats of the Equator, or the rigours of the Pole.

Though it is natural enough, therefore, for those who hold extreme opinions, to depreciate the consequence of those who take their station between them, it seems sufficiently certain, not only that their position must at all times be the safest and best, but that it is destined ultimately to draw to itself all that is truly of any considerable weight upon either hand; and that it is the feeling of the constant and growing force of this central attraction, that inflames the animosity of those whose importance would be lost by the convergence. For our own part, at least, we are satisfied, and we believe the party to which we belong is satisfied, both with the degree of influence and respect which we possess in the country, and with the prospects which, we think upon reasonable grounds, we may entertain of its increase. In assuming to ourselves the character of a middle party, we conceive that we are merely stating a fact, which cannot well be disputed on the present occasion, as it is assumed by both those who are now opposed to us, as the main ground of their common attack; and almost all that we have said follows as a necessary consequence of this assumption. From the very nature of the thing, we cannot go to either of the extreme parties; and neither of them can make any movement to increase their popularity and substantial power, without coming nearer to us. It is but fair, however, before concluding, to state, that though we do occupy a position be-

tween the intolerant Tories and the thorough Reformers, we conceive that we are considerably nearer to the latter than to the former. In our principles, indeed, and the ends at which we aim, we do not materially differ from what is professed by the more sober among them; though we require more caution, more securities, more exceptions, more temper, and more time. That is the difference of our theories. In practice, we have no doubt, we shall all have time enough:—For it is the lot of England, we have little doubt, to be ruled in the main by a Tory party, for as long a period as we can look forward to with any great distinctness—by a Tory party, however, restrained more and more in its propensities, by the growing influence of Whig principles, and the enlightened vigilance of that party, both in Parliament and out of it; and now and then admonished, by a temporary expulsion, of the necessity of a still greater conformity with the progress of liberal opinions, than could be spontaneously obtained. The inherent spirit, however, of monarchy, and the natural effect of long possession of power, will secure, we apprehend, for a considerable time, the general sway of men professing Tory principles, and their speedy restoration, when driven for a season from their places by disaster or general discontent: and the Whigs, during the same period, must content themselves with preventing a great deal of evil, and seeing the good which they had suggested tardily and imperfectly effected, by those who will take the credit of originating what they had long opposed, and only at last adopted with reluctance and on compulsion. It is not a very brilliant prospect perhaps, nor a very enviable lot. But we believe it to be what awaits us; and we embrace it, not only cheerfully, but with thankfulness and pride—thankfulness, that we are enabled to do even so much for the good and the liberties of our country—and pride, that in thus seeking her service, we cannot well be suspected of selfish or mercenary views.

The thorough Reformers never can be in power in this country, but by means of an actual revolution. The Whigs may, and occasionally will, without any disturbance to its peace. But these occasions might be multiplied, and the good that must attend them accelerated and increased, if the Reformers, aware of the hopelessness of their separate cause, would throw their weight into the scale of the Whigs, and so far modify their pretensions as to make it safe or practicable to support them. The Whigs, we have already said, cannot come to them; both because they hold some of their principles, and their mode of asserting them, to be not merely unreasonable, but actually dangerous; and because, by their adoption, they would at once hazard much mischief, and unfit themselves for the good ser-

vice they now perform. But the Reformers may very well come to the Whigs; both because they can practically do nothing for themselves, and because the measures which they might occasionally enable the Whigs to carry, though not in their eyes altogether unexceptionable or sufficient, must yet appear to them better than those of the Tories—which is the only attainable alternative. This accordingly, we are persuaded, will ultimately be the result; and is already, we have no doubt, in a course of accomplishment;—and, taken along with the gradual abandonment of all that is offensive in Tory pretensions, and the silent adoption of most of the Whig principles, even by those who continue to disclaim the name, will effect almost all that sober lovers of their country can expect, for the security of her liberties, and the final extinction of all extreme parties in the liberal moderation of Whiggism.

Such is our creed—and such are our hopes and pretensions;—and though we fear we have dilated rather too long on them, we trust the statement will not appear altogether out of place, in our account of a work the whole strain of which is so much in accordance with our principles—and in reference to a passage in it which points out so forcibly the evils that necessarily result from their desertion.

The length, however, to which these observations have extended, makes it impossible for us, we find, to resume our account of the work before us, on the scale we have hitherto adopted. Little more, indeed, than a brief abstract of its sequel can be necessary. The firm and patriotic part which Sheridan took, along with his political opponents, on occasion of the mutiny at the Nore, is well known, and receives its full tribute of praise from the biographer. The resignation of Mr Pitt, on the ground of the Catholic Question, and the feeble administration of Mr Addington, dragging itself on against the united opposition of the Whigs, the Grenvilles, and the ex-minister himself, are recorded with the same impartial pen—and its termination by the sudden resumption of office by the latter, is marked, we think, with its true colours, in the following short paragraph.

'The confidence of Mr Pitt, in thus taking upon himself, almost single-handed, the government of the country at such an awful crisis, was, he soon perceived, not shared by the public. A general expectation had prevailed, that the three great Parties, which had lately been encamped together on the field of Opposition, would have each sent its Chiefs into the public councils, and thus formed such a Congress of power and talent as the difficulties of the empire, in that trying moment, demanded. This hope had been frustrated by the repugnance of the King to Mr Fox, and the too ready facility with which Mr Pitt had given way to it. Not only, indeed, in his undignified eagerness for office, did

he sacrifice without stipulation the important question, which, but two years before, had been made the *sine-qua-non* of his services, but, in yielding so readily to the Royal prejudices against his rival, he gave a sanction to that unconstitutional principle of exclusion, which, if thus acted upon by the party-feelings of the Monarch, would soon narrow the Throne into the mere nucleus of a favoured faction. In allowing, too, his friends and partisans to throw the whole blame of this exclusive Ministry on the King, he but repeated the indecorum of which he had been guilty in 1802. For, having at that time made use of the religious prejudices of the Monarch, as a pretext for his manner of quitting office, he now employed the political prejudices of the same personage, as an equally convenient excuse for his manner of returning to it.'

In 1805, as is well known, Mr Fox presented the petition for the Catholics. It is now, however, revealed to us for the first time, that the Prince of Wales was averse to his undertaking that duty;—and there is a letter from Mr Fox to Sheridan (at p. 613) upon this occasion, which exhibits in a very striking way the mingled frankness, gentleness, and firmness of his character. The death of Mr Pitt, and the short-lived Whig ministry of 1806, signalized by the abolition of the Slave Trade, and the introduction of limited service in the army, are commemorated with great fairness and good feeling. The negotiations about the new regency, in 1811, are given at greater length; and some very curious original documents are now for the first time laid before the public. From 1802, Sheridan had been gradually receding from his Whig connexion, and attaching himself more and more to the peculiar politics of Carleton House. There had been an awkward interference, in the beginning of 1811, with Lord Grey and Lord Grenville, as to the preparation of the Prince's answer to the Address of the two Houses:—but it was not till the year after that he consummated his perfidy to the party, by not only suppressing a communication which he had been desired to make to its leaders, as to the resignation of the household, but by actually stating, that there was no truth in the report which it was the very object of that communication to announce. It is with pain we record a fact so injurious to the memory of a man of genius. We agree, however, with the liberal judgment of Mr Moore, that it is the only transaction of his public life that is utterly indefensible; though we profess not perfectly to understand how it can be chiefly ascribed to his devoted deference to the great Personage to whose service he had given up himself; especially as it would appear, from certain original papers quoted by Mr Moore, (p. 676), that he had the manliness to remonstrate with that Illustrious Person, on the proposal of excluding Lord Grey from the coalition ministry which was projected on the death of Mr Percival.

We come now to the last sad scene; and every feeling concurs, with our want of space, in prompting us to hurry over it. Sheridan was not returned to the Parliament which met in 1813—his affairs fell into irretrievable disorder; and his health was entirely broken. In 1814 he was subjected to the indignity of arrest for debt, but was speedily liberated by the interference of Mr Whitbread. In the four last months of his life, however, he suffered greatly; and was little visited or attended to, except by one or two of his distinguished friends, and died at last in great poverty and affliction, in July 1816. Mr Moore has told this sad story in all its details, with the feeling and the eloquence that belong to him; and some parts of his statement have called forth remarks, in a variety of quarters, in which both his accuracy and his judgment are impeached. The nature of these attacks, with the answers which the author has made to them, will be best understood from the following extract from the Preface to the fifth edition of his work, which, though already printed in some newspapers, has not yet, from the delay in bringing out that edition, been regularly laid before the public. We think it but justice to him, to make his own temperate and satisfactory vindication as widely known as possible. In that Preface, then, he observes—

'But though none of my statements have been disproved, I have been accused of some omissions and inaccuracies, of which the following are the most important:—

'1. I have stated that, in the latter years of Mr Sheridan's life, the Prince Regent offered to bring him into Parliament, but that he declined the offer. On this the writers of articles in the *Westminster and Quarterly Reviews* remark, that I *ought* to have known and added the sequel of this transaction—namely, that the Prince Regent presented to Mr Sheridan the sum (4000*l.*) intended for the purchase of a seat.

'2. In giving an account of the imprisonment of Mr Sheridan, for debt, in the year 1814, I have said that "arrangements were made for his release by Mr Whitbread." In contradiction to this the Quarterly Reviewer asserts, that his liberation was effected by the interposition of the Prince Regent.

'3. In detailing the particulars of the 200*l.* transmitted through Mr Vaughan to Sheridan on his death-bed, I have stated that the gift was respectfully declined by the family. To this the Quarterly Reviewer answers, that the gift was *not* declined by the family; that it was on the contrary accepted, made use of, and afterwards, "on suspicions and pride being awakened," repaid.

'In answering these three charges, I shall abstain from all reference whatever to the style or temper in which they have been brought forward—anger having little to do with the truth, on either side of the question.

'Firstly, then—with respect to the gift of the 4000*l.*—not only had I never heard it stated that such was the sequel of the transaction, but

now that it *is* so stated, must beg leave to withhold my belief: *not* from any doubt of the disposition of the Illustrious Personage in question to perform such an act of kindness towards Sheridan, but because the statement, at variance as it is with my own information, rests solely on the assertion of two anonymous writers, who differ with each other as to the most material points of the case. If, however, these writers (after first settling this difference between themselves) will enable me, by reference to documents or any existing persons, to authenticate the main point of their statement—the gift of the 4000*l.*—I shall be most happy to correct my own omission, and to be made the humble instrument of recording an act of such liberality in these pages.

'I come now to the second charge. In detailing the particulars of Mr Sheridan's imprisonment in 1814, I have given a letter addressed by him to Mr Whitbread, and *dated from the spunging-house*, in which he says, "I enclosed you yesterday three different securities, which, had you been disposed to have acted even as a private friend, would have made it certain that you might have done so without the smallest risk. These you discreetly offered to put into the fire, when you found the object of your humane visit satisfied *by seeing me safe in prison.*'

'In the very face of this authentic document, which proves that Mr Whitbread had "seen" Sheridan in the spunging-house, and that a day or two elapsed between this visit and the liberation of Sheridan, the Quarterly Reviewer does not hesitate to bring forward his own private version of the circumstance—namely, that "Mr Whitbread left the dinner-table, and repaired to the spunging-house, the moment Sheridan's note was delivered to him, but that, before he could reach the place of confinement, the person of Sheridan was already at liberty, in consequence of the unsolicited and instantaneous interference of Sheridan's Royal master."

'Such is the random manner in which this writer supports his charges of inaccuracy, and such the vague assertions which the public are called upon, in the very teeth of documentary evidence, to believe.

'I agree, however, with the Reviewer in his conjecture that Mr Sheridan was, on another occasion, for a short time in prison, though I never have been able to ascertain the particulars of the transaction. If he can prove that, on that occasion, the release was effected by Royal interposition, I have only again to say, that I shall most readily record the circumstance, and shall rejoice in having been the means of bringing such an interesting anecdote to light.

'On the third point—the offer of 200*l.* through Mr Vaughan—the Quarterly Reviewer is no less unlucky in his *facts* than on the second. He is pleased to say, that I ought to have applied to certain nameless gentlemen, to whom he himself is indebted for his lights on the subject. I was, however, satisfied with the authority of the two persons between whom the transaction passed,* Mr Vaughan and Dr Bain. Mr Vaughan

* In the same manner my account of the early love and marriage of Sheridan (which has also been cavilled at by this well-informed Reviewer, on the authority of a clumsy forgery in the Gentleman's Magazine) was noted down, in every particular, from the lips of no less competent and

has been some time dead; but Dr Bain is (happily for his many friends) still alive, and the following note from him on the subject will, I trust, be a sufficient answer to this *accurate* Reviewer:—

'*Thompson's Hotel, Cavendish-square, April* 20, 1820.

'My dear Sir—The statement which you have given in your Life of my late friend Mr Sheridan, that 200*l.* was the sum proffered to me by Mr Vaughan, *and that it was respectfully declined* by the family, is perfectly correct.

'Believe me, my dear Sir, very faithfully yours,

'*Thomas Moore, Esq.* 'A. BAIN.'

Sloperton Cottage.'

'Having thus disposed of objections, which, had I been guided by my own estimate of their importance, I should hardly have thought worthy of the trouble of an answer, I am happy to take this opportunity of declaring, that whatever I may still presume to think of the conduct pursued towards Mr Sheridan, I have never meant to impute to the Illustrious Personage concerned in these transactions any general want of that munificence which should belong to his high station. On the contrary, I have heard more than one instance of the private generosity of that Personage (far better authenticated than any that these awkward apologists have brought forward) which would render me not slow in believing any similar acts of kindness attributed to him. As little could I have meant to doubt the readiness of those Whig friends of Sheridan, the high qualities of many of whom little need my testimony, to assist him, while he made one of their circle, on any occasions when he may have required their aid; * though, in justice to him, I must repeat that such appeals were far from frequent. The strong remarks which I hazarded, and which have produced—naturally enough, perhaps—so much irritation, apply solely to the last few months of Sheridan's life, and to the neglect with which he was left to die, in the hands of bailiffs, by those, of whose society he had been, through life, the light and ornament. To this neglect—which, however excusable in the few whom his conduct in 1812 had injured, can be but little defended in the many whom that conduct but remotely affected, and admits of no vindication whatever in the quarter for which that sacrifice of party and character was made—to this neglect alone my remarks applied, and I see no reason whatever to retract or soften them. The occasion called for a strong lesson to the great and prosperous, which, if I had shrunk from giving, through either fear or partiality, though I might thereby have better consulted my ease and interest, I certainly should not have been upon such good terms with my own conscience as I feel at present.'

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trustworthy a witness than the surviving sister of Mr Sheridan, Mrs H. Lefanu.

* 'Mr Moore, in another part of his preface, mentions that the Duke of Bedford on one occasion lent Sheridan 400*l.* He also mentions, in extenuation of the inconsistency of those who crowded to the funeral, that Mrs Sheridan wrote letters to most of them requesting their attendance.'

The particulars here referred to, though likely enough to excite some personal interest at the time, certainly seem to us of too little importance to justify any long discussion of them now—farther than regards the charge of wilful misrepresentation or suppression of the truth, which all to whom Mr Moore is known, and indeed all the readers of his book, must feel to be utterly unworthy of an answer. With regard to the alleged gift of 4000*l.* by his Majesty, we have the most sincere pleasure in saying, that we have every reason to believe, that that Illustrious Person is fully entitled to the credit of that act of munificence—though, according to our information, its unhappy object did not derive from it the benefit which was intended. The sum, which we have heard was about 3000*l.*, was, by his Royal Highness's order, placed by a distinguished nobleman in the hands of an attorney for Sheridan's benefit; but was there either attached by his creditors, or otherwise dissipated in such a manner, that very little of it actually reached its destination—a result, however, which certainly takes nothing from the merits of his princely benefactor: And as the new edition of Mr Moore's work is, we believe, not yet published, we can have no doubt that he will take pains to verify the statement we have now made, and redeem the pledge he has so properly given in the preceding extract. On all the other points, we conceive his vindication to be conclusive and triumphant; with the exception perhaps of the too great asperity with which he still speaks of the neglect which Sheridan experienced, in his last sickness, from most of his former associates. The imputation is dictated, no doubt, by a noble and generous feeling; and it is not amiss that it should have been recorded. That there was some ground for it, cannot, we think, be disputed; and so apt are the proud and the prosperous to turn with indifference from the sufferings of those who had shared and exalted their pleasures, that we cannot but be pleased with any thing that tends to bring their heartlessness to shame,—even though there may be room to question the justice of the immediate application. The circumstances of palliation are suggested by Mr Moore's own narrative. Sheridan had behaved inexcusably to the most distinguished of his former associates in 1812, and had, from that period, naturally lived in a state of alienation from their society. The actual urgency of his distresses, it is admitted, was not known, till it was too late materially to relieve them, although it was no sooner divulged than inquiries and offers of service flowed in, in abundance:—and as to the splendid mustering, even of his alienated friends, at the funeral, the fact that they were expressly written to, and requested to attend, by Mrs Sheridan, really seems to afford the most satisfactory

explanation—and to convert, what might otherwise appear to be mere selfish ostentation, into an act of kindness and propriety.

The style of this work has been much criticised, we believe, and has been generally thought too figurative, brilliant, and poetical, for the sobriety of historical writing. It might have had worse faults:—and we cannot deal very severely with those that have their origin in an exuberance of talent and ingenuity, and which are always most complained of by those least capable of committing them. Mr Moore is an Irishman, and a man of genius,—and his works will bewray him. Why should not the Dorians speak Doric? He cannot but do after his kind. But we think the objection has been put much too strongly. The style, in general, we think excellent—and all the better for the metaphors and images. Whatever enables an author to rouse the attention, or stamp himself on the memory of his readers, enables him to write with greater effect, and to accomplish more completely whatever may be the purpose of his writing. Now, metaphors and figures, provided they are in unison with the strain and dignity of the object, plainly serve this purpose, in history as well as in any other sort of composition. They increase the interest, and heighten the delight of the study, without interfering in the least with its utility. In the hands of a master, they render the meaning clearer, as well as more emphatic—and make it possible to convey both a deeper and a finer sense, with a force and a brevity absolutely unattainable without their assistance: while they incontestably exalt the effect of its moral sentences, and give warmth and interest to the lessons it endeavours to teach. We profess not quite to understand what is meant by the sober style of history. If the substance be conceived in the spirit of candour, calmness, and impartiality, we cannot but think that the more engaging and fascinating the manner can be made, the better—and really cannot comprehend that a history can be too delightful, too entertaining, or too brilliant, any more than too clear, too concise, or too true. To give it *all* these characters, *all* the resources of genius and eloquence may, we think, be lawfully and laudably employed—and figures and images among the rest—and above all the rest indeed, where they can be so managed as to give at once clearness, force, and vivacity to the meaning. Nor can we imagine any reason why they should not be required in a perfect history, as well as in a perfect poem, except that this would add too much to the difficulties, already sufficiently great, of the Historian's task—and that the talents most indispensable for its successful execution are not generally those by which such resources could be commanded. Where all are united, however, it is clear there will be the

highest excellence. We *require* nothing more in a Judge than wisdom, learning and integrity. But it is certainly an advantage that he should also be graceful and eloquent.

We do not mean, however, to assert, that Mr Moore has fulfilled at all points the conditions under which we think the freest use of figurative language may be allowed with advantage in History. In most of the passages we have cited, we think he has not greatly transgressed them. But it cannot be denied that he has occasionally indulged too much in this luxury of the imagination. His figures are sometimes merely ornamental, and embellish the meaning without enforcing it:—and sometimes, though more rarely, they even perplex and encumber it. Sometimes they startle too much, with the unexpectedness of mere wit—and are sometimes attached to the subject by a tie so slender as scarcely to be perceptible.

The image in the following passage, for example, seems to us a mere wantonness of ingenuity, which neither elucidates nor adorns the idea it is employed to introduce. 'It is the opinion 'of a learned Jesuit, that it was by *aqua Regia* the golden calf of 'the Israelites was dissolved—and the cause of Kings was the 'Royal solvent in which the wealth of Great Britain now 'melted irrecoverably away.' In the following allusion to the zeal with which the Irish Parliament tendered an unlimited regency to the Prince in 1789, the images are still farther fetched, and are connected with the subject only by the slight and accidental circumstance of the Harp being the heraldic cognizance of Ireland. 'The ready and ardent burst of devotion with which 'Ireland at this moment, *like the Pythagoreans at their morning 'worship*, turned to welcome *with their Harp, the Rising Sun*, was 'long remembered by the object of her homage with pride and 'gratitude.' And the following, which is meant to shadow forth Sheridan's unsuspected progress in the affections of Miss Linley, seems to us still more obscure and unfortunate. 'Like that 'Saint, (Cecilia), by whose name she was always called, she had 'long welcomed to her soul a secret visitant, whose gifts were 'of a higher and more radiant kind than the more wealthy and 'lordly of this world can proffer!' Mr Moore himself seems indeed to have felt that there was not much to be made of this, by the unlearned—and accordingly is obliged to *explain his illustration*, by a note, in which we are informed, that in the authentic legend of St Cecilia, a youth is said to have come secretly to her from Paradise, with wreaths of lilies and roses.

We do think therefore, that there is some room for cautioning Mr Moore to be on his guard against the seductions of his own too fertile imagination:—and for exhorting him, while he fosters the flowers which either shelter or bring on the fruit, to strip away relentlessly those barren blossoms that merely encumber the stem.

ART. II. *Report from, and Minutes of Evidence taken before, the Select Committee of the House of Commons, on Emigration from the United Kingdom.* Printed by order of the House of Commons, 26th May 1826.

WE shall not enter at present into any disquisition as to the causes which have produced the pauperism now universal in Ireland. To whatever it may be ascribed—whether to the long continued misgovernment and helotism of the mass of the people—to their ignorance—to their universal dependence on the potato for food—or to the custom of subdividing and subletting farms, and the consequent facility with which they obtain cottages and slips of land—it is certain that their numbers have increased in a far greater proportion than the capital of the country, and that they are *habitually* involved in the most squalid and abject poverty. The number of persons soliciting employment, compared with the demand for their labour, and with the means of remunerating it, is so great, that very many are altogether unemployed; and that wages are reduced to the lowest sum that can purchase the smallest supply of the coarsest and cheapest species of food by which mere animal existence may be sustained.

All the witnesses examined by the late Committees of the Houses of Lords and Commons on the State of Ireland, concur in representing the population as excessive, and the condition of the poor as wretched in the extreme. That 'every rood of 'ground maintains its man,' is no longer a poetical fiction, but a dry statistical fact, which may be truly affirmed of a very large proportion of Ireland. Above *six millions* of peasantry are hutted over the face of the country. Their cabins are not superior, perhaps not equal, to the wigwams of the American Indians; they are destitute of chimnies and of any thing that can be called furniture; many families are without either beds or bed clothes; the children, generally in rags, are often absolutely naked; and whenever the potatoe crop becomes even in a slight degree deficient, which is found to be the case once every five or six years, the scourge of famine and disease is felt in every corner of the country! Mr Maurice Fitzgerald, M. P. informed the Committee on the *Employment of the Irish Poor*, that 'he had known the peasantry 'of Kerry quit their houses in search of employment, offering 'to work for the merest subsistence that could be obtained, 'for twopence a day, in short for any thing that would pur'chase food enough to keep them alive for the next twenty-four 'hours.' Mr Tighe mentions, that 'the number of persons in

'Ireland supported by charity is quite inconceivable; they *must be* '*supported either by charity, or by pillage and plunder;* to the want 'of employment I attribute every thing that afflicts and dis-'graces the country.' (*Report*, pp. 158. 108). 'In the part 'of the country (Cork) with which I am best acquainted,' says Mr O'Drischoll, '*the condition of the people is the very worst* '*that can possibly be;* nothing can be worse than the condition 'of the lower classes of labourers, and the farmers are not much 'better. The land is overpeopled and exhausted.' (*Report on the State of Ireland*, p. 380). Dr Rogan, a physician of eminence, employed by Government to report on the state of disease in the North of Ireland, states, in his valuable work on the Fever in Ulster, that 'throughout the extensive counties of Tyrone, Do-'negall, and Derry, the population is only limited by the diffi-'culty of procuring food. Owing to the universal adoption of 'the cottier system, and to the custom of dividing farms, among 'sons at the death of the father, *the labouring classes are infi-'nitely more numerous than are required for the purposes of indus-'try.* Under these circumstances, they are engaged in a con-'stant struggle for the bare necessaries of life, and never enjoy 'its comforts,' (p. 8). And, not unnecessarily to multiply references, we shall only further subjoin the following extract from the evidence of Dr Doyle, the Catholic Bishop of Leighlin. 'The population is immediately increased, as every one must 'perceive, by improvident marriages; but those marriages them-'selves, in my opinion, result in a great measure from *the ex-'treme poverty of the people;* for that poverty has paralyzed 'their energies; it has prevented them taking such an interest 'in creating a respectable situation for themselves in life, as 'men possessed of some property always feel; for those wretch-'ed people say their state cannot be worse when married than 'before, and hence they go together. *Their depression throws 'them together, like savages in a wood.* It is a frightful state of 'society; and when it is considered, it fills me with so much 'pain and horror, that I have frequently prayed to God, if it 'were his will, rather to take me out of life than to leave me to 'witness such evils.' (*Report*, p. 208).

A thousand statements to the same effect might be produced; but unfortunately they are not necessary. The redundant numbers, poverty, and wretchedness of the Irish people, are too glaring and obvious to be called in question. They are broadly and distinctly laid down at the very outset of the Report now before us; and are admitted by every one who has ever been in Ireland, or conversed with an Irish gentleman, or read a book having any reference to that country.

Here then is Pauperism on the most gigantic scale—pauperism which has already had, and which, if not effectually counteracted, must necessarily continue to have, the most debasing influence, not on the fate of Ireland only, but on that of the whole empire. For ourselves, we have not the slightest doubt that, though much of the crime, outrage, and bloodshed with which Ireland has been so long disgraced and deluged, is to be ascribed to the exasperation occasioned by the civil and religious disabilities under which the Catholic population labour, and the violent proceedings of the Orange faction, much also has been owing to the recklessness and despair produced by extreme poverty. Whatever may be said to the contrary, famine, and the virtues of patience and resignation, are not on the most companionable terms. Nothing indeed can be more visionary than to suppose that security and tranquillity should ever exist in any considerable degree, in countries where the bulk of the people are poor and miserable. Those who have no property of their own to protect, and no means of amassing any, will never entertain any respect for that of others: Nor can any country be so ripe for revolution, as that where nine-tenths of the people may gain, but can lose nothing, by subverting the existing institutions. The terror of military execution may indeed compel the most refractory subjects to yield an unwilling and reluctant obedience. But what advantage has ever been reaped from dominion held by such means? Real power and prosperity cannot spring from the sword. If we would render the connexion with Ireland, what it has never hitherto been, of advantage to this country, a change of system is indispensable. Besides admitting all classes to participate in the privileges of the constitution, we must make a great and vigorous effort, by removing a portion of the surplus population of the country, and preventing its place from being again filled up, to improve the circumstances of the mass of the people. If we do this—if we treat the peasantry fairly and impartially—if we give them *a stake in the hedge*, and make them *feel* that they have a direct interest in maintaining the security of property and the tranquillity of the country, the whole face of things will be speedily changed. But, until something efficient of this sort has been done—until all classes of people have been placed on the same footing with respect to privileges, and the pressure of poverty has been alleviated—the foundations of peace and prosperity can never be laid. That the improvidence of the Irish, and the pernicious customs that obtain amongst them, have been most injurious to their interests, cannot be doubted; But no people has ever held

themselves responsible for any portion of the evils they suffer; and we may depend upon it the Irish will not form an exception. Unless, therefore, something is done to allay the existing irritation, and to arrest the torrent of pauperism, they will continue, as heretofore, to ascribe their distress and misery wholly to the abuses in the Government, and the English connexion; and nothing but the presence of a large military force—the expense of which must form a great and continually increasing burden on the people of Britain—will be able to support the existing government.

But without adverting further to the measures of a purely political character that may be necessary for the complete re-establishment of tranquillity in Ireland, we shall confine our attention, in this article, to those that have for their object to lessen the mass of pauperism. And though it must be admitted that very serious obstacles stand in the way of every measure that can be devised for effecting so desirable a purpose, it may be easily shown that they are not insurmountable; and the best interests of the empire imperiously require that they should be grappled with without delay.

We have repeatedly endeavoured to show, that much of the over-population, and consequent misery of the Irish poor, is to be ascribed to the practice of subdividing farms among all the sons and even daughters of a family, and of subletting them in small portions to strangers. There is reason to think that this practice was at first rather encouraged by the landlords; and, under the late law of landlord and tenant in Ireland, it was quite impossible for any landlord, however much disposed, to check it, or to prevent the finest estate from being parcelled out into potato gardens! Luckily, however, this vicious system has been completely subverted; and the bill introduced last Session by Sir Henry Parnell, taking away all power of subletting, without the express consent of the landlord, and making leases real property devisable only to the heir at law, has passed into a statute. Previously to the enactment of this law, a strong and almost universal conviction of the injurious consequences of the cottier or small farming system, had grown up among the landlords of Ireland; and many of them had made the most strenuous efforts to free their estates from the swarms of paupers thus encamped upon them, and to consolidate the patches so occupied into considerable farms. The passing of Sir Henry Parnell's Act, and the experience so opportunely afforded by the late elections, of the little dependence to be placed on cottier freeholders, in any struggle in which the landlords and the priests are on opposite sides, has given ad-

ditional means, and a powerful additional motive to prosecute the clearing of estates. But although the suppression of the cottier system is the first, and by far the most important step in the progress to a better state of things, it is hardly possible to suppose that any very considerable advance can be made in it, without the assistance and cooperation of Government. The obvious and pressing question is, What is to become of the wretches who are ejected? They can obtain no employment in the towns, which are already gorged with unemployed inhabitants: And it is therefore quite evident, that if they are not carried to some other country, or in some way provided for, the landlords will either not be able to continue the system they have begun, and the reign of pauperism and degradation will in consequence be perpetuated, or the ejected paupers will transport themselves to Great Britain, and lay the foundations of the same wretchedness here that is now universal in Ireland! *

It is thus apparent, that, in whatever point of view this subject may be considered, it is of paramount importance to the people of Britain. Even if we could prevent ourselves from being overrun by the swarms of paupers with which Ireland is at present deluging us, it would, notwithstanding, be equally our duty and interest to make every exertion for her improvement, as well in the view of providing for the tranquillity and prosperity of so large a portion of the empire, as of preventing the fatal consequences that must ensue in the event of our being engaged in war, from the hostility of her inhabitants. But it is the merest drivelling to suppose, that in the event of our continuing to allow the existing sources of pauperism to flow unchecked in Ireland, and to seek a vent for themselves, it is possible for us to adopt any measures that will be able to prevent our being overrun by them. Nothing but the abolition of all connexion between the two countries, and the surrounding of Great Britain by Bishop Berkeley's

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* The emigration of paupers to England, though vastly increased within the last four or five years, has been going on for a considerable period. 'The population of this district,' (Cork), says Mr Newenham, in the Appendix, p. 31, to his View of Ireland, 'is rapidly increasing, particularly in those parts which are most remote from the sea-coast. Within a few miles of the shore, cultivation has reached that point of imperfection which seems to set improvement at defiance. The surplus of the growing population is disposed of, either by emigration to England, *the last resource of the wretched peasant*, or by removal into the interior parts of the country.'

wall of brass, would be sufficient for our protection. Pauperism, like water, will find its level. It cannot be heaped up in Leinster and Ulster without overflowing upon England and Scotland. But it is needless to reason hypothetically on this subject. The process of equalization has already commenced: And we believe that it is not too much to say, that at this moment from *a fourth to a third part of the labourers in the west of Scotland and the west of England consist of Irishmen.* The latter have almost entirely supplanted the Scotch and English labourers in all those departments in which strength is of more importance than skill; and they are rapidly gaining on them in the others. The consequence is, that a double injury is inflicted upon the native population of Britain. In the *first* place, their wages are reduced by the competition of the Irish; and, in the *second* place, their opinions with respect to what is necessary for their comfortable and decent subsistence are lowered by the contaminating influence of example, and by familiar intercourse with those who are content to vegetate in filth and misery. * We are indeed firmly persuaded, that nothing so deeply injurious to the character and habits of our people has ever occurred as the late extraordinary influx of Irish labourers; and yet the system may be said to be only in its infancy. Previously to the increased facilities of conveyance afforded by means of steam navigation, the expense of the passage from Ireland to Britain, trifling as it was even then, formed a serious obstacle to the influx of Irish poor: But this expense has now been reduced to almost nothing; and it consists with our knowledge, that thousands of poor creatures have been landed from the steam-packets at Liverpool and Greenock within these two years, the cost of whose conveyance from Ireland did not exceed from 4d. to 6d. each! Let us not, therefore, flatter ourselves with the unfounded and delusive idea, that the misery and degradation of the Irish people is a matter which only affects us indirectly and remotely. On the contrary, nothing ever exerted so direct, so immediate, so powerful, and withal so destructive an influence over all our best interests. If we do not interfere to give another bias to the current of emigration, Great Britain will continue to be the outlet for the pauper population

* 'Familiarised with misery,' says Mr Wakefield, speaking of the Catholics of Down, 'they have acquired an *habitual apathy*, and have 'become indifferent to those objects in which the inhabitants of a free 'country are always interested. They seem neither to know nor to 'feel the extent of their misery.'—*Account of Ireland*, Vol. II. p. 736.

of Ireland. So much indeed is this the case, that, not satisfied with the existing facilities for getting across the channel, societies have lately been formed in many parts of Ireland for facilitating emigration to this country. Nor is it any longer a question, that if left to itself, the tide of beggary and degradation will flow in this direction, until the plague of poverty has spread its ravages equally over both divisions of the empire!

One of the most intelligent merchants of Liverpool, Mr Henry Booth, has, in a late pamphlet, given a forcible view of the evils consequent upon the excessive influx of Irish labourers into that town. 'The mention of Ireland,' he observes, 'introduces a branch of our subject which claims our most serious 'consideration; the abject condition of her crowded and unemployed population affords a theme of deep and melancholy 'interest. Dark is the prospect of her future destiny. But 'not alone to the sister kingdom are confined the evils of her 'humiliation. England becomes the receptacle of her overflowing population; the witness, and to a certain extent, the 'sharer of her misery. Of the lowest orders of the poor in 'Liverpool, a very great proportion are Irish.* It is an every 'day occurrence for poor families to arrive in the most deplorable condition. For a few days they traverse our streets 'and quays in an ineffectual search for employment, till reduced to their utmost need, they find their way to the parish 'offices, entreating to be passed back to their own country. 'Some there are who, having imported themselves upon a desperate effort, maintain their ground, enduring the cruelest 'privations, rather than return to their native shores. These 'become domiciled in their new abode, struggling with a thousand hardships, till at length, in the hopelessness of utter 'destitution, they serve in their day and generation, to swell 'the ranks of pauperism, of sickness, and of death. Others, 'with better success, being fairly established in their adopted 'country, become, of necessity, persevering competitors with 'the English labourer, depriving him, to a certain extent, of 'the advantages he would otherwise reap from the superior 'habits, manners, and civilization of his own countrymen.

* The select vestry for the parish of Liverpool, in their Report, dated 20th April 1824, in allusion to the influx of destitute Irish, remark, 'It 'is impossible to behold such a mass of wretchedness, without feelings 'of compassion; and yet, to administer indiscriminately to its relief, is 'only to hold out encouragement to others, and ultimately to increase 'the evil. It is no exaggeration to state, that of the casual poor, who 'obtain temporary relief, *two-thirds* are composed of this description.'

'It is a maxim in political economy, that *prices* in neighbouring districts, where there is a free interchange and communication, will adjust themselves to something near an equality. The same principle is operative with respect to the moral and physical condition of the labouring classes in contiguous countries, where also there is a facility of intercourse and communication. By this radiating and equalizing process, the privations and misery, arising out of the defective institutions and surplus population of Ireland, extend themselves to the sister kingdom, especially to the large sea-ports, and principally, perhaps, to Liverpool.

'And here I would fain direct the public attention to an evil of such portentous aspect, ere it overtake us in the full tide of its malignant visitation. At the present day, few persons will deny how intimately combined is the permanent well-being of the State with the general comfort and respectability of the labouring classes: But is any one sanguine enough to imagine that the independent character of the English labourer (too much an ideal picture at the present moment) can be sustained amidst *the debasing competition, resulting from the eternal influx of poverty and degradation in the never-ceasing importations of Irish peasantry?*'—*(Thoughts on the Condition of the Poor, &c. p. 42.)*

Mr Campbell, the member for Glasgow, informed the Committee that he had good reason to think, from the reports of well-informed gentlemen, that there are at present not less than 40,000 Irish established in Glasgow and its immediate vicinity! And we were truly glad to observe, that the gentlemen of Lanarkshire have, in a Report on the State of the County, which they transmitted to Government on the 23d of September last, particularly called the attention of ministers to this circumstance. They justly state, that the want of employment, so severely felt at present by the labourers and tradesmen of Glasgow, Paisley, &c., has been greatly aggravated by the continued influx of Irish paupers, who can bear almost every sort of privation; and they farther state, that the natives of the country are endeavouring to escape from their competition, by emigrating in great numbers to America, leaving their places to be occupied by the half-famished hordes that are daily pouring in from the great *officina pauperum!*

These statements cannot be controverted; and they are surely enough to excite the most anxious attention, and to induce the people and government of Great Britain to give their unqualified support to the *principle* of the measure recommended in the Report before us, of publicly contribut-

ing to assist the emigration of the Irish poor, on a large scale, to our transatlantic dominions and other foreign possessions. A measure of this sort, conducted on an adequate scale, can alone afford the means of ridding Ireland of that excess of population by which she is now depressed, without injuring or depressing the population of Great Britain. And if we succeed in showing that the measure is perfectly practicable, and that it may without difficulty be carried to the necessary extent, it will not, we apprehend, be easy to convince any one who is at all acquainted with the mischiefs arising from the present state of things, that the expense that must unavoidably be incurred in carrying it into effect, even if it were much greater than can be reasonably anticipated, ought to form any bar to its immediate adoption.

It is not possible to determine, *a priori*, the precise extent to which it would be required to carry emigration, in order to make any decided and palpable improvement in the condition of the people. We are ready, however, to admit, that if it is not conducted on *a very large* scale, it must be nearly useless; and we should be disposed to look on any money that was laid out in removing a few thousand individuals, unless it were in the way of experiment, as little better than absolutely lost. Without, therefore, pretending to point out the precise extent to which emigration ought to be carried, we shall take for granted that it ought to be *very extensive;* and that, in order to lay the foundations of a radical change, it might be necessary to remove a *seventh part* of the entire population of Ireland, or nearly one million of human beings! And founding on this hypothesis, we shall proceed to inquire, *first*, whether so great a number of individuals could be easily located in our colonies, or in the transatlantic dominions of foreign powers, within the space of from seven to ten years, within which it would be desirable that the emigration, in so far at least as it was carried on by Government, should be completed; and, *second*, what would be the probable expense of carrying on this emigration, and the best means of defraying it.

I. The British dominions in North America are of vast extent. They comprise the provinces of Lower and Upper Canada, Nova Scotia, and New Brunswick, with their dependencies. The situation and boundaries of these provinces will be more easily learned from the inspection of a map, than they could be by any description. The shores of Nova Scotia and New Brunswick are washed by the Atlantic Ocean; and the noble river St Lawrence, by its communication with

the great American lakes, gives to Canada all the benefits of the most extensive inland navigation, and forms a natural outlet for her surplus produce, as well as for the surplus produce of that part of the United States which is washed by the Lakes. There is every variety in the soil and climate of these vast regions. In Lower Canada, the winter is very severe. The surface of the country is covered with snow for nearly half the year. From the beginning of December to the middle of April, the St Lawrence is frozen over, and affords a smooth and convenient passage for the sledges by which it is then covered. But though severe, the climate is far from being either unhealthy or disagreeable. The weather is generally clear and bracing; and the labour of artisans, at their out-door employments, is rarely suspended for many days in succession. On the breaking up of the ice in the latter end of April, or the beginning of May, the powers of vegetation almost immediately resume their activity, and bring on the fine season with a rapidity that is astonishing to a stranger. The highest summer temperature in Lower Canada varies from 96 to 102 degrees of Fahrenheit; but the purity of the atmosphere abates the oppressive heat that is felt in most countries when the mercury ranges so high; and the weather is, on the whole, decidedly pleasant. In 1814, it was ascertained that the province of Lower Canada contained about 335,000 inhabitants; at present the number amounts to about 460,000. The population is chiefly confined to the banks of the St Lawrence.

It is impossible to form any estimate with respect to the number of emigrants that might be advantageously established in Lower Canada. Mr Bowman Felton, one of the Legislative Counsellors of the Province, says, that it could support *six millions* of wheat consumers. And though there are certain disadvantages incident to extensive districts, from want of markets, and the injudicious mode in which the lots already occupied have been laid out, there can, at all events, be no doubt that, were it necessary, from 300,000 to 400,000 emigrants might be advantageously located in the Province.

That part of the province of Upper Canada which stretches from Lake Simcoe and the rivers Trent and Severn westward to Lake Huron and the St Clair river, and southward to Lake Erie, and part of Lake Ontario, has a soil of extraordinary fertility, capable of producing the most luxuriant crops of wheat and every sort of grain. 'The climate,' says Mr Bouchette, Surveyor-general of Lower Canada, 'is 'so particularly salubrious, that epidemic diseases, either a-

'mong men or cattle, are almost entirely unknown. Its influ-
'ence upon the fertility of the soil is more generally percep-
'tible than it is in Lower Canada, and is supposed to be con-
'genial to vegetation in a much superior degree. The win-
'ters are shorter, and not always marked with such rigour as
'in the latter. The duration of the frost is always accompanied
'with a fine clear sky, and a dry atmosphere. The Spring opens,
'and the resumption of agricultural labours takes place from
'six weeks to two months earlier than in the neighbourhood
'of Quebec. The Summer heats rarely prevail to excess, and
'the autumns are usually very friendly to the harvests, and
'favourable for securing all the late crops.' * The ground on the shores of Lake Ontario and Lake Erie, as far west as the junction of the Thames with the St Clair Lake, is laid out in townships, and partly settled. But the population is so very thin, as not, on an average, to amount to more than *sixteen* persons to a square mile in the settled townships; while the fertility of the soil is such, that 120 persons to a square mile would not be a dense population. To the north of the River Thames, along the banks of the River St Clair, and the shores of Lake Huron, round to the River Severn, and from thence to the river that joins Lake Nippissing and Lake Huron, is a boundless extent of country that is entirely unoccupied. The interior of this space has hitherto been but imperfectly explored; but the banks of the St Clair and the shores of Lake Huron afford the finest situations for settlements. The soil is, in many places, of the greatest fertility, the rivers and lake teem with fish, and every variety of the best timber is found in the greatest profusion. In 1783, the settlers in Upper Canada were estimated at only 10,000. In 1820, they amounted, according to Mr Gourlay, to upwards of 134,000; and may now probably amount to nearly 200,000—a miserably small population for a country that could easily support *many millions* of inhabitants in a state of the greatest comfort.

The winters in the provinces of Nova Scotia and New Brunswick are more severe than in Upper Canada, and they are a good deal infested with fogs and mists. But their greater proximity to England, and their favourable situation for the fishing business, give them considerable advantages.

This brief and imperfect notice of the British possessions in North America, is enough to show that they possess the most ample means of providing for any number of emigrants that could possibly be sent out; and, whatever other excuses may

* Bouchette's Topographical Description of Canada, p. 595.

be alleged for allowing Great Britain to be overrun with Irish paupers, it cannot, at any rate, be said that it arises from any want of unoccupied territory, on which to establish them with advantage to themselves and the country.

II. The Expense of emigration comes next to be considered. In 1823, Government determined on making an experiment, in the view of ascertaining the actual expense of establishing emigrants in Upper Canada; and for this purpose, they sent out 568 Irish emigrants, of whom 186 were men, 143 women, and the remainder young persons and children under 18 years of age. The emigration was conducted under the superintendence of Mr Peter Robinson, who appears to have discharged the difficult and important duties committed to his charge with equal zeal and judgment. Besides being conveyed free of all cost, the settlers received, on arriving at the place of their destination, a supply of twelve months provisions, 182 cows, valued at 4*l.* 10s. each, seed-corn and potatoes for planting, the utensils necessary to enable them to commence clearing and cultivating the ground, and assistance in the erection of their houses, &c. &c. The entire cost to the public amounted to 12,539*l.*, being at the rate of about 22*l.* for each emigrant, young and old. In other respects the experiment has been completely successful. The difficulties incident to the establishment of the settlers have been surmounted; and from beggars they have been transformed into industrious thriving landholders!

The expense, provisions included, of conveying these emigrants to Quebec, amounted to 5872*l.*, being at the rate of 10*l.* 6s. for each individual, and amounting to little less than a half of the entire expense incurred. But we cannot help thinking, that a very great saving might be effected in this item. Colonel Cockburn, superintendant of the military settlements in Upper Canada, estimates the expense of the voyage to Quebec at 6*l.*; and there is reason to believe that it might be accomplished at a still lower rate. In 1821, a pretty extensive emigration took place from Glasgow and the vicinity to Canada. The expenses of the voyage out were defrayed by the parties; and it appears, from the accounts that have been published by the Committee of Management, that 1883 individuals were transported to Quebec, and furnished with the then statutory allowance of provisions during the passage, for 5485*l.*, being at the rate of only 2*l.* 18s. for each individual! The provisions were purchased by the agent for the emigrants; and it is known that prices in 1821 were unusually low. There may also have been some peculiar circumstances

connected with the state of the shipping interest at that time, with which we are not acquainted, that contributed to enable the promoters of this emigration to conduct it at so small an expense; but after allowing most liberally for these and other incidental circumstances, we believe we shall be quite warranted in assuming, that if the alterations we are about to suggest in the Act regulating the transport of passengers to America were repealed, and proper means taken to excite competition, any number of emigrants might be carried to Quebec for 3*l.* 3s., or at most 3*l.* 10s. each, inclusive of all expenses; which, supposing the other items of expenditure to remain the same as in the emigration conducted by Mr Robinson, would reduce the cost of establishing an emigrant in Upper Canada from 22*l.* to 15*l.* 4s.

Previously to the year 1803, there were no regulations with respect to the number of emigrants that a vessel might carry out, or the quantity of provisions which she was to take on board for their service. This was left to the care of the parties; and though it is certainly true that cases did occur in which emigrants were exposed to great hardships, from the bad faith of the captains and owners of the vessels they employed, we are not sure that they were of sufficient magnitude to call for any interference on the part of Government, and certainly afford no apology whatever for the existing regulations. In 1803, however, in compliance with the representations of the Highland Society—representations which, it is admitted, were prompted chiefly by a desire to check emigration—an Act was passed, regulating the number of passengers to be taken on board proportionally to the tonnage, and the quantity of provisions. Means, however, were found of evading that Act; and the abuses that had been originally made the pretext for interfering, still continued. But, instead of attempting to suppress them, by affording means for the summary prosecution of the owners and captains of such vessels as had been guilty of a breach of contract, recourse was again had to restrictive regulations; and, in 1823, an Act was passed, the provisions of which, one would be almost tempted to believe, had been carefully devised for the express purpose of suppressing emigration altogether! According to this Statute, it is fixed that no ship shall take on board more than one full grown passenger for every *two* tons burden, and proportionally for children, under a penalty of 50*l.* for each additional passenger; that every ship shall be furnished with such a supply of provisions as will afford a *daily* allowance for every full grown person, and children in proportion, of a pound of bread or

biscuit, and a pound of beef, or three-fourths of a pound of pork, exclusive of a farther *weekly* allowance to every such person of two pounds weight of flour, and three pounds of oatmeal or pearl barley, and half a pound of butter, during the voyage, the probable duration of which is to be estimated by the customhouse officers; and that all vessels having license to carry *fifty* passengers or upwards, shall have on board a regularly graduated surgeon, and shall be provided with a medicine chest, &c. &c.

Now, we are quite sure that every one will agree with us in thinking, that if we wish to keep the pauper population of Ireland at home, or to force them to Great Britain, these regulations are admirable: But if we wish to facilitate their egress to foreign countries, or to our own colonies, they are the most irrational and absurd that can be imagined. All the witnesses examined by the Emigration Committee agree, that while the clauses with respect to provisions, and the having a graduated surgeon on board, are of no real advantage to the passengers, they have, at the very least, *doubled the expense of transport.* The supply of food provided under the statutory regulations, is much too great, at the same time that it is exceedingly expensive, and by no means suited to the habits of most of the emigrants. Not one of a hundred of them is accustomed to eat beef or pork; and it really seems quite ludicrous to begin cramming them with that sort of food at the very moment when they are to be cooped up in a ship, and deprived of exercise! Instead of being favourable to the health of the passengers, it is obvious that such a change in their mode of feeding must, in their situation, be injurious; and accordingly it is established, by the most decisive testimony, that sickness and scurvy are much more prevalent among them now than formerly. The truth is, that if they are supplied with a sufficient quantity of oatmeal, potatoes and herrings, and with a little butter and molasses, they have all that is necessary. Every thing else is really superfluous, and ought to be granted to those only who can afford to pay for it. Neither do we see that there is any urgent necessity why a regular surgeon should be put on board every ship. Mr Buchanan states, that the regulations with respect to surgeons and provisions are not strictly enforced in the case of *American* ships carrying out passengers to the United States; and, with equal inconsistency, they are not enforced in the case of ships carrying passengers to Newfoundland, and no inconvenience has been found to result from that circumstance. But if some medical assistance should be deemed indispensable, we would beg to suggest, that such medical

students as have either served an apprenticeship to a surgeon, or attended lectures on the principal branches of surgery and medicine for two years, should be admitted as surgeons in emigrant ships. Perhaps it might be proper to maintain the existing regulations with respect to the number of passengers, as compared with the tonnage; and the customhouse officers might be authorized to see that there was a sufficient supply of water, and of oatmeal, potatoes, and herrings on board: But farther than this, no interference ought to be tolerated. And if the law were placed on this footing, there can be no doubt that any number of passengers might be carried to Canada, Nova Scotia, or the United States, for less than 3*l.* a head.

It ought indeed to be mentioned, that, by an Act passed last year, (6 Geo. IV. cap. 106.), in consequence of the earnest representations of the Irish merchants and ship-owners, the Lords of the Treasury were authorized to exempt vessels carrying passengers *from Ireland to the British possessions in America* from the provisions in the Passage Act of 1823, in the event of their complying with the conditions in the Treasury order to that effect. But why not entirely repeal so impolitic a statute? Can any thing be imagined more oppressive and absurd than, by keeping up the regulations in the case of British ships carrying passengers to *the United States*, to throw this important branch of employment almost entirely into the hands of the American ship-owners, who can more easily evade the regulations? And why, we should like to know, should different regulations be made with respect to the passage of emigrants from *Ireland* to Canada from those that obtain in the case of emigrants from *Great Britain?* The feeble and impotent attempt that has thus been made to amend the Passage Acts, sets the necessity of their abolition in the most striking point of view; and will, we hope, lead to their total repeal, with the exception of the regulations to which we have now alluded.

Colonel Cockburn estimates the expense of conveying an emigrant from Quebec to the place of settlement in Upper Canada at 2*l.* 10s. The great length and difficulty of this inland navigation, has induced some well informed persons to consider this estimate as too low. But if emigration were conducted on a large scale, and if the transport of the emigrants were performed by contract, we have little doubt that it might be accomplished for even less than Colonel Cockburn's estimate. And supposing the Passage Act to be repealed, we think it might be fairly supposed that emigrants might be carried from Ireland to the place of settlement in Upper Canada for about 5*l.* or 5*l.* 5s. each.

It will, however, be observed, that the expenses of conveying emigrants to Nova Scotia, New Brunswick, and Lower Canada, would be very considerably *less*, as well on account of the shorter voyage out, as of the small subsequent expense that would be incurred in conveying the emigrant to his place of settlement. Nova Scotia and New Brunswick, including Prince Edward's Island and Cape Breton, are fully as large as England; and while the present population only amounts to about 200,000, they might with ease furnish subsistence for *four millions*. In Cape Breton only, according to a very well informed witness, Mr Uniacke, Attorney-General for Nova Scotia, there are a *million of acres* of *good* land still to dispose of (*Report*, *p.* 42); which, allowing 150 acres for each family of four persons, would accommodate upwards of 33,000 emigrants; and, estimating the expense of their conveyance from Ireland at 2*l.* 10s., and the farther expenses attending their conveyance to their lots at 15s., the whole expense of their transport would only amount to about 3*l.* 5s.; and we have been assured by gentlemen well acquainted with such matters, that it might be accomplished for even less. Mr Uniacke further estimates, that there are in Nova Scotia, exclusive of New Brunswick, about 2,000,000 of acres of good land fit for settlement; and, estimating the unappropriated good land in New Brunswick at other 2,000,000 of acres, it is plain, that 133,000 emigrants might be established in these provinces, and conveyed to them at an expense that would most probably vary from 3*l.* 5s. to 3*l.* 15s. each.

It is estimated that the emigrants might be transported from Ireland to their lots in Lower Canada, for from 4*l.* to 4*l.* 10s. each.

It is difficult to form any probable estimate of the expense that would be incurred in *establishing* the emigrants. Colonel Cockburn supposes it might amount, inclusive of provisions for a twelvemonth, and a cow for every four persons, &c. to 12*l.* 16s. for each individual in Upper Canada, and to 10*l.* 10s. in Nova Scotia and New Brunswick. It appears, however, to be the general opinion of the witnesses examined before the Committee, that the expense of establishing the emigrants would be progressively diminished as emigration was extended. Mr Uniacke states, that he believes that from 15,000 to 20,000 emigrants might be annually absorbed by the provinces of Nova Scotia and New Brunswick only, without any expense on their account except that of sending them out. And it is highly probable, that if emigration were conducted on a large scale, the facilities of obtaining labourers would be so great that ca-

pitalists would be induced to undertake extensive settlements; and that a small premium from Government would be sufficient to make them become responsible for the support of large bodies of emigrants.

But it is really a matter of comparative indifference, whether an emigrant is established in the colonies of Great Britain, or in the United States, or Colombia, or any other country. His Emigration must at any rate be, in the first instance, of advantage to us; and unless his location in our colonies were to afford the means, of which we shall immediately show there is not much prospect, of making him contribute a direct revenue to this country, the advantages derived from the additional intercourse he might occasion would be equally great, whether he were settled in Canada or Colombia. For these reasons, we think that all individuals who are disposed to emigrate to the United States, or to South America, rather than Canada, ought to be carried directly to these countries; and the British Consuls at New York, New Orleans, and other great trading towns, ought to be instructed to furnish such emigrants as could not find employment near the sea-coast, with a little money to assist them in transporting themselves to the interior. And if the single province of Nova Scotia and New Brunswick could absorb 15,000 emigrants a year, without any expense on account of location, it is surely a very moderate estimate to suppose that Canada, the United States, Mexico, and South America, might absorb 20,000 more. The expense attending the conveyance and disposal of such persons might perhaps be taken, on a rough average, at 8*l.* or 8*l.* 8s. each. And supposing the emigration to continue ten years, on this scale, 350,000 emigrants would be disposed of.

On the whole, therefore, we are disposed to think, that the expenses consequent upon the transportation of *one million* of emigrants from Ireland to America, and disposing of them there, might be fairly estimated as under; viz.

Expense of conveying 33,000 emigrants to Cape Breton, and establishing them there (passage out and internal conveyance 3*l.* 5s., establishment 10*l.* 10s.), 13*l.* 15s. each	L.454,000
Expense of conveying 133,000 emigrants to Nova Scotia, &c. (passage &c. 3*l.* 10s., establishment 10*l.* 10s.) 14*l.* each - -	1,862,000
Expense of conveying 350,000 emigrants to America, and furnishing them with a little money, 8*l.* 8s. each. - - - - - -	2,940,000
Carry over	L.5,256,000

Brought over	L.5,256,000
Expense of conveying 484,000 emigrants to Lower and Upper Canada and establishing them there, (passage, &c. 5*l.* 5s., establishment 12*l.* 10s.), 17*l.* 15s. each - - - -	8,591,000
Total expense of conveying one million of emigrants to America, and establishing them there	L.13,847,000

This is undoubtedly a very considerable sum; but considerable as it is, we have no hesitation in saying, that, though it were *twice as great*, it would be well and advantageously laid out in securing the object in view. Look at the alternative under which this question is placed. If, on the one hand, we incur the expense consequent upon the prosecution of emigration on the large scale we have proposed, we shall relieve Ireland of the surplus population by which she is now oppressed and beggared, and will enable means to be adopted for securing her future and rapid improvement, at the same time that we shall protect and secure our own population from being overrun and degraded by the influx of Irish poor: But if, on the other hand, we refuse to incur this expense, and allow matters to remain on their present footing, it is idle to talk of the improvement of Ireland: Her misery will be rendered perpetual; and every year thousands of starving wretches will be cast upon our shores, till our people have been sunk, in consequence of their influx, to the same level of hopeless misery as the Irish, and the scourge of universal mendicity has avenged centuries of misgovernment!

It has, we are aware, been sometimes said, that a less sum than would be required to carry the surplus poor of Ireland to America, would be sufficient, were it laid out in providing for them at home, to give them the means of supporting themselves in a state of comfort and respectability, and would consequently be, in every point of view, more for the public advantage. Were it not that this opinion has met with a few feeble advocates in the House of Commons, we should hardly have thought it worthy of notice. Extremely few, not one in fifty perhaps, of the persons who would be carried to America as emigrants, have learned any sort of art or handicraft. They would almost universally consist of peasants acquainted only with the very rudest species of agriculture. And if they were to be furnished with sums of money at home, it is as clear as the sun at noon-day that they would lay them out in buying a cow, and in tempting the proprietors, by the offer of exorbitant rents, to let them a small patch

of ground. It is therefore certain, that whatever momentary relief might thus be obtained, would be purchased at the expense of a much greater mass of future, and not very distant, misery; while it would contribute to perpetuate and extend that very cottier system which has been, and is the chief bane and curse of Ireland! With respect to the nonsense that has been talked about employing the peasantry at public works, it has, we believe, been scouted by Government, and is wholly undeserving of attention. What is wanted is, the adoption of a system that will effectually relieve the immediate pressure of pauperism, without throwing it upon Great Britain, and which will, at the same time, enable such farther measures to be adopted as will ensure the future and lasting prosperity of the country.

The arguments against employing money in casual charity, and against attempting to relieve the peasantry by grants for their establishment in the country, were most admirably stated by the Bishop of Limerick, before the Emigration Committee. And as his Lordship's intimate acquaintance with the state of the people, and the exigencies of the country, cannot fail to give great weight to his opinions, we have much pleasure in transferring the following extract from his evidence to our pages.

'It is to be apprehended, from past experience, that at home much money might be expended with little benefit. It would seem, that there might be either want of judgment in the plan, or want of principle in the expenditure, or both. I have been partly led to that conclusion, from considering the mode of employing the sums sent over in 1822 by the London Relief Committee. The famine was then certainly arrested; but, with rare exceptions, mischief rather than good was done. That is, viewing the matter broadly, and looking, not to the temporary relief afforded, but to the permanent effect. The people were, in too many instances, taught to rely rather on casual bounty, than on their own continuous exertions. They were employed, it is true; but rarely on beneficial public works, or in such a way as not to forestal their future earnings. It was very commonly contrived, that they were set to work, at the public expense, on the farms of the minor gentry, and the more substantial yeomanry; and thus the occasions of future industry were anticipated. He who, in the year 1822, was employed in ditching or draining on this or that farm, lost the benefit of precisely so much employment in the year 1823. This is meant to illustrate the way in which public grants might too probably be expended in Ireland. Where high-minded gentry are resident, it would doubtless be considerably otherwise; but even such are liable to be circumvented by the knavery of an inferior class of people.

'The evil to be met is a redundant population; it is now in the pro-

cess of curing itself, in the most painful way, by the ejectment, destitution, and starvation of those poor people, whom I would call *surreptitious* tenantry. These are left upon the roads, to raise miserable hovels in the ditches. The object should be, in some way, to provide for them; and, so far as practicable, in such a way as would not only check the evil, but prevent its recurrence. Now, money brought into the country would not be likely to do this; for the landlords neither *would*, nor can it be reasonably expected that they *should*, apply the funds for the relief of the *ejected* tenants. The money would assuredly go to the tenantry actually on their estates. But grant, for a moment, that it were to go among the former class: how could it be employed? Not in re-establishing them in small farms, for this would be to renew and perpetuate the evil; not in making them manufacturers, for, for this purpose, sufficient funds could not be expected, nor could directing heads be found. The more I reflect, the more I am persuaded that money sent artificially into Ireland, as contradistinguished from the natural order of things, *whether administered in the way of gift or loan, would, in a few years, leave the peasantry in a worse state than that in which it found them.* If, with her present scanty means, Ireland is peopled beyond her resources, we are to consider that the additional means afforded, insufficient for the creation of individual and national prosperity, would be quite enough to induce an increase of existing improvidence, of early marriages especially, and all their attending mischiefs.

'The evil is *pressing*, is *immediate*. It calls, therefore, for an *immediate* remedy. Take *any* system of home relief, it must be *gradual* in its operation; before it can be brought to bear, the present sufferers will have died off, and others will have supplied their place, but not without a dreadful course of intermediate horrors. Now, Emigration is an instantaneous relief, it is what bleeding would be to an apoplectic patient. The sufferers are *at once* taken away; and, be it observed, from a country where they are a nuisance and a pest, to a country where they will be a benefit and blessing. Meantime, so far as displaced tenants are taken away, the landlords, aided by existing laws, and especially by the Act now about to be passed, (*Sir Henry Parnell's Act*), will have it in their power to check the growth of population, somewhat in the same way as, after removing redundant blood, a skilful physician will try to prevent the human frame from generating more than what is requisite for a healthful state.' (p. 142.)

Seeing, therefore, that the money expended on emigration would be well and profitably expended, we have next to inquire how it might be most advantageously raised.

The plan for defraying the expense which the Committee seems most disposed to sanction, proceeds on the hypothesis that Government should advance the necessary funds in the first instance, but that they should be repaid by means of long annuities. It is thought that parishes burdened with paupers, or landlords desirous of relieving their estates of their surplus

population, would be induced to pay this annuity for the first seven years; and that, on the expiration of this term, it might be made a sort of rent charge on the ground occupied by the emigrant, who would then be in a condition to pay it. We must say, that we feel but little disposed to think favourably of this plan. In so far as respects emigration from Ireland, where there are no poor-rates, parishes could not bind themselves to defray any portion of the expense; and though we have no doubt that very many landlords would be disposed to contribute largely in furtherance of any plan that might rid their estates of the surplus population by which they are now infested, still we have not the remotest idea that any thing like adequate means could be obtained in that way, for conducting emigration on so large a scale as would be required to render it of real advantage. With respect to that part of the plan which has for its object to make the emigrants ultimately defray the greater portion of the expenses attending their transplantation, we look upon it as altogether visionary and impracticable. In the *first* place, it is clear it could not be made to apply to that large body of emigrants which we have shown might be most advantageously disposed of, by merely landing them in Canada and the United States, without any further charge being incurred on their account: And, in the *second* place, we much fear that if any attempt were made to enforce the collection of the annuity from a large body of settlers, it would lead to such discontent as would either occasion its speedy abandonment, or the loss of the colony. Every one knows that both in Canada and the United States, numerous lots of land are every year sold for payment of the public taxes, which are so very trifling as rarely to exceed twopence an acre. And when such is the case, it does seem to us abundantly preposterous to suppose, that about *six* times that amount of taxes—for the annuity would in effect raise them to that extent—could be collected. If any thing farther were required to show the impracticability of this part of the plan, the evidence of Colonel Cockburn would be sufficient. He has had great experience in the location of emigrants; and he gives it as his distinct opinion, 'That at the end of seven 'years you could not reckon upon receiving back, by way of 'rent, any part of the expense you were put to in establishing 'the settlers. In more than half the instances you would not 'succeed at all; and in many others you would not succeed 'without having recourse to legal process. The only way would 'be by withholding the deed (the grant of the land); but if 'that were done, the consequence would be, that the settler

'would cease to take any interest in his location, and would 'leave it.'—(*Report*, p. 149.)

The error of the Committee on this point, has proceeded from a laudable desire to recommend any system that promised to lessen the expense of emigration. But though we are most inimical to every species of wasteful and extravagant expenditure, we are no less inimical to that spurious and ill-judging spirit of economy, that would prevent the adoption of a highly useful measure, or clog it with impracticable conditions, because it could not be effected without a considerable sacrifice. The many and signal benefits that would be derived from the conveyance of a million of Irish emigrants to America, would be a most ample return for the greatest possible expense that could be incurred in accomplishing it. And sound policy would therefore suggest, that all idea of resorting to the complex and impracticable machinery of annuities, and so forth, should be abandoned; and that public provision should be made for discharging, at once and forever, the entire expense of the emigration.

As Ireland would certainly derive the greatest advantage from the adoption of the proposed plan of emigration, it is but fair that she should contribute to defray its expense in a larger proportion than Great Britain: And as the removal of the redundant population dispersed over the country, would be especially advantageous to the landlords, it is on them that the principal part of the expense ought certainly to fall. The Bishop of Limerick suggests that parochial assessments, at some such small rate as sixpence an acre, would, if authorized by law, be perhaps generally adopted. But we are satisfied, and several of the best informed Irish members of the House of Commons hold the same opinion, that no plan of this sort could ever succeed generally, though it might be adopted in some particular cases. To be effectual, the operation of the system must be rendered universal and compulsory. It must be conducted with zeal, vigour, and consistency. It is calculated that there are very nearly 19,500,000 English acres in Ireland: which, supposing them to be assessed at sixpence an acre, would yield an annual revenue of nearly 500,000*l*. The rent of an estate would, however, be a much fairer criterion for estimating the sum which it ought to pay than its extent. It would indeed be difficult, from the want of sufficiently accurate information with respect to the rental of Ireland, to estimate the per-centage of the tax that would have to be imposed on it, to defray either the whole, or any given portion of the expenses of the emigration. Dr Colquhoun estimated the rent of Ire-

land at *ten* millions; but taking it at only *eight*, an assessment of *five* per cent. would yield 400,000*l.* a year; and this sum, added to the produce of the tax, which we shall afterwards show ought to be imposed on cottages both in England and Ireland, would afford ample means for defraying the interest of the loan which it might be necessary to contract, in the first place, on account of the emigration, and for forming a sinking fund for its final and speedy extinction.

It will perhaps be said, that, though it is true that, as a whole, Ireland is vastly overpeopled, there are certain districts and estates that are not in that situation, and that it would be unfair to tax them for the advantage of the others. But this is a radical mistake. It is the duty of Government to provide for the general welfare of the community: And it is easy to see that every part of the country—that the estate of Lord Fitzwilliam as well as that of Lord Courtney—would be incalculably benefited by the adoption of the measure now proposed. Security would be increased according as the pressure of pauperism was diminished; and the value of all sorts of property would be universally augmented. And though it is perhaps true that Limerick or Clare would reap a greater immediate benefit from the emigration than Wicklow or Dublin, it would most certainly afford the same essential and lasting advantages to every part of the kingdom.

It has been suggested, in the evidence given before the Emigration Committee, that a Board of Commissioners should be appointed to conduct and superintend its details and execution. This Board might consist of three or five commissioners, who should be authorized to determine all matters with respect to the emigration; to arrange with the landlords whose estates were to be cleared; to decide on the mode of disposing of the emigrants, &c. &c. As we mentioned before, it would be desirable that, as far as possible, every thing should be executed by contract; superintendents being appointed to see that the terms made with the contractors were properly carried into effect. The Board of Commissioners ought to be instructed to make full, regular, and frequent Reports of their proceedings to Parliament, to which it would be most desirable that every sort of publicity should be given; for, such is the only means by which abuses could be speedily and effectually rectified, and the whole business conducted in the best and cheapest manner.

Supposing, however, that the policy of conducting emigration on a large scale were admitted, still it is most true, that, unless measures were at the same time adopted for checking the excessive increase of population, and preventing the dimi-

nution that would be made in the numbers of the people from being again filled up, no permanent advantage would be derived from the measure, and in a few years the population would be as redundant as ever. Emigration, by itself, would really give an additional stimulus to the principle of increase; and the hydra of pauperism would derive new strength and vigour from the very means resorted to for its suppression! But, while we should be the first to oppose any measure for the encouragement of emigration, which was not accompanied by, and combined with, other measures for preventing the vacuum that would be made in the population from being filled up, as an idle and unprofitable waste of the national resources, we are at the same time convinced that the organization of an extensive plan of emigration can alone enable such supplementary measures to be adopted, and that it is quite possible to make them completely effectual to their object.

It is clear, as has been previously stated, that the removal of the cottier population would give the landlords the means of consolidating their estates into larger farms; and the Act of last Session has armed them with powers to prevent their being again split into minute portions. But it would be inconsiderate in the extreme to trust, in a matter of such importance, entirely to this security for the repression of so great an evil; nor can any one doubt, that Government would be guilty of a great dereliction of duty, if, after laying out a large sum in the encouragement of emigration, they did not adopt whatever other measures might be deemed necessary for opposing an *insuperable barrier* to the future increase of pauperism. Every one knows, that it is quite impossible, but for the facility with which slips of land and huts have been obtained in Ireland, that population and beggary could have increased so rapidly as they have done; and it appears, from the evidence taken before the Committee, that the same cause, or the comparative facility with which cottages have lately been obtained in England, has had an equally destructive influence in that part of the empire. Mr Curteis, M. P. for Sussex, and a most intelligent witness, Mr Hodges, Chairman of the West Kent Quarter-sessions, informed the Committee, that several parishes in Kent and Sussex had sent out a considerable number of pauper emigrants to America; but that it had had no effect upon the rates, for that the instant after they were removed, the cottages they had occupied were again filled with fresh paupers! '*I* '*am quite satisfied,*' says Mr Hodges, '*that the erection of cottages* '*has been a most serious evil throughout the country;* and I have 'been induced, acting on that conviction, to concur with other

'cottage proprietors, who are going to take down from twenty-'six to thirty cottages as soon as these persons are out of them, 'if they emigrate, as we think they will do; for, *if we leave the 'buildings standing, young persons of seventeen and eighteen years of 'age, and even still younger, would marry immediately, and thus the 'evil would continue!*' (*Report*, p. 136.) And, in another place, Mr Hodges says, 'Perhaps I am taking a liberty in adverting 'to what I stated the other day, but without an attention to the 'fact then disclosed, of the *prodigious increase of cottages of late 'years, all other regulations will be nugatory;* and I cannot forbear 'urging again, that this, or any similar measure, having for its 'object the relief of parishes from their over-population, *must 'of necessity become perfectly useless, unless the Act of Parliament 'contains some regulation with respect to the erecting and maintaining 'of cottages.*' (*Report*, p. 185.) The evidence of Mr Curteis is to the same effect, and is even stronger than that of Mr Hodges.

It is, therefore, quite indispensable, if we are really anxious to set limits to the tide of pauperism, that an effectual blow should be levelled against this ruinous system. And we are not sure, that this could be better done than by adopting the *principle* of the suggestions made by Mr Curteis and Mr Hodges, with respect to the taxing of cottages; and passing an Act, which should be applicable to both England and Ireland, imposing an annual duty of at least 2*l.* or 3*l.* on every cottage occupied by one family, and doubling or tripling, &c. the duty in the event of its being occupied by two or more families, that shall henceforth be erected, either in the country or in villages; it being at the same time enacted, that this duty shall be *levied from and made directly payable by the proprietor of the land on which the cottage is built.* Mr Hodges suggests, that the proprietors of existing cottages in England should be made responsible for the support of their occupants, in the event of their becoming destitute. But we are inclined to think, that there would be a sufficient inducement to contract the number of cottages to the extent required for the accommodation of the necessary supply of labourers, were the proprietors of estates, on which cottages are now built, directly taxed at the rate of 10s. or 15s. a year, for each of their cottages during the next seven years, the duty being then increased to 25s. or 35s. Such an act would not only prevent the farther increase of the mischief, but it would provide for its gradual diminution. And if it were, as it ought to be, distinctly stipulated, in removing the surplus inhabitants from the estates of such Irish landlords as the Emigration Commissioners might resolve upon clearing,

that the huts the emigrants had occupied should be rased to the foundation, and that the landlords would be charged with a duty of 2*l.* or 3*l.* a year on every hut or cottage for the accommodation of one family, and so in proportion, that might in future be erected on their estates, an effectual obstacle would be interposed to the farther progress of pauperism; and a great and beneficial change would very speedily be effected in the habits and condition of the people, and the appearance of the country.

It might, perhaps, be expedient, that some restrictions should be laid on the influx of Irish labourers into Great Britain during the period that the emigration was in progress. But no compulsory measures to force any individual abroad ought ever to be resorted to, or would be required. There would, in truth, be a large excess of voluntary emigrants. At present the disposition to emigrate is exceedingly prevalent in Ireland; and if the landlords were enabled, as they would be under the operation of the proposed system, to set vigorously about clearing their estates, this disposition would acquire new force. The difficulty, we apprehend, would not be to find voluntary emigrants, but to make a judicious selection among the myriads that would be anxious to be removed from the destitution and wretchedness in which they are now involved.

ART. III. STOCKTON *on the Practice of not allowing Counsel to Prisoners accused of Felony.* 8vo. pp. 149. London, 1826.

ON the sixth of April 1824, Mr George Lamb (a gentleman who is always the advocate of whatever is honest and liberal), presented the following Petition from several Jurymen in the habit of serving on Juries at the Old Bailey—

'That your petitioners, fully sensible of the invaluable privilege of Jury trials, and desirous of seeing them as complete as human institutions will admit, feel it their duty to draw the attention of the House to the restrictions imposed on the prisoner's counsel, which, they humbly conceive, have strong claims to a legislative remedy. With every disposition to decide justly, the petitioners have found, by experience, in the course of their attendances as Jurymen at the Old Bailey, that the opening statements for the prosecution too frequently leave an impression more unfavourable to the prisoner at the bar, than the evidence of itself could have produced; and it has always sounded harsh to the petitioners to hear it announced from the Bench, that the Counsel, to whom the prisoner has committed his defence, cannot be permitted to address the Jury in his behalf, nor reply to the charges which have, or have

not, been substantiated by the witnesses. The petitioners have felt their situation peculiarly painful and embarrassing when the prisoner's faculties, perhaps surprised by such an intimation, are too much absorbed in the difficulties of his unhappy circumstances to admit of an effort towards his own justification, against the statements of the Prosecutor's Counsel, often unintentionally aggravated through zeal or misconception; and it is purely with a view to the attainment of impartial justice, that the petitioners humbly submit to the serious consideration of the House the expediency of allowing every accused person the full benefit of Counsel, as in cases of misdemeanour, and according to the practice of the Civil Courts.'

With the opinions so sensibly and properly expressed by these Jurymen, we most cordially agree. We have before touched incidentally on this subject; but shall now give to it a more direct and a fuller examination. We look upon it as a very great blot in our over-praised Criminal Code; and no effort of ours shall be wanting, from time to time, for its removal.

We have now the benefit of discussing these subjects under the government of an Home Secretary of State, whom we may (we believe) fairly call a wise, honest, and high principled man—as he appears to us, without wishing for innovation, or having any itch for it, not to be afraid of innovation, * when it is gradual and well considered. He is indeed almost the only person we remember in his station, who has not considered sound sense to consist in the rejection of every improvement, and loyalty to be proved by the defence of every accidental, imperfect, or superannuated institution.

If this petition of Jurymen be a real *bona fide* petition, not the result of solicitation—and we have no reason to doubt it—it is a warning which the Legislature cannot neglect, if it mean to avoid the disgrace of seeing the lower and middle orders of mankind making laws for themselves, which the Government is at length compelled to adopt as measures of their own. The Judges and the Parliament would have gone on to this day, hanging, by wholesale, for the forgeries of bank notes, if Juries had not become weary of the continual butchery, and resolved to acquit. The proper execution of laws must always

* We must always except the Catholic question. Mr Peel's opinions on this subject (giving him credit for sincerity), have always been a subject of real surprise to us. It must surely be some mistake between the Right Honourable Gentleman and his Chaplain! They have been travelling together; and some of the Parson's notions have been put up in Mr Peel's head by mistake. We yet hope he will return them to their rightful owner.

depend, in great measure, upon public opinion; and it is undoubtedly most discreditable to any men intrusted with power, when the governed turn round upon their governors, and say, 'Your laws are so cruel, or so foolish, we cannot, and *will not* act upon them.'

The particular improvement, of allowing Counsel to those who are accused of felony, is so far from being unnecessary, from any extraordinary indulgence shown to English prisoners, that we really cannot help suspecting, that not a year elapses in which many innocent persons are not found guilty. How is it possible, indeed, that it can be otherwise? There are seventy or eighty persons to be tried for various offences at the Assizes, who have lain in prison for some months; and fifty of whom, perhaps, are of the lowest order of the people, without friends in any better condition than themselves, and without one single penny to employ in their defence. How are they to obtain witnesses? No attorney can be employed—no subpœna can be taken out; the witnesses are fifty miles off, perhaps—totally uninstructed—living from hand to mouth—utterly unable to give up their daily occupation to pay for their journey, or for their support when arrived at the town of trial—and, if they could get there, not knowing where to go, or what to do. It is impossible but that an human being, in such an helpless situation, must be found guilty; for as he cannot give evidence for himself, and has not a penny to fetch those who can give it for him, any story told against him must be taken for true, (however false); since it is impossible for the poor wretch to contradict it. A brother or a sister may come—and support every suffering and privation themselves in coming; but the prisoner cannot often have such claims upon the persons who have witnessed the transaction, nor any other claims but those which an unjustly accused person has upon those whose testimony can exculpate him—and who probably must starve themselves and their families to do it. It is true, a case of life and death will rouse the poorest persons, every now and then, to extraordinary exertions, and they may tramp through mud and dirt to the assize town to save a life—though even this effort is precarious enough: But imprisonment, hard labour, or transportation, appeal less forcibly than death,—and would often appeal for evidence in vain, to the feeble and limited resources of extreme poverty. It is not that a great proportion of those accused are not guilty—but that some are not—and are utterly without means of establishing their innocence. We do not believe they are often accused from wilful and corrupt perjury: But the prosecutor is

himself mistaken. The crime has been committed: and in his thirst for vengeance, he has got hold of the wrong man. The wheat was stolen out of the barn; and, amidst many other collateral circumstances, the witnesses (paid and brought up by a wealthy prosecutor, who is repaid by the county) swear that they saw a man, very like the prisoner, with a sack of corn upon his shoulder, at an early hour of the morning, going from the barn in the direction of the prisoner's cottage! Here is one link, and a very material link, of a long chain of circumstantial evidence. Judge and Jury must give it weight, till it is contradicted. In fact, the prisoner did not steal the corn; he was, to be sure, out of his cottage at the same hour —and that also is proved—but travelling in a totally different direction,—and was seen to be so travelling by a stage coachman passing by, and by a market gardener. An attorney with money in his pocket, whom every moment of such employ made richer by six-and-eightpence, would have had the two witnesses ready, and at rack and manger, from the first day of the assize; and the innocence of the prisoner would have been established: But by what possible means is the destitute ignorant wretch himself to find or to produce such witnesses? or how can the most humane Jury, and the most acute Judge, refuse to consider him as guilty, till his witnesses *are* produced? We have not the slightest disposition to exaggerate, and, on the contrary, should be extremely pleased to be convinced that our apprehensions were unfounded: But we have often felt extreme pain at the hopeless and unprotected state of prisoners; and we cannot find any answer to our suspicions, or discover any means by which this perversion of justice, under the present state of the law, can be prevented from taking place. Against the prisoner are arrayed all the resources of an angry prosecutor, who has certainly (let who will be the culprit) suffered a serious injury. He has his hand, too, in the public purse; for he prosecutes at the expense of the county. He cannot even relent; for the magistrate has bound him over to indict. His witnesses cannot fail him; for they are all bound over by the same magistrate to give evidence. He is out of prison too, and can exert himself.

The prisoner, on the other hand, comes into Court, squalid and depressed from long confinement—utterly unable to tell his own story from want of words and want of confidence, and as unable to produce evidence from want of money. His fate accordingly is obvious;—and that there are many innocent men punished every year, for crimes they have not committed, appears to us to be extremely probable. It is indeed scarcely possible it should be otherwise: And, as if to prove the fact,

every now and then, a case of this kind *is* detected. Some circumstances come to light between sentence and execution, immense exertions are made by humane men; time is gained, and the innocence of the condemned person completely established. In Elizabeth Caning's case, two women were capitally convicted, ordered for execution—and at last found innocent, and respited. Such, too, was the case of the men who were sentenced ten years ago, for the robbery of Lord Cowper's steward. 'I 'have myself (says Mr Scarlett) *often* seen persons I thought 'innocent convicted, and the guilty escape, for want of some 'acute and intelligent Counsel to show the bearings of the dif-'ferent circumstances on the conduct and situation of the pri-'soner.'—*House of Commons Debates, April 25th,* 1826. We were delighted to see, in this last debate, both Mr Brougham and Mr Scarlett profess themselves friendly to Mr Lamb's motion.

But in how many cases has the injustice proceeded without any suspicion being excited? and even if we could reckon upon men being watchful in capital cases, where life is concerned, we are afraid it is in such cases alone that they ever besiege the Secretary of State, and compel his attention. We never remember any such interference to save a man unjustly condemned to the hulks or the tread-mill; and yet there are certainly more condemnations to these minor punishments than to the gallows: But then it is all one—who knows or cares about it? If Harrison or Johnson has been condemned, after regular trial by Jury, to six months tread-mill, because Harrison and Johnson were without a penny to procure evidence—who knows or cares about Harrison or Johnson? how can they make themselves heard? or in what way can they obtain redress? It worries rich and comfortable people to hear the humanity of our penal laws called in question. There is talk of a Society for employing discharged prisoners: might not something be effected by a Society instituted for the purpose of providing to poor prisoners a proper defence, and a due attendance of witnesses? But we must hasten on from this disgraceful neglect of poor prisoners, to the particular subject of complaint we have proposed to ourselves.

The proposition is, *That the prisoner accused of felony ought to have the same power of selecting Counsel to speak for him as he has in cases of treason and misdemeanor, and as defendants have in all civil actions.*

Nothing can be done in any discussion upon any point of law in England, without quoting Mr Justice Blackstone. Mr Justice Blackstone, we believe, generally wrote his Commentaries late in the evening, with a bottle of wine before him; and little did he

think, as each sentence fell from the glass and pen, of the immense influence it might hereafter exercise upon the laws and usages of his country. ' It is ' (says this favourite writer) ' not ' at all of a piece with the rest of the humane treatment of pri- ' soners by the English law; for upon what face of reason can ' that assistance be denied to save the Life of a man, which yet ' is allowed him in prosecutions for every petty trespass ?' Nor indeed, strictly speaking, is it a part of our antient law; for the Mirror, having observed the necessity of Counsel in civil suits, who know how to forward and defend the cause by the rules of law and customs of the realm, immediately subjoins, ' and more necessary are they for defence upon indictment and ' appeals of felony, than upon any other venial crimes.' To the authority of Blackstone may be added that of Sir John Hall, in Hollis's case; of Sir Robert Atkyns, in Lord Russel's case; and of Sir Bartholomew Shower, in the arguments for a New Bill of Rights, in 1682. ' In the name of God,' says this Judge, ' what harm can accrue to the public in general, ' or to any man in particular, that, in cases of State-treason, ' Counsel should not be allowed to the accused? What rule ' of justice is there to warrant its denial, when, in a civil case ' of an halfpenny cake, he may plead either by himself or by ' his advocate? That the Court is Counsel for the prisoner ' can be no effectual reason; for so they are for each party, ' that right may be done.' *Somers' Tracts*, vol. ii. p. 568.— In the trial of Thomas Rosewell, a dissenting clergyman, for high treason in 1684, *Judge Jeffries*, in summing up, confessed to the Jury, ' that he thought it an hard case, that a man should ' have Counsel to defend himself for a twopenny trespass, and ' his witnesses be examined upon oath; but if he stole, com- ' mitted murder or felony, nay, high treason, where life, estate, ' honour, and all were concerned, that he should neither have ' Counsel, nor have his witnesses examined upon oath.' *Howel's State Trials*, vol. x. p. 207.

There have been two capital errors in the criminal codes of feudal Europe, from which a great variety of mistake and injustice have proceeded; the one, a disposition to confound accusation with guilt; the other, to mistake a defence of prisoners accused by the Crown, for disloyalty and disaffection to the Crown; and from these errors our own code has been slowly and gradually recovering, by all those struggles and exertions which it always costs to remove *folly sanctioned by antiquity*. In the early periods of our history, the accused person could call no evidence:—Then, for a long time, his evidence against the King could not be examined upon oath; consequently, he

might as well have produced none, as all the evidence against him was upon oath. Till the reign of Anne, no one accused of felony could produce witnesses upon oath; and the old practice was vindicated, in opposition to the new one, introduced under the Statute of that day, on the grounds of humanity and tenderness to the prisoner! because, as his witnesses were not restricted by an oath, they were at liberty to indulge in simple falsehood as much as they pleased;—so argued the blessed defenders of nonsense in those days. Then it was ruled to be indecent and improper that Counsel should be employed against the Crown; and therefore, the prisoner accused of treason could have no Counsel. In like manner, a party accused of felony could have no Counsel to assist him in the trial. Counsel might indeed stay in the Court, but apart from the prisoner, with whom they could have no communication. They were not allowed to put any question, or to suggest any doubtful point of law; but if the prisoner (likely to be a weak unlettered man) could himself suggest any doubt in matter of law, the Court determined first if the question of law should be entertained, and then assigned Counsel to argue it. In those times, too, the Jury were punishable if they gave a false verdict against the King, but were *not* punishable if they gave a false verdict against the prisoner. The preamble of the Act of 1696 runs thus—'Whereas it is 'expedient that Persons charged with high treason should 'make a full and sufficient defence.' Might it not be altered to *Persons charged with any species or degree of crime?* All these errors have given way to the force of truth, and to the power of common sense and common humanity—the Attorney and Solicitor-General for the time being, always protesting against each alteration, and regularly and officially prophecying the utter destruction of the whole jurisprudence of Great Britain. There is no man now alive perhaps so utterly foolish, as to propose that prisoners should be prevented from producing evidence upon oath, and being heard by their Counsel in cases of High Treason; and yet it cost a struggle for *seven* Sessions to get this measure through the two Houses of Parliament. But mankind are much like the children they beget—they always make wry faces at what is to do them good; and it is necessary sometimes to hold the nose, and force the medicine down the throat. They enjoy the health and vigour consequent upon the medicine; but cuff the Doctor, and sputter at his stuff!

A most absurd argument was advanced in the Honourable House, that the practice of employing Counsel would be such an expense to the prisoner!—just as if any thing was so expen-

sive as being hanged! What a fine topic for the Ordinary! 'You are going' (says that exquisite Divine) 'to be hanged 'to-morrow, it is true, but consider what a sum you have 'saved! Mr Scarlett or Mr Brougham might certainly have 'presented arguments to the Jury, which would have insured 'your acquittal; but do you forget that gentlemen of their emi- 'nence must be recompensed by large fees, and that, if your life 'had been saved, you would actually have been out of pocket 'above 20*l.*? You will now die with the consciousness of hav- 'ing obeyed the dictates of a wise economy; and with a grate- 'ful reverence for the laws of your country, which prevents 'you from running into such unbounded expense—so let us 'now go to prayers.'

It is ludicrous enough to recollect, when the employment of counsel is objected to on account of the expense to the prisoner, that the same merciful law, which, to save the prisoner's money, has *denied* him counsel, and produced his conviction, seizes upon all his savings the moment he is convicted.

Of all false and foolish dicta, the most trite and the most absurd, is that which asserts that the Judge is counsel for the prisoner. We do not hesitate to say that this is merely an unmeaning phrase, invented to defend a pernicious abuse. The Judge *cannot* be counsel for the prisoner, *ought not* to be counsel for the prisoner, never *is* counsel for the prisoner. To force an ignorant man into a court of justice, and to tell him that the Judge is his counsel, appears to us quite as foolish, as to set an hungry man down to his meals, and to tell him that the table was his dinner. In the first place, a counsel should always have private and previous communication with the prisoner, which the Judge, of course, cannot have. The prisoner reveals to his counsel how far he is guilty, or he is not; states to him all the circumstances of his case—and might often enable his advocate, if his advocate were allowed to speak, to explain a long string of circumstantial evidence, in a manner favourable to the innocence of his client. Of all these advantages, the Judge, if he had every disposition to befriend the prisoner, is of course deprived. Something occurs to a prisoner in the course of the cause; he suggests it in a whisper to his counsel, doubtful if it is a wise point to urge or not. His counsel thinks it of importance, and would urge it, if his mouth were not shut. Can a prisoner have this secret communication with a Judge, and take his advice, whether or not he, the Judge, shall mention it to the jury? The counsel has (after all the evidence has been given) a bad opinion of his client's case; but he suppresses that opinion; and it is his duty to do so. He is not to decide; that is the pre-

vince of the jury: and, in spite of his own opinion,—his client may be innocent. He is brought there (or would be brought there if the privilege of speech were allowed) for the express purpose of saying all that could be said on one side of the question. He is a weight in *one* scale, and some one else holds the balance. This is the way in which truth is elicited in civil, and would be in criminal cases. But does *the Judge* ever assume the appearance of believing a prisoner to be innocent whom he thinks to be guilty? If the prisoner advances inconclusive or weak arguments, does not the Judge say they are weak and inconclusive, and does he not often sum up against his own client? How then is he counsel for the prisoner? If the counsel for the prisoner were to see a strong point, which the counsel for the prosecution had missed, would he supply the deficiency of his antagonist, and urge what had been neglected to be urged? But is it not the imperious duty of the Judge to do so? How then can these two functionaries stand in the same relation to the prisoner? In fact the only meaning of the phrase is this, that the Judge will not suffer any undue advantage to be taken of the ignorance and helplessness of the prisoner—that he will point out any evidence or circumstance in his favour—and see that equal justice is done to both parties. But in this sense he is as much the counsel of the prosecutor as of the prisoner. This is all the Judge can do, or even pretends to do; but he can have no previous communication with the prisoner—he can have no confidential communication in court with the prisoner before he sums up; he cannot fling the whole weight of his understanding into the opposite scale against the counsel for the prosecution, and produce that collision of faculties, which, in all other cases but those of felony, is supposed to be the happiest method of arriving at truth. Baron Garrow, in his charge to the Grand Jury at Exeter, on the 16th August 1824, thus expressed his opinion of a Judge being counsel for the prisoner. 'It has been said, and truly said, that in criminal courts, 'Judges were counsel for the prisoners. So undoubtedly they 'were, as far as they could to prevent undue prejudice, to 'guard against improper influence being excited against prison-'ers; but it was impossible for them to go farther than this; for 'they could not suggest the course of defence prisoners ought to 'pursue; for Judges only saw the depositions so short a time 'before the accused appeared at the Bar of their country, that 'it was quite impossible for them to act fully in that capacity.' The learned Baron might have added, that it would be more correct to call the Judge counsel for the prosecution: For his only previous instructions were the depositions for the prosecution,

from which, in the absence of counsel, he examined the evidence against the prisoner. On the prisoner's behalf he had no instructions at all.

Can any thing then be more flagrantly and scandalously unjust, than, in a long case of circumstantial evidence, to refuse to a prisoner the benefit of counsel? A foot-mark, a word, a sound, a tool dropped, all give birth to the most ingenious inferences; and the counsel for the prosecution is so far from being blameable for entering into all these things, that they are all essential to the detection of guilt, and they are all links of a long and intricate chain: But if a close examination into, and a logical statement of all these circumstances be necessary for the establishment of guilt, is not the same closeness of reasoning and the same logical statement necessary for the establishment of innocence? If justice cannot be done to society without the intervention of a practised and ingenious mind, who may connect all these links together, and make them clear to the apprehension of a Jury, *can* justice be done to the prisoner, unless similar practice and similar ingenuity are employed to detect the flaws of the chain, and to point out the disconnection of the circumstances?

Is there any one gentleman in the House of Commons, who, in yielding his vote to this paltry and perilous fallacy of the Judge being counsel for the prisoner, does not feel, that, were he himself a criminal, he would prefer almost any counsel at the bar, to the tender mercies of the Judge? How strange that any man who could make his election would eagerly and diligently surrender this exquisite privilege, and addict himself to the perilous practice of giving fees to counsel? Nor let us forget, in considering Judges as counsel for the prisoner, that there have been such men as Chief-Justice Jeffries, Mr Justice Page, and Mr Justice Alybone, and that, in bad times, such men may re-appear. 'If you do not allow me counsel, my Lords, (says 'Lord Lovat), it is impossible for me to make any defence, by 'reason of my infirmity. I do not see, I do not hear. I come up 'to the bar at the hazard of my life. I have fainted several 'times, I have been up so early, ever since four o'clock this 'morning. I therefore ask for assistance; and if you do not al-'low me counsel, or such aid as is necessary, it will be impos-'sible for me to make any defence at all.' Though Lord Lovat's guilt was evident, yet the managers of the impeachment felt so strongly the injustice which was done, that, by the hands of Sir W. Young the chief manager, a bill was brought into Parliament, to allow counsel to persons impeached by that House, which was not previously the case; so that the evil is al-

ready done away with in a great measure to persons of rank: it so happens in legislation, when a Gentleman suffers, public attention is awakened to the evil of laws. Every man who makes laws, says, 'This may be my case:' but it requires the repeated efforts of humane men, or, as Mr North calls them, dilettanti philosophers, to awaken the attention of law-makers to evils from which they are themselves exempt. We do not say this to make the leaders of mankind unpopular, but to rouse their earnest attention in cases where the poor only are concerned, and where neither good nor evil can happen to themselves.

A great stress is laid upon the moderation of the opening counsel; that is, he does not conjure the farmers in the Jury-box, by the love which they bear to their children—he does not declaim upon blood guiltiness—he does not describe the death of Abel by Cain, the first murderer—he does not describe scattered brains, ghastly wounds, pale features, and hair clotted with gore—he does not do a thousand things which are not in English taste, and which it would be very foolish, and very vulgar to do. We readily allow all this. But yet, if it be a cause of importance, it is essentially necessary to our counsellor's reputation that his man should be hung! And accordingly, with a very calm voice, and composed manner, and with many expressions of candour, he sets himself to comment astutely upon the circumstances. Distant events are immediately connected; meaning is given to insignificant facts; new motives are ascribed to innocent actions; farmer gives way after farmer in the Jury-box; and a rope of eloquence is woven round the prisoner's neck! Every one is delighted with the talents of the advocate; and because there has been no noise, no violent action, and no consequent perspiration, he is praised for his candour and forbearance, and the lenity of our laws is the theme of universal approbation. In the mean time, the speech-maker and the prisoner know better.

We should be glad to know of any one nation in the world, taxed by kings, or even imagined by poets (except the English), who have refused to prisoners the benefit of counsel. Why is the voice of humanity heard every where else, and disregarded here? In Scotland, the accused have not only counsel to speak for them, but a copy of the indictment, and a list of the witnesses. In France, in the Netherlands, in the whole of Europe, counsel are allotted as a matter of course. Every where else but here, accusation is considered as unfavourable to the exercise of human faculties. It is admitted to be that crisis in which, above all others, an unhappy man

wants the aid of eloquence, wisdom, and coolness. In France, the Napoleon Code has provided not only that counsel should be allowed to the prisoner, but that, as with us in Scotland, his counsel should have the last word.

It is a most affecting moment in a court of justice, when the evidence has all been heard, and the Judge asks the prisoner what he has to say in his defence. The prisoner, who has (by great exertions, perhaps of his friends) saved up money enough to procure counsel, says to the Judge, 'that 'he leaves his defence to his counsel.' We have often blushed for English humanity to hear the reply. 'Your counsel can-'not speak for you, you must speak for yourself;' and this is the reply given to a poor girl of eighteen—to a foreigner —to a deaf man—to a stammerer—to the sick—to the feeble —to the old—to the most abject and ignorant of human beings! It is a reply, we must say, at which common sense and common feeling revolt:—For it is full of brutal cruelty, and of base inattention of those who make laws, to the happiness of those for whom laws were made. We wonder that any Juryman can convict, under such a shocking violation of all natural justice. The iron age of Clovis and Clottaire can produce no more atrocious violation of every good feeling, and every good principle. Can a sick man find strength and nerves to speak before a large assembly?—can an ignorant man find words?—can a low man find confidence? Is not he afraid of becoming an object of ridicule?—can he believe that his expressions will be understood? How often have we seen a poor wretch, struggling against the agonies of his spirit, and the rudeness of his conceptions, and his awe of better dressed men and better taught men, and the shame which the accusation has brought upon his head, and the sight of his parents and children gazing at him in the Court, for the last time, perhaps, and after a long absence? The mariner sinking in the wave does not want a helping hand more than does this poor wretch. But help is denied to all! Age cannot have it, nor ignorance, nor the modesty of women! One hard uncharitable rule silences the defenders of the wretched, in the worst of human evils; and, at the bitterest of human moments, mercy is blotted out from the ways of men!

Suppose a crime to have been committed under the influence of insanity; is the insane man, now convalescent, to plead his own insanity?—to offer arguments to show that he must have been mad?—and, by the glimmerings of his returning reason, to prove that, at a former period, that same reason was utterly extinct? These are the cruel situations into which

Judges and Courts of Justice are thrown by the present state of the law.

There is a Judge now upon the Bench, who never took away the life of a fellow-creature, without shutting himself up alone, and giving the most profound attention to every circumstance of the case! and this solemn act he always premises with his own beautiful prayer to God, that he will enlighten him with his Divine spirit in the exercise of this terrible privilege! Now would it not be an immense satisfaction to this feeling and honourable magistrate, to be sure that every witness on the side of the prisoner had been heard, and that every argument which could be urged in his favour had been brought forward, by a man whose duty it was to see only on one side of the question, and whose interest and reputation were thoroughly embarked in this partial exertion? If a Judge fails to get at the truth, after these instruments of investigation are used, his failure must be attributed to the limited powers of man—not to the want of good inclination, or wise institutions. We are surprised that such a measure does not come into Parliament, with the strong recommendation of the Judges. It is surely better to be a day longer on the Circuit, than to murder rapidly in ermine.

It is argued, that, among the various pleas for mercy that are offered, no prisoner has ever urged to the Secretary of State the disadvantage of having no counsel to plead for him; But a prisoner who dislikes to undergo his sentence, naturally addresses to those who can reverse it, such arguments only as will produce, in the opinion of the referee, a pleasing effect. He does not therefore find fault with the established system of jurisprudence, but brings forward facts and arguments to prove his own innocence. Besides, how few people there are who can elevate themselves from the acquiescence in what *is*, to the consideration of what *ought to be;* and if they could do so, the way to get rid of a punishment is not (as we have just observed) to say, 'You have no right to punish me in this manner,' (but to say), 'I am innocent of the offence.' The fraudulent baker at Constantinople, who is about to be baked to death in his own oven, does not complain of the severity of baking bakers, but promises to use more flour and less fraud.

Whence comes it (we should like to ask Sir John Singleton Copley, who seems to dread so much the conflicts of talent in criminal cases) that a method of getting at truth which is found so serviceable in civil cases, should be so much objected to in criminal cases? Would you have all this wrangling and bickering, it is asked, and contentious eloquence, when the life of a man is concerned? Why not, as well as when his property is concerned? It is either a good means of doing justice, or it is

not, that two understandings should be put in opposition to each other, and that a third should decide between them. Does this open every view which can bear upon the question? Does it in the most effectual manner watch the Judge, detect perjury, and sift evidence? If not, why is it suffered to disgrace our civil institutions? If it effect all these objects, why is it not incorporated into our criminal law? Of what importance is a little disgust at professional tricks, if the solid advantage gained is a nearer approximation to truth? Can any thing be more preposterous than this preference of taste to justice, and of solemnity to truth? What an eulogium of a trial to say, 'I am by no means satisfied that the Jury were 'right in finding the prisoner guilty; but every thing was car-'ried on with the utmost decorum. The verdict was wrong; 'but there was the most perfect propriety and order in the 'proceedings. The man will be unfairly hanged; but all was 'genteel!' If solemnity is what is principally wanted in a court of justice, we had better study the manners of the old Spanish Inquisition; but if battles with the Judge, and battles among the counsel are the best method, as they certainly are, of getting at the truth, better tolerate this philosophical Billingsgate, than persevere, *because* the life of a man is at stake, in solemn and polished injustice.

Why would it not be just as wise and equitable to leave the defendant without counsel in civil cases—and to tell him that the Judge was his counsel? And if the reply is to produce such injurious effects as are anticipated upon the minds of the Jury in criminal cases, why not in civil cases also? In twenty-eight cases out of thirty, the verdict in civil cases is correct; in the two remaining cases, the error may proceed from other causes than the right of reply; and yet the right of reply has existed in all. In a vast majority of cases, the verdict is for the plaintiff, not because there is a right of reply, but because he who has it in his power to decide whether he will go to law or not, and resolves to expose himself to the expense and trouble of a lawsuit, has probably a good foundation for his claim. Nobody, of course, can intend to say that the majority of verdicts in favour of plaintiffs are against justice, and merely attributable to the advantage of a last speech. If this were the case, the sooner advocates are turned out of court the better—and then the improvement of both civil and criminal law would be an abolition of all speeches; for those who dread the effect of the last word upon the fate of the prisoner, must remember that there is at present always a last speech against the pri-

soner; for, as the counsel for the prosecution cannot be replied to, *his* is the last speech.

There is certainly this difference between a civil and a criminal case—that in one a new trial can be granted, in the other not. But you must first make up your mind whether this system of contentious investigation by opposite advocates is or is not the best method of getting at truth: if it be, the more irremediable the decision, the more powerful and perfect should be the means of deciding; and then it would be a less oppression if the civil defendant were deprived of counsel than the criminal prisoner. When an error has been committed, the advantage is greater to the latter of these persons than to the former;—the criminal is not tried again, but pardoned; while the civil defendant must run the chance of another Jury.

If the effect of reply, and the contention of counsel, have all these baneful consequences in felony, why not also in misdemeanour and high-treason? Half the cases at Sessions are cases of misdemeanour, where counsel are employed, and half-informed Justices preside instead of learned Judges. There are no complaints of the unfairness of verdicts, though there are every now and then of the severity of punishments. Now, if the reasoning of Mr Lamb's opponents were true, the disturbing force of the prisoner's counsel must fling every thing into confusion. The Court for misdemeanours must be a scene of riot and perplexity; and the detection and punishment of crime must be utterly impossible: and yet in the very teeth of these objections, such courts of justice are just as orderly in one set of offences as the other; and the conviction of a guilty person just as certain and as easy.

The prosecutor (if this system were altered) would have the choice of counsel; so he has now—with this difference, that, at present, his counsel cannot be answered nor opposed. It would be better, in all cases, if two men of exactly equal talent could be opposed to each other; but as this is impossible, the system must be taken with this inconvenience; but there can be no inequality between counsel so great as that between any counsel and the prisoner pleading for himself. 'It 'has been lately my lot,' says Mr Denman, 'to try two pri-'soners who were deaf and dumb, and who could only be 'made to understand what was passing by the signs of their 'friends. The cases were clear and simple; but if they had 'been circumstantial cases, in what a situation would the Judge 'and Jury be placed, when the prisoner could have no coun-'sel to plead for him.'—*Debates of the House of Commons, April* 25. 1826.

The folly of being counsel for yourself is so notorious in civil cases, that it is grown into a proverb. But the cruelty of the law compels a man, in criminal cases, to be guilty of a much greater act of folly, and to trust his life to an advocate who, by the common sense of mankind, is pronounced to be inadequate to defend the possession of an acre of land.

In all cases it must be supposed, that reasonably convenient instruments are selected to effect the purpose in view. A Judge may be commonly presumed to understand his profession, and a Jury to have a fair allowance of common sense; But the objectors to the improvement we recommend, appear to make no such supposition. Counsel are always to make flashy addresses to the passions. Juries are to be so much struck with them, that they are always to acquit or to condemn, contrary to justice; and Judges are always to be so biassed, that they are to fling themselves rashly into the opposite scale against the prisoner. Many cases of misdemeanor consign a man to infamy, and cast a blot upon his posterity. Judge and Juries must feel these cases as strongly as any cases of felony; and yet, in spite of this, and in spite of the free permission of counsel to speak, they preserve their judgment, and command their feelings surprisingly. Generally speaking, we believe none of these evils would take place. Trumpery declamation would be considered as discreditable to the counsel, and would be disregarded by the Jury. The Judge and Jury (as in civil cases) would gain the habit of looking to the facts, selecting the arguments, and coming to reasonable conclusions. It is so in all other countries—and it would be so in this. But the vigilance of the Judge is to relax, if there is counsel for the prisoner. Is, then, the relaxed vigilance of the Judges complained of, in high treason, in misdemeanour, or in civil cases? This appears to us really to shut up the debate, and to preclude reply. *Why* is the practice so good in all other cases, and so pernicious in felony alone? This question has never received even the shadow of an answer. There is no one objection against the allowance of counsel to prisoners in felony, which does not apply to them in all cases. If the vigilance of Judges depend upon this injustice to the prisoner, then, the greater injustice to the prisoner, the more vigilance; and so the true method of perfecting the Bench would be, to deny the prisoner the power of calling witnesses, and to increase as much as possible the disparity between the accuser and the accused. We hope men are selected for *the Judges of Israel*, whose vigilance depends upon better and higher principles.

There are three methods of arranging a trial, as to the mode of employing counsel—that both parties should have counsel,

or neither—or only one. The first method is the best; the second is preferable to the last; and the last, which is our present system, is the worst possible. If counsel were denied to either of the parties, if it be necessary that any system of jurisprudence should be disgraced by such an act of injustice, they should rather be denied to the prosecutor than to the prisoner.

But the most singular caprice of the law is, that counsel are permitted in very high crimes, and in very small crimes, and denied in crimes of a sort of medium description. In high treason, where you mean to murder Lord Liverpool, and to levy war against the people, and to blow up the two Houses of Parliament, all the lawyers of Westminster-Hall may talk themselves dry, and the Jury deaf. Lord Eldon, when at the Bar, has been heard for nine hours on such subjects. If, instead of producing the destruction of five thousand people, you are indicted for the murder of one person, here human faculties, from the diminution of guilt, are supposed to be so clear and so unclouded, that the prisoner is quite adequate to make his own defence, and no counsel are allowed. Take it then upon that principle; and let the rule, and the reason of it, pass as sufficient. But if, instead of murdering the man, you have only libelled him, then, for some reason or another, though utterly unknown to us, the original imbecility of faculties in accused persons is respected, and counsel *are* allowed. Was ever such nonsense defended by public men in grave assemblies? The prosecutor too, (as Mr Horace Twiss justly observes), can either allow or disallow counsel, by selecting his form of prosecution;—as where a mob had assembled to repeal, by riot and force, some unpopular statute, and certain persons had continued in that assembly for more than an hour after proclamation to disperse. That might be treated as levying war against the King, and then the prisoner would be entitled to receive (as Lord George Gordon did receive) the benefit of counsel. It might also be treated as a seditious riot; then it would be a misdemeanour, and counsel would still be allowed. But if Government had a mind to destroy the prisoner effectually, they have only to abstain from the charge of treason, and to introduce into the indictment the aggravation, that the prisoner had continued with the mob for an hour after proclamation to disperse; this is a felony, the prisoner's life is in jeopardy, and counsel are effectually excluded. It produces, in many other cases disconnected with treason, the most scandalous injustice. A receiver of stolen goods, who employs a young girl to rob her master, may be tried for the misdemeanour; the young girl taken afterwards would be tried for the felony. The receiver would be punishable only with fine,

imprisonment, or whipping, and he could have counsel to defend him. The girl indicted for felony, and liable to death, would enjoy no such advantage.

In the comparison between felony and treason, there are certainly some arguments why counsel should be allowed in felony rather than in treason. Persons accused of treason are generally persons of education and rank, accustomed to assemblies, and to public speaking, while men accused of felony are commonly of the lowest of the people. If it be true, that Judges, in cases of high treason, are more liable to be influenced by the Crown, and to lean against the prisoner, this cannot apply to cases of misdemeanour, or to the defendants in civil cases; But if it be necessary, that Judges should be watched in political cases, how often are cases of felony connected with political disaffection? Every Judge too has his idiosyncrasies, which require to be watched. Some hate Dissenters—some mobs; some have one weakness, some another; and the ultimate truth is, that no court of justice is safe, unless there is some one present whose occupation and interest it is to watch the safety of the prisoner. Till then, no man of right feeling can be easy at the administration of justice, and the punishment of death.

Two men are accused of one offence; the one dexterous, bold, subtile, gifted with speech, and remarkable for presence of mind; the other timid, hesitating, and confused,—is there any reason why the chances of these two men for acquittal should be, as they are, so very different? Inequalities there will be in the means of defence under the best system, but there is no occasion the law should make these greater than they are left by chance or nature.

But (it is asked) what practical injustice is done—what practical evil is there in the present system? The great object of all law is, that the guilty should be punished, and that the innocent should be acquitted. A very great majority of prisoners, we admit, are guilty—and so clearly guilty, that we believe they would be found guilty under any system; but among the number of those who are tried, *some* are innocent, and the chance of establishing their innocence is very much diminished by the privation of counsel. In the course of twenty or thirty years, among the whole mass of English prisoners, we believe *many* are found guilty who are innocent, and who would not have been found guilty, if an able and intelligent man had watched over their interest, and represented their case. If this happen only to two or three every year, it is quite a sufficient reason why the law should be altered. That such cases exist, we firmly believe; and this is the practical evil—perceptible to men of sense and reflection; but not likely to become

the subject of general petition. To ask why there are not petitions—why the evil is not more noticed, is mere parliamentary froth and ministerial juggling. Gentlemen are rarely hung. If they were so, there would be petitions without end for counsel. The creatures exposed to the cruelties and injustice of the law are dumb creatures, who feel the evil without being able to express their feeling. Besides, the question is not, whether the evil is found out, but whether the evil exist. Whoever thinks it is an evil, should vote against it, whether the sufferer from the injustice discovers it to be an injustice, or whether he suffer in ignorant silence. When the bill was enacted, which allowed counsel for treason, there was not a petition from one end of England to the other. Can there be a more shocking answer from the Ministerial Bench, than to say, for real evil we care nothing—only for detected evil? We will set about curing any wrong which affects our popularity and power: But as to any other evil, we wait till the people find it out; and, in the mean time, commit such evils to the care of Mr George Lamb, and of Sir James Mackintosh. We are sure so good a man as Mr Peel can never feel in this manner.

Howard devoted himself to his country. It was a noble example. Let two gentlemen on the Ministerial side of the House (we only ask for two) commit some crimes, which will render their execution a matter of painful necessity. Let them feel, and report to the House, all the injustice and inconvenience of having neither a copy of the indictment, nor a list of witnesses, nor counsel to defend them. We will venture to say, that the evidence of two such persons would do more for the improvement of the criminal law, than all the orations of Mr Lamb, or the lucubrations of Beccaria. Such evidence would save time, and bring the question to an issue. It is a great duty, and ought to be fulfilled,—and, in ancient Rome, would have been fulfilled.

The opponents always forget that Mr Lamb's plan is not to *compel* prisoners to have counsel, but to *allow* them to have counsel, if they choose to do so. Depend upon it, as Dr Johnson says, when a man is going to be hanged, his faculties are wonderfully concentrated. If it be really true, as the defenders of *Mumpsimus* observe, that the Judge is the best counsel for the prisoner, the prisoner will soon learn to employ him, especially as his Lordship works without fees. All that we want is an option given to the prisoner—that a man, left to adopt his own means of defence in every trifling civil right, may have the same power of selecting his own auxiliaries for higher interests.

But nothing can be more unjust than to speak of Judges, as if they were of one standard, and one heart and head pattern. The great majority of Judges, we have no doubt, are upright and pure; but some have been selected for flexible politics—some are passionate—some in a hurry—some are violent churchmen—some resemble ancient females—some have the gout—some are eighty years old—some are blind, deaf, and have lost the power of smelling. All one to the unhappy prisoner—he has no choice.

It is impossible to put so gross an insult upon Judges, Jurymen, Grand Jurymen, or any person connected with the administration of justice, as to suppose that the longer time to be taken up by the speeches of counsel, constitutes the grand bar to the proposed alteration. If three hours would acquit a man, and he is hanged because he is only allowed two hours for his defence, the poor man is as much murdered as if his throat had been cut before he came into Court. If twelve Judges cannot do the most perfect justice, other twelve must be appointed. Strange administration of criminal law, to adhere obstinately to an inadequate number of Judges, and to refuse any improvement which is incompatible with this arbitrary and capricious enactment. Neither is it quite certain that the proposed alteration would create a greater demand upon the time of the Court. At present the counsel makes a defence by long cross-examinations, and examinations in chief of the witnesses, and the Judge allows a greater latitude than he would do, if the counsel of the prisoner were permitted to speak. The counsel by these oblique methods, and by stating false points of law for the express purpose of introducing facts, endeavours to obviate the injustice of the law, and takes up more time by this oblique, than he would do by a direct defence. But the best answer to this objection of time (which, if true, is no objection at all) is, that as many misdemeanors as felonies are tried in a given time, though counsel are allowed in the former, and not in the latter case.

One excuse for the absence of counsel is, that the evidence upon which the prisoner is convicted is always so clear, that the counsel cannot gainsay it. This is mere absurdity. There is not, and cannot be, any such rule. Many a man has been hung upon a string of circumstantial evidence, which not only very ingenious men, but very candid and judicious men, might criticize and call in question. If no one were found guilty but upon such evidence as would not admit of a doubt, half the crimes in the world would be unpunished. This dictum, by which the present practice has often been defended, was adopted by Lord Chancellor Nottingham. To the lot of this Chancellor, how-

ever, it fell to pass sentence of death upon Lord Stafford, whom (as Mr Denman justly observes), no court of justice, not even the House of Lords (constituted as it was in those days), could have put to death, if he had had counsel to defend him.

To improve the criminal law of England, and to make it really deserving of the incessant eulogium which is lavished upon it, we would assimilate trials for felony to trials for high treason. The prisoner should not only have Counsel, but a copy of the indictment and a list of the witnesses, many days antecedent to the trial. It is in the highest degree unjust that I should not see and study the description of the crime with which I am charged, if the most scrupulous exactness be required in that instrument which charges me with crime. If the place *where*, the time *when*, and the manner *how*, and the persons by whom, must all be specified with the most perfect accuracy, if any deviation from this accuracy is fatal, the prisoner, or his legal advisers, should have a full opportunity of judging whether the scruples of the law have been attended to in the formation of the indictment; and they ought not to be confined to the hasty and imperfect consideration which can be given to an indictment exhibited for the first time in Court. Neither is it possible for the prisoner to repel accusation till he knows who is to be brought against him. He may see suddenly, stuck up in the witness's box, a man who has been writing him letters, to extort money from the threat of evidence he could produce. The character of such a witness would be destroyed in a moment, if the letters were produced; and the letters would have been produced, of course, if the prisoner had imagined such a person would have been brought forward by the prosecutor. It is utterly impossible for a prisoner to know in what way he may be assailed, and against what species of attacks he is to guard. Conversations may be brought against him which he has forgotten, and to which he could (upon notice) have given another colour and complexion. Actions are made to bear upon his case, which, (if he had known they would have been referred to), might have been explained in the most satisfactory manner. All these modes of attack are pointed out by the list of witnesses transmitted to the prisoner, and he has time to prepare his answer, as it is perfectly just he should have. This is justice, when a prisoner has ample means of compelling the attendance of his witnesses; when his written accusation is put into his hand, and he has time to study it—when he knows in what manner his guilt is to be proved, and when he has a man of practised understanding to

state his facts, and prefer his arguments. Then criminal justice may march on boldly. The Judge has no stain of blood on his ermine; and the phrases which English people are so fond of lavishing upon the humanity of their laws, will have a real foundation. At present this part of the law is a mere relic of the barbarous injustice by which accusation in the early part of our jurisprudence was always confounded with guilt. The greater part of these abuses have been brushed away, as this cannot fail soon to be. In the mean time it is defended, (as every other abuse has been defended), by men who think it their duty to defend every thing which *is*, and to dread every thing which *is not*. We are told that the Judge does what he does not do, and ought not to do. The most pernicious effects are anticipated in trials of felony, from that which is found to produce the most perfect justice in civil causes, and in cases of treason and misdemeanour: We are called upon to continue a practice without example in any other country, and are required by lawyers to consider that custom as humane, which every one who is not a lawyer pronounces to be most cruel and unjust—and which has not been brought forward to general notice, only because its bad effects are confined to the last and lowest of mankind.

ART. IV. 1. *Article* EGYPT *in the Supplement to the Encyclopædia Britannica, Vol. IV. p.* 38, *published in the Year* 1819.

2. *Lettre à M. Dacier, Secrétaire Perpétuel de l'Académie des Belles-Lettres, relative à l'Alphabet des Hiéroglyphes Phonetiques, &c.* Par M. CHAMPOLLION le Jeune. Paris, Didot, 1822. 8vo. *avec quatre planches.*

3. *An Account of some Recent Discoveries in Hieroglyphical Literature, and Egyptian Antiquities, including the Author's Original Alphabet, as extended by M. Champollion; with a Translation of five unpublished Greek and Egyptian Manuscripts.* By THOMAS YOUNG, M. D. F. R. S. London, Murray. 1823.

4. *Précis du Système Hiéroglyphique des Anciens Egyptiens, ou Récherches sur les Elémens Premiers de cette Ecriture Sacrée, sur leurs diverses Combinaisons, et sur les Rapports de ce Système avec les autres Méthodes Graphiques Egyptiennes.* Par M. CHAMPOLLION le Jeune. Paris, Treuttel & Würtz. 1824. 8vo. avec un volume de planches.

5. *Lettres à M. le Duc de Blacas d'Aulps, premier Gentilhomme de la Chambre, Pair de France, &c. relatives au Musée Royal Egyptien de Turin; Première Lettre—Monuments*

Historiques. Par M. CHAMPOLLION, le Jeune. Paris, Didot. 1824.

6. *ORIGINES; or Remarks on the Origin of Several Empires, States, and Cities.* By the Right Honourable Sir WILLIAM DRUMMOND. London, Baldwin & Co. 1824. 2 vols. 8vo.
7. *Essay on Dr Young's and M. Champollion's Phonetic System of Hieroglyphics; with some additional Discoveries by which it may be applied to decipher the Names of the ancient Kings of Egypt and Ethiopia.* By HENRY SALT, Esq., his Britannic Majesty's Consul-General in Egypt, &c. &c. &c. Addressed to the Right Honourable CHARLES YORKE, &c. London, Longman & Co. 1825.

To the Antiquary and the Historian, ancient Egypt is a subject of inexhaustible interest. However inclined some modern sceptics may be to dispute the fact, the country of the Pharaohs was undoubtedly the parent of art and science, the great luminary of the ancient world. At a period when the soil of Greece and Italy was covered with primeval forests, affording shelter only to wild beasts, or to a few 'roving barba-'rians' hardly less ferocious, the valley of the Nile was occupied by a people who had already built temples in honour of their Gods, and reared columns to commemorate their kings. Nor does this high antiquity rest merely on doubtful chronologies, or vague antiquarian speculation. On the contrary, it is demonstrated by facts about which there neither is nor can be any controversy.

So early as the days of Moses, Egypt, preeminent in laws, institutions, learning, and art, as well as in political power, appears to have reached that maximum of improvement at which nations generally remain for a longer or shorter period stationary. All the notices incidentally given by the Sacred Historian clearly indicate a people already arrived at this grand limit, and in the full enjoyment of all the benefit which could be derived from the peculiar forms of government and religion under which they lived. Even in that remote age, 'the learning of 'the Egyptians' had become proverbial; nor can there be any doubt, we think, that the celebrated Jewish Legislator transfused into his Code of Laws much of the practical or written wisdom which he had learned in the country of his birth and education.

From the era of Moses, by whom Egypt is connected with the earliest traditions no less than with the first historical record of the human race, till that of the Persian Conquest, when its glory and independence were destroyed—that is, during the long interval of ten centuries—a few imperfect and unsatisfactory no-

tives are all that can be gleaned from the ancient authors respecting the state and condition of the country of the Pharaohs. It is certain, however, that, both prior and subsequent to the Persian invasion, the Greeks, notwithstanding the exclusive spirit with which they have somewhat inconsistently reproached the ministers of religion, then the sole depositaries of knowledge, were in the habit of resorting to Egypt to be initiated in the laws, customs, and learning of that country; and that in proportion as the principles of civilization took root in the genial soil of Greece, they crowded back to imbibe from the great fountain-head fresh supplies to facilitate and encourage their growth. Thales, Pythagoras, Plato, and others, all acquired in Egypt the elements of that science which they afterwards taught, with such success, to their countrymen; and even the rudiments of Grecian Art, the originals of those beautiful forms, which the fine genius of the Greeks, improving upon their models, raised to an almost ideal perfection, may be distinctly traced to the banks of the Nile. The Persians, under Cambyses, had indeed overturned the temples and monuments consecrated to the worship of the Gods; in their rage against idolatry, they had ravaged the country, and deluged it in blood; but they had neither been able to destroy the monuments on which they discharged their iconoclastic fury, nor to exterminate the learning and science which they could not appreciate. Hence, when the fortunes of a second conquest had placed Kings of Greek descent on the throne of the Pharaohs, Egypt, under their enlightened sway, recovered a portion of its ancient splendour; the treasures of that renowned seat of early civilization were laid open to inquiry and investigation; and when, at length, the caprice of a third conquest degraded it to the rank of a Roman province, the masters of the world came, in their turn, to dispose of all that yet remained to grave and learned Egypt.

To the Greeks, therefore, who had appropriated much of the science, and to the Romans who had exported not a few of the monuments of ancient Egypt, (where each of these nations had in turn obtained the ascendancy), it was natural to look for complete information touching the institutions, arts, and literature of that remarkable region. Nor, in all that concerns the two former, will we look altogether in vain. The Father of History has devoted a considerable portion of his invaluable work to details connected with the laws, usages, manners, and topography of Egypt, which he studied on the spot with a care and fidelity that have stood the test of the most severe criticism; and not a little curious and useful information may be gleaned from the works of Diodorus, Stra-

bo, and others, as well as from those of the later Roman writers. On the subject of Egyptian art, too, as displayed in those colossal structures which still remain, having outlived the ravages of more than three thousand years, and the fury of five conquests, the same authorities furnish us with details of the utmost interest and value;—details without the aid and guidance of which the study of these monuments would prove a hopeless and unprofitable undertaking.

But there is one subject, and that the most important of all, in regard to which they have supplied only a few scanty and hitherto almost unintelligible notices;—we mean the Literature of ancient Egypt, including, of course, the method of writing practised in that country. This is, doubtless, a lamentable omission—one, indeed, of which it is difficult to offer an explanation, and for which it is impossible to devise an apology. Nor will our surprise on this account be lessened by reflecting, that, in Egypt, the arts of Sculpture and Painting were at all times subordinate to, and in reality branches of, the art of Writing; that the monuments scattered over its surface were nearly all covered externally with sculptures, and many internally with paintings, intended to serve as representatives either of ideas, or of the sounds of a spoken language, or of both. Here was a phenomenon calculated, one would have imagined, to arouse the most incurious observer, and to excite the most ardent spirit of inquiry: For what subject of greater interest could be presented to the human mind than the language and literature of a great and enlightened nation—especially when the preservation of both has been consigned to eternal monuments? But, from whatever cause it has happened, whether from national pride, which led them to disdain those languages which they considered barbarous, or from an absolute want of philological talent,—the fact undoubtedly is, that the Classical Writers supply us with only a few vague and general notices, which, but for recent discoveries, would be nearly unintelligible; while they at once aggravate and apologize for their ignorance by asserting, that, as Egypt was the parent of art and science, so the Hieroglyphical Inscriptions on its public monuments contain a summary of the most important mysteries of nature, and the most sublime inventions of man; but that the interpretation of these characters had been so studiously concealed by the priests from the knowledge of the vulgar, and had indeed been so imperfectly understood even by themselves, that it was soon wholly lost and forgotten. It is even alleged, though the story seems to rest on no authentic foundation, that a reward was offered in vain by

one of the first Cæsars, for an interpretation of the inscription on an obelisk, then recently brought from Egypt to Rome.

Be this as it may, however, it was reserved for a Father of the Church to record the first precise and exact statement of the different methods of writing practised in Egypt;—a statement so exact and so precise, that it serves as a key to the partial information contained in the classical authors, and tallies, in a remarkable manner, with the result of those brilliant discoveries to which we are about to direct the attention of our readers. For this reason, before proceeding to give any account of the progress which has, within these few years, been made in the interesting task of deciphering the sacred sculptures on the Egyptian monuments, it may be necessary, first of all, to advert to such intelligible information as is to be found in the ancient authors, and to exhibit a view of the state of opinion relative to this subject among modern inquirers, anterior to the period when Dr Young and M. Champollion commenced their exemplary labours.

When the arts were yet in their infancy, men employed mimetic images, or portraits to represent individual objects, and give notice of events to those at a distance. Thus, the Mexicans denoted the arrival of the Spaniards by a rude delineation of a ship, and of a man distinguished by the peculiarities of the European dress. But mere mimetic images, which could convey no idea of time, or any abstract quality, were totally insufficient for the purposes of communicating information and recording events. Hence conventional signs were chosen, to serve as symbols both of things and thoughts. But much time must have elapsed before men learned to communicate with one another by means of symbolical pictures; and no length of time could render such a method of communication easy. The painter would probably begin improvement by lessening the size and abridging the number of his signs,—the language spoken to the ear helping him to form that which was to be addressed to the eye. But, in the formation of language, man invariably proceeds from particulars to generals, classifying individuals according to their species, and arranging qualities under their proper categories. Thus, in inventing words for expressing his ideas, he would also invent the means of limiting their number; and, as oral preceded written language, the forms and figures of speech would instruct the graphic artist both how to express his sentiments and abridge his symbols. The metaphors he employed in speaking would suggest the images which he might use in writing. If, when he spoke, he called a strong man a lion, when he wrote he

might draw the figure of that animal as the symbol of strength or force. But the inconvenience of representing the entire image would be almost immediately felt; and therefore necessity would teach the use of synecdoche, or putting a part for the whole, as when the Mexicans represented the rabbit by its head, and the reed by its flower. By another natural transition, an action or event would be indicated by some object necessary to its accomplishment, as when the Egyptians expressed the existence of a siege by painting a scaling-ladder. * Thus, the classifications which take place in all languages, but more especially the tropes and figures which abound in all dialects spoken by nations not yet refined by the highest civilization, must have greatly facilitated both the invention and the comprehension of hieroglyphics. †

But whatever might be the talents of the graphical painter or sculptor, his method was essentially defective; his symbols were constantly liable to be misunderstood, and his art could only be practised by a few. Therefore, as necessity is the parent of invention, and as the natural tendency of improvement is to abbreviate and simplify, the inconveniences attending the hieroglyphical mode of writing appear to have induced the Egyptians, at a very early period of their history, to begin at least the invention of a more compendious and practicable method of expressing their thoughts, by reference to the sounds of their living speech.

Accordingly, after mentioning that, contrary to the method of the Greeks, the Egyptians wrote from right to left (which is the truth, but not the whole truth, as we shall see hereafter), Herodotus proceeds to state, that they employed *two* kinds of characters, the one denominated *sacred* (ἱερὰ), and the other *popular* (δημοτικὰ); ‡ but he says nothing which would lead us to infer that these sacred and popular characters had any affinity with each other. Diodorus Siculus repeats the statement of Herodotus almost in the same words; adding, moreover, that the popular characters were taught to all, but that the knowledge of the sacred characters was confined exclusively to the priests. § This is concise enough undoubtedly; but it embraces the whole information which these authors (both of whom had visited Egypt)

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* Horus Apollo, *Hieroglyphica*, L. II.

† *Origines*, B. IV. c. 9.

‡ Δίφασιοισι δὲ γραμμάσι χρεώνται (Αἰγυπτίοι), καὶ τὰ μὲν αὐτων ἱρα, τὰ δὲ δημοτικὰ καλεεται. II. 36.

§ Δίττων γαρ Αἰγυπτίοις ὀντων γραμμάτων, τὰ μὲν δημώδη προσαγορευομενα παντας μανθάνειν, τὰ δ' ἱερα καλουμενα παρὰ μεν τοὶς Αἰγυπτίοις μονους γινώσκειν τους ἱερεις, κ. τ. λ. III. 3.

have thought proper to communicate on this interesting subject. Scanty as it is, however, it is in perfect accordance with the inscription on the Rosetta Stone, to which we shall have frequent occasion afterwards to refer, and in regard to which it is impossible to suspect any error, since it bears to have been engraved under the inspection of the Egyptian priests themselves. That celebrated monument, agreeing in this respect with the authors just named, makes mention of only *two* kinds of characters; the one called *enchorial* (ἐγχώρια γράμματα), or 'characters of the 'country,' evidently identical with the *demotic* characters of Herodotus and Diodorus; and the other *sacred* (ἱερά). But, notwithstanding this coincidence, we have yet learned nothing of the nature of these sacred and enchorial or popular characters; and must, therefore, turn at once to the well-known passage of Clemens Alexandrinus, in which that learned Father enumerates, with a precision to which recent discoveries have given a high value, the different methods of writing employed and taught by the worshippers of Isis and Osiris. The passage alluded to, which is not without difficulty, has been often quoted, and we may add, often misunderstood or mistranslated; but, as it supplies a sort of key to the statements already given, and will be found in the sequel to receive a singular verification, its insertion entire is indispensable to that full view of the subject which we are anxious to lay before our readers. *

'Those who are educated among the Egyptians learn first of 'all the method of Egyptian writing called EPISTOLOGRAPHIC; 'secondly, the HIERATIC, which the hierogrammatists (or sa-'cred scribes) employ; and, lastly, the most complete kind, 'the HIEROGLYPHIC,—of which one sort is *kuriologic*' (or expressive of objects in a proper, not figurative or metaphorical, manner) 'by means of the first (or initial) elements' (of words —that is, as we understand it, *by reference to the initial sounds of*

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* Αὐτίκα οἱ παρ' Αἰγυπτίοις παιδευόμενοι πρῶτον μὲν πάντων τὴν Αἰγυπτίων γραμμάτων μεθοδον, ἐκμανθάνουσι, τὴν ΕΠΙΣΤΟΛΟΓΡΑΦΙΚΗΝ καλουμένην· δεύτερον δὲ, τὴν ΙΕΡΑΤΙΚΗΝ, ᾗ χρῶνται οἱ ἱερογραμματεῖς· ὑστάτην δὲ καὶ τελευταίαν ΙΕΡΟΓΛΥΦΙΚΗΝ, ἧς ἡ μὲν ἐστι διὰ τῶν πρώτων στοιχείων κυριολογικὴ, ἡ δὲ συμβολική. Τῆς δὲ συμβολικῆς ἡ μὲν κυριολογεῖται κατὰ μίμησιν, ἡ δ' ὥσπερ τροπικῶς γραφεται, ἡ δε ἀντικρὺς ἀλληγορεῖται κατὰ τινας αἰνιγμους. Ἥλιον γοῦν γράψαι βουλόμενοι κύκλον ποιοῦσι, σελήνην δὲ σχῆμα μηνοειδες, κατὰ το κυριολογούμενον ἔιδος. Τροπικῶς δὲ κατ' οἰκειότητα μετάγοντες καὶ μεταθέντες, τὰ δ' ἐξαλλαττοντες, τὰ δὲ πολλαχῶς μετασχηματίζοντες χαράττουσιν. Τοὺς γοῦν τῶν βασιλέων ἐπαίνους θεολογουμένοις μύθοις παραδίδουντες, ἀναγράφουσι διὰ τῶν ἀναγλυφῶν. Τοῦ δὲ κατὰ τοὺς αἰνιγμοὺς τρίτου εἴδους δεῖγμα ἔστω τόδε· τα μὲν γὰρ τῶν ἄλλων ἄστρων, διὰ τὴν πορείαν τὴν λοξὴν ὄφεων σώμασι ἀπείκαζον, τὸν δὲ Ἥλιον τῷ τοῦ κανθάρου, κ. τ. λ. Strom. V. 647. Potter.

the words which denote these objects, in the spoken language of the country) ‘ and another sort is *symbolic*. Of the *symbolic* [there ‘ are several kinds]: one represents objects properly by *imita-* ‘ *tion*; another expresses them *tropically*’ (that is, indirectly, by synecdoche, metonymy, or metaphors); ‘ the third, on the con- ‘ trary, suggests them by means of certain allegorical ænigmas. ‘ Thus, according to the method of representing the proper ‘ form of objects [by *imitation*], the Egyptians make a circle ‘ when they wish to indicate the Sun, and a luniform figure ‘ (or crescent) to denote the Moon. According to the *tropical* ‘ method, they represent objects by means of certain agree- ‘ ments (or analogies) which they transfer into the expression ‘ of those objects, sometimes by modifications [of form], most ‘ frequently by complete transformations: Thus, when they ‘ transmit the praises of their kings in their theological fables, ‘ they describe them by means of *anaglyphs*, (that is, by trans- ‘ positions, or transformations, of the hieroglyphs). Of the ‘ third kind of symbolical writing, which is *ænigmatical*, let ‘ this serve as an example: They assimilate the oblique course ‘ of the other [planetary] stars to the bodies of serpents, but ‘ that of the Sun to the body of a scarabœus,’ &c.

Now, it is scarcely necessary to observe, that the method of writing which is called *Epistolographic* in this passage, is obviously the same with what is termed *Demotic* by Herodotus and Diodorus, and *Enchorial* in the Rosetta inscription. Neither is there any perplexity in the circumstance, that none of the other authorities use the term *Hieratic* of the learned Father; and that neither Herodotus nor Diodorus employ even the word *Hieroglyphic*. The *Sacred* characters spoken of by the two last authors, evidently include *both* the hieratic and hieroglyphic—both being used for sacred purposes, the former chiefly in manuscripts, and the latter, as the name indeed implies, on *sculptured* monuments. Upon these points, we believe, all the learned are now agreed—and it is needless to say more of them. But the chief difficulty, and the important feature of the passage, is that which treats of the Kuriologic method of writing, διὰ των πρωτων στοιχειων. That this refers to a *phonetic* system, or a method of representing spoken words, or sounds, might, we think, be pretty safely concluded, from the mere fact, that all the other varieties or applications of picture-writing are distinctly enumerated and exhausted in the succeeding parts of the description—the *symbolical*, by direct copying or imitation—the *tropical*, by metaphors and similitudes—and the *ænigmatical*, by more obscure and far-fetched analogies. Now, besides all these, it is here clearly and formally announced that there was another, namely, ‘ the kuriologic, διὰ των πρωτων στοιχειων;’

—and this, we think, can only mean a reference to spoken sounds or words. The expression is no doubt exceedingly elliptical and obscure. But we think it sufficiently clear, that it *must* mean some other way of communicating ideas than by the direct suggestion of the prototypes, or types respectively of the figures employed;—and, with the knowledge we now have, we cannot but think it reasonably certain, that it must have been by the suggestion of words, or spoken sounds. Almost all those who have recently cited the passage, we observe, have substantially agreed in rendering 'στοιχεια' by 'letters;'—though they do by no means agree on the sense which should here be given to the very familiar words, τα πρωτα. Sir W. Drummond, in his Origines (Vol. II. p. 284) translates them 'the first elements' (or alphabetical characters)' and M. Letronne, more directly, 'les premiers lettres de l'alphabet;' a version which he afterwards made a little less vague, by ingeniously suggesting that the very simple words, 'the first,' were here used to denote the original or *primary alphabet*, of sixteen letters, brought into Greece by Cadmus—as distinguished from the larger alphabet afterwards adopted in that country.

In all this, however, there is nothing satisfactory, and much that seems extremely objectionable. In the *first* place, if στοιχεια, by itself, does not mean alphabetical characters, it is not easy to conceive how it should get that meaning, by having the very general term πρωτα prefixed to it; and if it have that meaning by itself, it is obvious, that Sir W. Drummond's paraphrase takes no account of that important epithet at all, and actually drops it out of the translation. M. Letronne's version, again, taken without his commentary, plainly does not advance a single step in elucidating his author's meaning: For what, we would ask, are we to understand *by the first* letters of the alphabet?—or how are kuriologic signs to become significant *by means of* such letters? The same remark is applicable to the Cadmean hypothesis,—which is farther inadmissible, we think, for the two following reasons:—1*st*, that the phrase, 'the first letters,' even allowing στοιχεια to mean letters, is a phrase by which it is inconceivable that any one, treating, not of the Greeks, or *their* system of writing, at all, but of the varieties of the picture-writing of the Egyptian, should have thought of denoting the original imperfect alphabet of the Grecian nations; and *second*, because, if such pictures or signs were ever employed to denote words or sounds at all, it is impossible to see why they should not be used to express such words or sounds as could not be rendered by that imperfect alphabet, as well as those that could. None of those explanations, therefore, appear to us to give any definite or available sense to the passage in question; and for this reason we have ven-

tured to suggest, in the preceding version, that its true meaning is, that one of the ways of writing was by figures, which were significant, 'by reference to the first, or initial, elements or sounds '*of words*'—that is, by figures that expressed or suggested sounds, by representing objects, the familiar names of which, in the spoken language of the country, *begun* with these sounds. The word στοιχεια properly signifies only elements, or component parts; and though *letters* are no doubt the elements of written words, *after alphabetical writing has been invented*, we really do not see how it could possibly have been used to signify letters, in a passage which professedly treats of a state of things anterior to that invention—or rather, perhaps, describes the first steps which led to it. The picture-writers, seeking for the first time to express sounds, and so to render their work Phonetic, could not well accomplish this object, by referring to the letters of an alphabet, first or last, which was not yet in existence—and of which, in that very act, they were probably laying the foundations. They were desirous, it is supposed, to express *words*, by means of pictures or figures. We shall see, by and by, that they did, in point of fact, express them by painting or engraving a series of visible objects, the first or initial sounds in the spoken names of which, taken successively, made up the compound sounds, or words which they wanted. Now, if this was in truth the process they adopted, and if the fact was known, as it must have been, to the learned Father, we really can see no reason for doubting that ours is the true version of the disputed passage—that by στοιχεια he meant the elements, or elementary sounds *of words*—and by πρωτα, simply their first or *initial* sounds—corresponding, no doubt, to their initial *letters*, after they came to be expressed by letters—but not alluded to by that title, in describing the first rudiments of a phonetic character. All this will be more developed hereafter: But, in the mean time, the different kinds of Egyptian writing mentioned by the ancients, and their relations to each other, will be understood at once from the following scheme:

- Egyptian Writing, divided by Herodotus, Diodorus, and the Inscription of Rosetta, into two kinds of characters, viz.
  - I. Popular, named
    - *Demotic* by Herodotus, & *Demodic* by Diodorus,
    - *Enchorial*, in the Rosetta Inscription.
    - *Epistolographic*, by Clemens Alexandrinus.
  - II. Sacred, divided by Clemens Alexandrinus into
    - 1. *Hieratic*, or Sacerdotal writing.
    - 2. *Hieroglyphic*, composed of
      - 1. *Kuriologic*, by means of the initial sounds of words.
      - 2. *Symbolic*, comprising
        - 1. *Kuriologic*, by imitation.
        - 2. *Tropic*, including *Anaglyphic*.
        - 3. *Ænigmatic*.

Accustomed to a method of writing which employed signs as the representatives of *sounds* merely, the Greek and Roman authors, who had, either directly or indirectly, acquired any tolerably distinct notions of the graphic system of the ancient Egyptians, and, in particular, of their monumental writing, appear to have been chiefly struck with the *figurative* and *symbolic*, or, in other words, *ideographic*, characters, intermixed in it: these, as the most remote from the nature of the signs they themselves made use of, seem to have almost exclusively engaged their attention. Hence, they nowhere expressly mention any other order of characters; they nowhere explicitly and distinctly state, what they could hardly fail to have known, that the Egyptians employed, at the same time, a certain class of signs as *phonetic*, or as the representatives of simple sounds. Even Clemens Alexandrinus himself, in the celebrated passage above quoted, describes the phonetic hieroglyphics in the most concise manner;—so concise, indeed, that his statement, from being isolated and unaccompanied with explanation, remained quite unintelligible, till recent discoveries furnished a key to its meaning.

It is chiefly to this circumstance that we are to attribute the ineffectual efforts of the moderns to decipher the hieroglyphic inscriptions. Finding in the classic authors indications only of *symbolic* signs, and of *images* of objects, and never once suspecting the existence of any other, the learned of the last three centuries invariably concluded, that the hieroglyphic writing was *solely* composed of characters each of which was the representative of an idea. On this elementary principle they were all agreed; and, to say the truth, it seemed to receive confirmation from the fact, that the forms and values of a certain number of hieroglyphic symbols had been indicated by Diodorus Siculus, Horus Apollo, Plutarch, Clemens Alexandrinus, and Eusebius. The number of these symbols, compared with the immense variety of characters observable on the monuments, was, indeed, extremely small; but modern ingenuity soon supplied the defects of the ancient records. From the preconceived notion that each hieroglyph was the representative of a distinct idea, the great object of ambition came to be, to extort per force the esoteric meaning which it was supposed to involve. It was never doubted that the most profound mysteries of nature and art lay hidden in these monumental sculptures; the simplest characters were conceived to be the types of ideas too lofty for vulgar comprehension, and worthy of the eternal records to which their preservation had been consigned. Thus, imagination usurping the place of reason, and conjecture that of fact, the learned, who had ad-

dicted themselves to these inquiries, soon became involved in an inextricable labyrinth, and like Milton's Devils, posed by their metaphysical speculations, 'found no end in wandering 'mazes lost.'

Such was the method—if method it may be called—pursued by Father Kircher. The six folios of that indefatigable author contain some tolerably faithful, though inelegant, representations of the principal monuments of Egyptian art, which had been brought to Europe before his time; but, according to his interpretation, which succeeded equally well, whether he began at the beginning or the end of an inscription, the hieroglyphics on the obelisks, mummies, and amulets, are filled with the cabalistic science and monstrous fancies of a refined system of Daemonism. Thus, in the elliptical ring or cartouche on the Pamphilian Obelisk, which contains merely the title AOTKPTP (Αὐτοκράτωρ) *Emperor*, expressed in phonetic characters, Kircher,* with rare ingenuity, detects the following luminous oracle: 'The author of fecundity, and of all ve-'getation, is Osiris, whose generative faculty is derived from 'heaven in his kingdom by the holy Mophta.' In like manner, the cartouche of the same Obelisk, which contains, in phonetic characters, the words, ΚΗΣΡΣ ΤΜΤΙΑΝΣ ΣΒΣΤΣ (Καισαρ Δομιτιανος Σεβαστος), *Caesar Domitianus Augustus*, signifies, according to Kircher, † neither more nor less than this: *Generationis beneficus praeses, coelesti dominio quadripotens, aerem per Mophta beneficum humorem aereum committit Ammoni inferiora potentissimo, qui per simulacrum et caeremonias appropriatas, trahitur ad potentiam exerendam;* words which we hope to be excused for not attempting to translate.

Extravagant as all this may appear, Kircher was the founder of a school; and, as usually happens in such cases, the pupils speedily improved on the absurdities of their master. Indeed, he seems to have still a few lingering admirers; for so late as the year 1821, there issued from the archiepiscopal press of Genoa, a new translation of the hieroglyphics of the Pamphilian obelisk, a monument which, according to this Œdipus of symbols, 'preserves the remembrance of 'the triumph over the ungodly, obtained by the worshippers 'of the Thrice Holy Trinity, and of the Eternal Word, un-'der the sway of the sixth and seventh kings of Egypt, in the 'sixth century after the Deluge.' From the same admirable authority we learn, that one of these pious monarchs was no other than Sesac, the same who, according to the Old Testa-

* Obeliscus Pamphilius, 557. † Ibid. 559.

ment, pillaged Jerusalem, and carried off the treasures of the temple and of the house of David!

But the cabalistical reveries of Kircher failed to impose on the strong sense and powerful intellect of Bishop Warburton. In his celebrated work, *The Divine Legation of Moses Demonstrated*, that learned prelate has discussed, with consummate scholarship, the different ancient texts relative to the Egyptian modes of writing; distinguished, theoretically, the several sorts of characters employed; and made the important observation, now completely verified, that the hieroglyphics, or sacred characters, were not so denominated, as being exclusively appropriated to sacred subjects, but that they constituted a real written language, applicable to the purposes of history and common life, as well as to those of religion and mythology. He was undoubtedly mistaken in concluding, that each of the three sorts of characters, mentioned by Clemens, formed a distinct and separate system of writing; but, as he confined himself exclusively to such general inferences as the ancient authorities seemed to warrant, without attempting to verify his deductions by a direct application to the Egyptian monuments then existing in Europe, his error in this respect is venial, and calculated, in no degree, to lessen our admiration of the sagacity which led him to divine a truth so far beyond the reach of an ordinary mind.

Had Warburton's profound remark been prosecuted to its consequences, the *quaestio vexata* of the Egyptian Hieroglyphics would probably have been resolved half a century earlier. Instead of this, however, succeeding writers, haunted by the spirit of Kircher, and dreaming of nothing but *symbols*, advanced the most opposite and contradictory theories. In his account of the symbolic writing of the ancient Egyptians, the Abbé Pluche maintains that the whole is emblematico-astronomical, or expressive of doctrines connected with the science of Astronomy, and the division of time in the Calendar; and his followers, in no degree startled by the incoherence of his explanations, have also come to the conclusion, that the innumerable inscriptions which cover the monuments of Egypt, are all referable to a single science, and to one and the same order of ideas. But the author of the work, entitled, *De l'Etude des Hiéroglyphes*, published at Paris in 1812, took a different view of the subject. Believing it possible, by the aid of ancient traditions and a knowledge of the emblems and symbols employed by different nations, to arrive at some general principle which might serve as a key to the Egyptian Inscriptions, he formed a collection of what he calls *Les Symboles des Peuples*, or Popular Symbols, of Africa, Asia, Europe, and America; and,

applying it to the interpretation of the Hieroglyphics, he discovered on the portico of the great temple of Dendera, a translation of the hundredth psalm of David! the last human composition we should have expected to find in such a place. But this is not all. The anonymous author of the *Essai sur les Hiéroglyphes Egyptiens*, not content with supposing that the hieroglyphs express, emblematically, a series of ideas analogous to those to be found in the Bible, contends that they are nothing more or less than simple letters, and that, considered as such, they express words in the Hebrew language. But he has neglected to inform us how the Egyptians happened to have so copious an alphabet, the number of the hieroglyphic characters falling little short of a thousand; and, in particular, how that people came to inscribe their monuments with a foreign language, which they never spoke, and probably did not understand. With equal sagacity, but very opposite fortune, the Chevalier Palin, beginning by way of variety in the middle of the inscriptions, has demonstrated to his own entire conviction, that the greater part of the Psalms of David are mere Hebrew Translations of the Egyptian consecrated rolls of papyrus! But enough, and more than enough, of this learned folly.

Before proceeding to detail the very curious and interesting discoveries which have at last succeeded to these melancholy reveries, we think it may be of use to premise a very short and general explanation of their import and result—as these are understood or alleged by the discoverers themselves. The sum of the whole then is, that a large proportion of the Hieroglyphics, over which the intellect of Europe has been puzzling for centuries, were used, not to represent *things* or ideas at all, but merely to represent sounds, or words—that many of the figures, in short, were substantially phonetic, or alphabetical—and that their significancy in this way, arose from their exhibiting things or objects, the common names or appellations of which, in the spoken language of the country, begun with the sounds which it was wished to express. This mode of employing hieroglyphical or picture-writing is supposed to have been first suggested by the difficulty of otherwise expressing Proper Names, and especially *foreign* names, which had no intrinsic significancy to strangers; and accordingly, it was Dr Young's original, though erroneous opinion, that it was in those cases only that it was employed.

A familiar example will make this, and indeed the whole scope of the discovery, more immediately intelligible than pages of mere explanation. Suppose the *spoken* language of England to be what it is—but that no other sort of *writing*, except by pictures or symbols, had yet been invented—and that it was wanted to re-

cord, in some legend or inscription, that an individual called JAMES had done or suffered something. The word James here was evidently a mere sound—and could not be described or defined in any other way, than as that sound by which the individual in question was suggested to those who heard it. It could not therefore be directly intimated to posterity, by a mere *visible* symbol or picture, that such a sound had in his day been associated with that individual; and if this was what was proposed to be done, it is plain enough that *some* new device or contrivance must of necessity be adopted; and according to the late discoveries, the device was as follows. They set down a series of pictures of familiar objects, the names of which, in the spoken language, began with the sounds which were successively to be expressed, and which, taken together in that order, made up the compound sound or Name that was wanted. For the sound now expressed by the letter J, for example, they would set down the figure of a Jug or Jar—for that corresponding to A, an Ape or Acorn—for M, a Man or a Mouse—and for S, a Spear or Spur—and thus, by a sort of *Symbolical Acrostic*, they would spell out the word James, and intimate to all who read the figures into the spoken tongue, the name or sound which it was intended to commemorate. If this was generally known to be the way of representing such sounds—and if the painter or sculptor gave an intelligible warning accordingly, *when* his figures were so to be deciphered or applied, it is plain that the device would be very tolerably successful, and that the object would be attained with considerable ease and precision. It is very remarkable, accordingly, that all the groups of figures which are found to represent proper names with their appropriate titles of honour, are insulated and set apart in the hieroglyphic sculptures, by being surrounded by an oval ring or cartouche, of an appropriate and invariable form.

Thus far, at all events, we think the discovery has been completely verified; and we shall immediately see, that by comparing the figures within such rings with the names of the objects they represent in the Coptic or ancient Egyptian language, an incredible number of historical and mythological names have been deciphered, and completely identified, on those hitherto unintelligible monuments. Dr Young, however, the great author of the discovery, was not satisfied that it could be carried even so far; and not only thought that the contrivance was confined to the case of *foreign* names or terms, but that, even in expressing these, certain arbitrary and purely alphabetical characters were from the first mixed up with the phonetic hieroglyphics, or figures which suggested

sounds by recalling the names of the things represented. The works, however, in which he intimates those opinions, were all published prior to the more recent and conclusive researches of M. Champollion and Mr Salt; and we must presume that the opinions themselves will no longer be maintained by that most learned and ingenious person. The last mentioned authors have not only conclusively settled that names and titles, both native and foreign, were always exclusively recorded by phonetic hieroglyphics alone, but we think have established, that this sort of hieroglyphic writing was much more extensively employed, and that very considerable portions of every hieroglyphic inscription are expressive of sounds or words only, and are capable accordingly of being transcribed into proper alphabetical characters.

Nothing certainly can be more curious and interesting than those discoveries—though, after all, perhaps the most remarkable fact they have brought to light, is the very *composite* nature of the Egyptain system of writing—the extraordinary, and apparently unaccountable *combination*, in almost every single legend or inscription, of phonetic or alphabetical, with symbolical or ideographic characters. The use of figures or pictures, ultimately much abridged, to signify the sounds of their names, was probably one of the ways by which alphabetical writing was first introduced into every country. But the singular thing in the Egyptian history is, that they seem to have stuck in the middle of the invention; and, for ages upon ages after the introduction of phonetic characters, to have gone on interspersing them, nearly in the same proportion, with the symbolical and ideographic figures which they every where else superseded. In every Egyptian inscription that exists, we believe, a part is expressed by figures and symbols, expressing things or ideas, directly or by metaphors, and a part by figures that are significant only by suggesting sounds or words. To the latter, we think, the key has been now fully discovered; but for the interpretation of the former, we have still but little other help than the few notices recorded in the ancient writers, of the significancy of some of the most common of these symbols. The Rosetta stone has, indeed, made some addition to their number, by the translation which it offers of certain of those figures; and there is good reason to hope, that other hieroglyphic legends may be found, accompanied by similar translations. In the mean time we cannot just say that any thing very sublime or profound in philosophy, or any thing very beautiful in composition, has yet been revealed from this slow-clearing mystery—the substance of most of these imposing and elaborate legends being little else than dedications to false Gods, or

adulatory decrees and inscriptions in honour of dead or living tyrants. They promise, however, to fix some points in chronology and genealogy—and some, perhaps, in the more valuable departments of history.

What we have now said, we trust will enable our readers to follow, both more easily, and with greater interest, the account we propose to give of the course and order of this singular discovery, and of the evidence by which it is said to be verified; and as we consider it, under both aspects, as one of the most creditable to the discoverers, and the most curious in the accumulation of its proofs, that occurs in the whole history of letters, we shall not hesitate to solicit their attention to a very considerable detail.

It is well known, that a Commission of the French Institute was sent out to Egypt during the occupation of that country by their forces, for the purpose of investigating every thing that related to its ancient history; and that the greatest interest was taken in the proceedings of this body by no less a person than Napoleon himself. Under their auspices much was done, undoubtedly, for the elucidation of its antiquities, and the progress of its arts; but as to its language and letters, its hieroglyphics and papyri, absolutely nothing. They had not time perhaps—perhaps they had not means. The fact, however, is certain; and it is no doubt a little mortifying to them, and indeed to the pride of human skill and learning in general, that *an accident*, which occurred in the course of their military labours, did more for the elucidation of these interesting subjects, than all the study which had been bestowed on them for upwards of a thousand years. While a division of the French troops occupied Rosetta, a party of workmen, employed in digging for the foundations of Fort St Julian, discovered and disinterred a huge block or pillar of black basalt, exhibiting the remains of *three* distinct inscriptions; but having been soon afterwards dislodged by the British, this monument fell into their hands, and was subsequently brought to England, among other trophies, and deposited in the British Museum.

A cursory inspection of the pillar of Rosetta was sufficient to establish, as incontrovertible, Bishop Warburton's profound observation, already noticed, that the hieroglyphics constituted a real written language. Of the three inscriptions sculptured on its sides, a considerable part of the first is unfortunately wanting; the beginning of the second, and the end of the third are also mutilated; but the last, which is in Greek, terminates with the important information, that the decree which it contains (in honour of Ptolemy Epiphanes), had been ordered to be engraved in *Three* different characters—the *Sacred* or hiero-

glyphic, the *Enchorial* or letters of the country (synonymous with the *demotic*), and the *Greek:* So that here was an authentic specimen of Hieroglyphic characters—*expressly accompanied by a Translation.*

Now, the first step to be taken evidently was, to obtain an exact translation of this translation. Accordingly, the Society of Antiquaries having caused a correct copy of the Triple Inscription to be engraved and circulated, Porson and Heyné, the two best scholars of the age, employed themselves in completing and illustrating the Greek text which constituted the third part of the inscription;—a task, we may observe, in the performance of which the superior industry and vigilance of the German gave him a decided advantage over the more active genius of the English Professor. This, as we have said, was the first step: but the next was far more arduous. No data had been yet obtained by means of which a comparison might be instituted between the Greek, which the labours of Porson and Heyné had restored, and the hieroglyphical and enchorial texts, of which not a single character was known. In these circumstances, there was but one course to be adopted; and that was, to adjust the inscriptions, so that they might as nearly as possible correspond, and, from the situation of the Proper Names in the Greek inscription, endeavour to ascertain their places in one or both of the other inscriptions. If characters merely phonetic entered into the composition of the hieroglyphic and enchorial texts, it was evident that, by this means, the value of some of them would be ascertained. It was, therefore, a matter of indifference whether the comparison was first made between the Greek and Hieroglyphic, or between the Greek and Enchorial inscriptions; but a notion happening to prevail that the enchorial was altogether alphabetical, the first attempt was made upon it. Accordingly, M. Silvestre de Sacy having examined the parts of this text, corresponding, by their relative situation, to two passages of the Greek inscription in which the proper names *Alexander* and *Alexandria* occur, soon recognised two well marked groups of characters nearly resembling each other, and which he, therefore, considered as representing these names. He also made out, very satisfactorily, the *locus* of the name of Ptolemy; but beyond this he found it impossible to advance a single step, and ultimately abandoned the pursuit as hopeless.

He had done something, however; and, above all, he had shown that the investigation, which he gave up in despair, was not so impracticable as he had imagined. Mr Akerblad, a diplomatic gentleman then at Paris and afterwards Swedish resident at Rome, resumed the inquiry at the point

where it had been abandoned, and completely demonstrated the truth of what De Sacy had done little more than conjecture, viz. that the enchorial text contained Greek proper names written in Egyptian characters. From these he subsequently attempted to construct an alphabet, and to extend his readings to the other parts of the text: But in this he completely failed; partly because, like his predecessor, he had imbibed the notion, that the *whole* inscription was alphabetical; and partly, too, from his expecting to find in the Egyptian writing all the vowels which the same words contain in the Coptic texts still extant;—while he ought to have considered that the greater part of them would probably be suppressed, according to the practice which obtains in the Hebrew, Chaldee, Arabic, and other written Oriental languages. Excepting the detached observation respecting the numerals at the end, Mr Akerblad made little or no effort to understand the first, or Hieroglyphic, inscription on the pillar; and he was even disposed to acquiesce in the correctness of M. Palin's interpretation, which proceeds on the supposition that parts of the first lines of the hieroglyphics are still remaining on the stone.

Matters were in this state when Dr Young commenced his labours. Little or nothing had been done to interpret the Hieroglyphics; but the germ of all the succeeding discoveries may be said to have been found, when the idea of fixing the places of Proper Names had once been suggested, and of considering the corresponding groups of figures as representing their sounds. Having been induced, as he states, 'by motives both of private friendship and of professional obligation,' to offer to the Editors of a periodical publication an article containing an abstract of the Mithridates of Adelung, a work then lately received from the Continent, the Doctor's curiosity had been very forcibly excited by a note of the Editor, Professor Vater, in which the latter asserted, that the unknown language of the Rosetta Stone, and of the bandages often found with the mummies, was capable of being analysed into an alphabet consisting of little more than thirty letters: But having merely retained a general impression of this original and striking remark, he thought no more of these inscriptions till, early in 1814, they were recalled to his attention by the examination of some fragments of papyrus which had been recently brought to England by Sir W. R. Boughton, and on which, after a hasty inspection of Mr Akerblad's pamphlet, he communicated a few anonymous remarks to the Society of Antiquarians. In the summer of the same year, he applied himself vigorously, first to the enchorial, and afterwards to the

hieroglyphic inscription; and, by an attentive and methodical comparison of the different parts with each other, he was able, in the course of a few months, to send to the *Archeologia* a 'conjectural translation' of each of the Egyptian inscriptions, distinguishing the contents of the different lines with as much precision as his materials would then admit of. He was obliged, however, to leave many important passages still subject to doubt; but he hoped to acquire additional information before he attempted to determine their signification with accuracy; and having made the first great step, he concluded, that many others might be added with facility and rapidity. Meanwhile, in order to facilitate the inquiry, he endeavoured to make himself familiar with the remains of the old Egyptian language, as these are preserved in the Coptic and Thebaic versions of the Scriptures, *—hoping, with the aid of this knowledge, to discover an alphabet which would enable him to read the enchorial inscription at least, into a kindred dialect; and, though he felt himself compelled gradually to abandon this expectation, he soon after published anew (in the *Museum Criticum* of Cambridge) his conjectural translation with considerable additions and corrections. Finally, in the article EGYPT in the fourth volume of the Supplement to the Encyclopædia Britannica, published in December 1819, he digested and arranged in a methodical form the result of his researches, and, in particular, gave a Vocabulary, comprising upwards of 200 names or words, which he had succeeded in deciphering in the hieroglyphic and enchorial texts and in the Egyptian manuscripts. We do not hesitate to pronounce this article the greatest effort of scholarship and ingenuity of which modern literature can boast.

In endeavouring to appreciate the extent of Dr Young's discoveries, it must not be forgotten, that M. de Sacy had already indicated the places of the words *Alexander* and *Ptolemy* in the *enchorial* text, and that Mr Akerblad had not only confirmed this indication, but had also constructed what may not improperly be called a conjectural alphabet. Neither of these individuals, however, had been able to decipher a single character of the *hieroglyphic* inscription; so that this, perhaps the most important branch of the investigation, remained yet untouched.

* So early as the year 1808, M. Etienne Quatremère had demonstrated (*Recherches sur la Langue et la Littérature de l'Egypte*), the identity of the Coptic with the ancient language of Egypt, and had thus cleared away one obstacle which might have impeded the inquiries undertaken with a view to decipher the hieroglyphics and manuscripts.

In these circumstances, the Doctor commenced his inquiries; and, directing his attention first of all to the enchorial text, he first verified the observations of MM. de Sacy and Akerblad, and next observed a remarkable collection of characters repeated twenty-nine or thirty times; and as he found no word in the Greek corresponding to this in frequency of repetition, except the word *king*, with its compounds, which occurred about thirty-seven times, he concluded that this group must, in all these situations, be either equivalent to the word *king*, or some of its derivatives. Another assemblage of characters was found to occur fourteen times, and to agree sufficiently well in place and frequency with the name of *Ptolemy*, which occurs eleven times in the Greek. By a similar comparison the name of *Egypt* was identified, although it occurs much more frequently in the enchorial than in the Greek text, which often substitutes for it the word *country*, or omits it entirely. A small group of characters, occurring in almost every line, was supposed to be either a termination, or some very common particle, but was reserved till it was found in a decisive situation, after some words that had been identified, when it was determined to mean *and*. A sufficient number of common points of subdivision being in this way obtained, Dr Young next proceeded to write the Greek over the enchorial text, so that the passages ascertained might all as nearly as possible coincide, and the intermediate parts of each inscription stand near to the corresponding passages of the other. By this arrangement, the investigation was reduced within manageable limits; the chances of error were diminished; and it only remained to apply to each compartment the principle of comparison, by means of which the subdivision had been obtained, in order to decipher the whole inscription. This, accordingly, was done; and, by a careful attention to the characters, of which the import had been already ascertained, the sense of the concluding part of the enchorial inscription was determined with tolerable certainty, although the corresponding part of the Greek is wanting.

By a process perfectly similar in all respects, Dr Young next proceeded, *mutatis mutandis*, to analyze and decipher the *hieroglyphic* text, of which nearly half was obliterated, while the remainder is much defaced. By a sort of double comparison between the hieroglyphic, and the other two branches of the triple inscription, he first ascertained the *loci* of certain prominent words, as *Ptolemy*, *God*, *King*, *Shrine*, *Priest*; and having, as before, obtained a number of common points of subdivision, he next proceeded to write all the three in-

scriptions side by side, and to investigate still further the sense of the respective characters, by a minute comparison of the different parts with each other. And as, in the course of the first comparison, he observed, that the enchorial lines are written from right to left, as, Herodotus tells us, was the custom of the Egyptians; so, in the course of this, he determined that the hieroglyphics always face to the right or left of the spectator, according as the principal personages of the tablets to which they belong, look in the one direction or the other—that where there are no tablets they almost always look to the right—that they must always be read from front to rear, as the objects naturally follow one another—and that the Egyptians seem never to have written βουστροφηδον, or alternately backwards and forwards, as the ancient Greeks seem to have done.

The method of exhaustion thus employed by Dr Young had enabled him to determine, generally, the meaning of individual characters, or groups of characters, representing individual words in the sacred and enchorial texts; but another point of very great importance still remained to be decided, namely, whether any, or all, or none of these characters was alphabetical. It is very unfortunate, that, in attempting to settle this point, Dr Young should have allowed his own extreme ingenuity to mislead him, and should thus have not only left to another the task of completing his own discovery, but furnished that other with a pretext, of which he has boldly and most unfairly availed himself, for setting up a claim to the merit of the discovery itself. 'It seemed natural to suppose,' says the Doctor, in the happiest vein of conjecture, 'that alphabetical characters might be *interspersed* with hieroglyphics, 'in the same way that the astronomers and chemists of modern 'times have employed arbitrary marks as compendious expressions of the objects which were most frequently to be mentioned in their respective sciences. But no effort, however determined and persevering, had been able to discover any alphabet, which could fairly be said to render the inscription, 'in general, at all like what was required to make its language 'intelligible Egyptian; although most of the proper names 'seemed to exhibit a tolerable agreement with the forms of 'letters indicated by Mr Akerblad; a coincidence, indeed, which 'might be found in the Chinese, or in any other language not alphabetical, if they employ words of the simplest sounds for writing compound proper names.'—*Supplement* to the *Encycl. Brit.* Vol. IV. p. 54. Again, speaking of the name *Ptolemy*, as it occurs on the Rosetta stone, he observes (p. 62)—'In this and 'a few other proper names, it is extremely interesting to trace

'some of the steps by which alphabetical writing seems to have 'arisen out of hieroglyphical; a *process which may indeed be* 'in some measure illustrated by the manner in which the modern 'Chinese express a foreign combination of sounds, the characters 'being rendered simply phonetic by an appropriate mark, in-'stead of retaining their natural signification.' Lastly, by comparing the MSS on papyrus (which had been previously considered as specimens of the alphabetical writing of the Egyptians) with other MSS 'written in distinct hieroglyphics, slightly but not inelegantly traced, in a hand which appears to 'have been denoted by the term *hieratic*,' he discovered, that 'every character of the distinct hieroglyphics has its corresponding trace in the running hand;' and thence he inferred, that the *hieratic* and *epistolographic* characters are merely primary and secondary '*degradations*' of the *sacred*,—in other words, that the *sacred* 'passed, in its degradation, through the '*hieratic* into the *epistolographic*, or common running hand of 'the country;' a scheme of affiliation involving several fundamental errors, which will be made apparent in the sequel. Upon these grounds, however, Dr Young was of opinion, that the different methods of writing practised among the ancient Egyptians were essentially *ideographic*; but that, in order to transcribe *foreign proper names*, some of the simpler signs which properly represented *ideas* were, by a process analogous to that which obtains among the modern Chinese, employed to represent *sounds* merely; and that the characters thus used *phonetically* would afford the elements of 'something like a 'hieroglyphic alphabet,' applicable however not universally, but only in some particular cases, where foreign combinations of sounds were to be expressed.

Accordingly, setting out with the Enchorial Alphabet of Akerblad, and availing himself of the lights derived from a comparison of the papyral and hieroglyphic MSS, (the characters of the former being merely abbreviations of those of the latter), and with the assistance of the Coptic (which M. Quatremère has demonstrated to be identical with the ancient Egyptian) language,—Dr Young proceeded to analyse the hieroglyphic names of *Ptolemy* and *Berenice*; the former taken from the Rosetta inscription, and the latter from a legend on the ceiling of the great temple at Karnak. We shall give the analysis of each in the Doctor's own words.

With respect to the name of *Ptolemy*, (the analysis of which is deduced with singular ingenuity from the enchorial of the same monument), its position was easily determined by the method of subdivision and comparison above described, and also from

the oval ring or cartouche in which it was enclosed.* The characters composing it are, a square, a semicircle, a species of knot, a lion, two parallel lines terminated by a transverse oblique line, two feathers, and a *lituus* or recurved line, which Dr Y. interprets as follows:—'The square block and the semicircle answer invariably in all the MSS to characters resembling the P and T of Akerblad, which are found at the beginning of the enchorial name. The next character, which seems to be a kind of knot, is not essentially necessary, being often omitted in the sacred characters, and always in the enchorial. The lion corresponds to the LO of Akerblad; a lion being always expressed by a similar character in the MSS; an oblique line crossed standing for the body, and an erect line for the tail. This was probably not read LO but OLE; although, in more modern Coptic, OILI is translated a ram; we have also EIUL a stag; and the figure of the stag becomes in the running hand, something like this of the lion. The next character is known to have some reference to *place*, in Coptic MA; and it seems to have been read either MA, or, simply, M; and this character is always expressed, in the running hand, by the M of Akerblad's alphabet. The two feathers, whatever their natural meaning may have been, answer to the three parallel lines of the enchorial text, and they seem in more than one instance to have been read I or E; the bent line probably signified great, and was read OSH or OS; for the Coptic *Shei* seems to have been nearly equivalent to the Greek *Sigma*. Putting all these elements together we have precisely PTOLEMAIOS, the Greek name; or PTOLEMEOS, as it would probably be read in Coptic.' *Suppl. to Encyc. Brit.* IV. p. 62.

Having thus read the hieroglyphic name of *Ptolemy*, Dr Y. proceeds next to decipher that of *Berenice*, (the wife of Ptolemy Soter and mother of Ptolemy Philadelphus), which occurs in the legend, '*Ptolemy* and . . . *Berenice* the saviour gods,' sculptured twice on a ceiling at Karnak. The characters of which it is composed are, according to Dr Y., a basket of the kind called *panier à anses*, an oval or eye without the pupil, a waved or zig-zag line, two feathers, a footstool, and a goose, with

* Dr Young is mistaken, however, in supposing that he was the first who discovered, 'that proper names were included by the oval ring, or border, or *cartouche*, of the sacred characters.'—'Conspiciuntur autem passim (says Zoëga) in Ægyptiis monumentis *schemata elliptica* planae basi insidentia, quae emphatica ratione includunt certa notarum syntagmata, sive *ad propria personarum nomina exprimenda*, sive ad sacratiores formulas designandas.' —*De Orig. et Usu Ob.* p. 464.

the invariable symbol of the feminine gender; and these he interprets as follows:—'The first character of the hieroglyphic 'name is precisely of the same form with a basket represented 'at Byban-el-Molouk, and called in the description *panier à* 'anses; and a basket in Coptic is BIR. The oval, which re-'sembles an eye without the pupil, means elsewhere *to*, which, 'in Coptic, is E; the waved line is *of*, and must be rendered 'N; the feathers I; the little footstool seems to be superfluous; 'the goose is KE or KEN; Kircher gives us KENESOÜ for 'a goose; but the ESOÜ means gregarious, probably in con-'tradistinction to the Egyptian sheldrake, and the simple ety-'mon approaches to the name of a goose in many other lan-'guages. We have, therefore, literally, BIRENICE; or, if 'the N must be inserted, the accusative BIRENICEN, which 'may easily have been confounded by the Egyptians with the 'nominative. The final characters are merely the feminine 'termination.' *Supp.* to the *Encycl. Brit. ubi supra.*—'In this 'name,' he adds, 'we appear to have *another specimen of sylla-'bic and alphabetic writing combined, in a manner not extreme-'ly unlike the ludicrous mixtures of words and things with which 'children are sometimes amused*; for however Warburton's in-'dignation might be excited by such a comparison, it is per-'fectly true that, occasionally, the sublime differs from the 'ridiculous by a single step only.'

Now, in the values somewhat arbitrarily assigned to several of the phonetic hieroglyphs composing these names, subsequent investigation, aided by the discovery of a new monument, has detected several important errors. For example, in the name *Ptolemy*, while the signs for P and T are correctly given, the knot (or rather flower with its stalk recurved) which Dr Y. considers 'not essentially necessary,' has been found to represent O: the lion, which he makes equivalent to OLE, is merely the sign of L; his MA is M, his I or E, the Greek Η (*êta*), and his OS or OSH, S: So that instead of the word ΠΤΟΛΕΜΑΙΟΣ, spelled at length, we have only its skeleton ΠΤΟΛΜΗΣ. In like manner, in the word *Berenice*, the BIR of Dr Y. is simply B, his E is an R, his N is correct, his I is an Η (*êta*), his superfluous footstool a K, and his KE or KEN, an S; so that, instead of ΒΙΡΕΝΙΚΕ or ΒΙΡΕΝΙΚΕΝ, the phonetic signs evolve merely ΒΡΝΗΚΣ. But, with all these errors—for they will be immediately proved to be such—Dr Young is entitled to the exclusive merit of having solved an enigma which had, for centuries, baffled all the resources of the learned. The method adopted by him for deciphering the enchorial and hieroglyphic texts of the Rosetta Inscription is a masterpiece of ingenious contrivance; and he has the honour

of having been the first to demonstrate, that in the latter as well as in the former, certain characters, whatever may have been their original import, were employed to represent *sounds*. He was no doubt of opinion that the characters employed by the Egyptians were essentially *ideographic*, and were only used *phonetically* in representing *foreign* combinations of sound; but this unlucky notion, which prevented the prosecution of his own discovery, did not hinder him from laying the foundations of a Hieroglyphic, and exhibiting an Enchorial Alphabet comparatively so extensive that few additions of any moment have as yet been made to it. In short, (to use the words of Mr Salt, with which we most cordially agree), 'Dr Young seems to us to stand alone with regard to the progress he has made in the enchorial, as well as for having led the way to the true knowledge of hieroglyphics.'—*Essay*, &c. p. 1, Note.

We have no means of ascertaining the precise time at which M. Champollion commenced his researches on the subject of Hieroglyphics; nor is the point of any importance, except for the purpose of settling the question of priority between him and Dr Young;—a question, be it observed, which has been stirred by himself alone, and about which no other human being can entertain a particle of doubt. After giving a short summary, in the shape of distinct propositions, of the doctrines maintained in the Article EGYPT, M. Champollion adds, 'Je 'dois dire qu' *à la même époque, et sans avoir aucune connaissance des opinions de M. le Docteur Young*, je croyais être 'parvenu, d'une manière assez sûre, à des résultats à-peu-près 'semblables.'—*Précis*, 17. But there are several considerations which render it utterly impossible to credit this statement. In the *first* place, we have the direct testimony of Dr Young in disproof of it,—a testimony which M. Champollion has not ventured to contradict. 'At the beginning of my Egyptian 'researches, (that is, as we have seen, in 1814 and 1815), I had 'accidentally,' says the Doctor, 'received a letter from M. 'Champollion, which accompanied a copy of his work on the 'State of Egypt under the Pharaohs, sent as a present to the 'Royal Society: and *as he requested some particular information respecting several parts of the enchorial inscription of Rosetta*, which were imperfectly represented in the engraved 'copies, I readily answered his inquiries from a reference to 'the original monument in the British Museum; and a short 'time afterwards *I sent him a copy of my conjectural translation 'of the inscriptions*, as it was inserted in the *Archaeologia*.' The Doctor adds, that 'with regard to the enchorial inscription, M. Champollion appeared to him to have done at that

'time but little;' and that the few references he made to it 'seemed to depend entirely on Mr Akerblad's investigations,' which he had *tacitly* adopted.—*Discoveries in Hierogl. Lit.* pp. 40, 41. How, then, can M. Champollion pretend to say, that he commenced his hieroglyphical researches at the same period with Dr Young, and without having any knowledge of Dr Young's opinions? But, in the *second* place, it appears from the respective dates of M. Champollion's publications, that nearly six years elapsed from the period of the above communication until that when the first of these was given to the world; whereas Dr Young's 'conjectural translation' had been published in 1815, long before so much as a hint had escaped that M. Champollion was engaged in similar investigations. The priority of *publication*, therefore, is quite indisputable. But as M. Champollion has not ventured to contradict the statement of Dr Young in regard to the communication above referred to, and as he admits having seen the article EGYPT in the Supplement, nearly two years before he published his *Lettre à M. Dacier*, which contains his first *aperçus* touching Hieroglyphics; it is evident that he was in the knowledge of Dr Young's opinions at almost every stage of his progress, and that the question of *originality* may be as easily settled as that of *priority* of publication. Lastly, even if there were no weight in the considerations which have now been stated, the habitual disingenuity and want of candour manifested by M. Champollion in every case where Englishmen are concerned, would be sufficient to discredit his allegation in a matter where his personal vanity and national pride are both deeply interested. We have no inclination to say any thing unnecessarily severe; but while we are ready to admit that M. Champollion 'has accomplished too much to stand in need of assuming to himself the merits of another,' the fact, we think, is undoubted that he has done so; and, by the instances which we shall have occasion to produce, it will be proved from his own mouth, that Dr Young is not the only individual who has reason to complain of him, and that his sense of literary justice is extremely dull when the claims of Englishmen are in question.

M. Champollion appears to have commenced his hieroglyphical studies by a very close examination of the remarkable text of Clemens above quoted, and to have imbibed, from it a strong conviction, that phonetic signs entered as an integral element into the system of writing in use among the ancient Egyptians. Indeed, the right interpretation of the passage in question inevitably led to this conclusion; which, in its turn, evidently led to another, viz. that if an alphabet of phonetic

characters could be constructed, it would probably furnish a key to hieroglyphical writing in general, and produce new and unexpected results of the utmost importance to history. This, accordingly, was the principle upon which M. C. proceeded; and he is entitled to the undivided merit of having foreseen the consequences to which it might ultimately lead.

The first and great point, therefore, was, if possible, to obtain such an alphabet; and to this M. C. directed his attention. But the task which he had to perform was comparatively an easy one: for Dr Young, as we have already seen, had not only demonstrated the practicability of constructing such an alphabet, but, by an analysis of the names *Ptolemy*, *Berenice*, and others, had assigned phonetic values to *nine* distinct characters, a considerable portion of which have since been found to be correct. *Facile est inventis addere.* The first great step had been made; and it only required perseverance and *good fortune* to ensure success. We say *good fortune*; because Dr Young had already done almost all that was possible with his materials. If the hieroglyphic inscription of Rosetta had come to Europe entire, a tolerably complete alphabet of phonetic hieroglyphics would, in all probability, have been formed, before M. Champollion was heard of as a labourer in this interesting field of inquiry. But, unfortunately, the Stone contains only the last fourteen lines of the hieroglyphic text, and these much mutilated; while the hieroglyphic Name of *Ptolemy*, enclosed in an oval or elliptical ring, is the only one of all those mentioned in the Greek text which has escaped total destruction. This name is represented by eight hieroglyphic characters, one of them (the feather) being repeated; and as the Greek name ΠΤΟΛΕΜΑΙΟΣ consists of *ten* letters, it was of course impossible, without further materials, to fix, with absolute certainty, the relation between the seven or eight hieroglyphic signs and the ten Greek letters. But the discovery of a new monument (and in this consisted M. Champollion's good fortune) at length removed all uncertainty in this respect, and led directly and easily to the formation of the alphabet required.

'The hieroglyphic text of the inscription of Rosetta,' says M. Champollion (*Lettre à M. Dacier*, *p.* 6.) exhibited, on account of its fractures, only the name of Ptolemy. *The obelisk found in the Isle of Philae, and lately removed to London*, contains also the hieroglyphic name of *one of the Ptolemies*, expressed by the same characters that occur in the inscription of Rosetta, surrounded by a ring or border; and it is followed by a second border, which must necessarily contain the proper name of a woman, and of a queen of the family of the Lagidae, since the group is terminated by the hieroglyphics ex-

'pressive of the *feminine* gender; characters which are found 'at the end of the names of all the Egyptian goddesses with-'out exception. * The obelisk was fixed, it is said, to a basis 'bearing a Greek inscription, which is a petition of the priests 'of Isis at Philae, addressed to King Ptolemy, to *Cleopatra* 'his sister, and to *Cleopatra* his wife. Now, if this obelisk, 'and the hieroglyphical inscription engraved on it, were the re-'sult of this petition, which in fact adverts to the consecration 'of a monument of the kind, the border, with the feminine pro-'per name, can only be that of one of the *Cleopatras*. This 'name and that of Ptolemy, which in the Greek have several 'letters in common, were capable of being employed for a com-'parison of the hieroglyphical characters composing them; and 'if the similar characters in these names expressed in both the 'same sounds, it followed that their nature must be entirely 'phonetic.'

The course of investigation here indicated appears abundantly simple and easy; but as the development of a Hieroglyphic Alphabet has been mainly derived from a comparison of the several signs which enter into the composition respectively of the names *Ptolemy* and *Cleopatra*, we deem it necessary to exemplify the process by which results so important were obtained.

In the square which occupies the lower corner to the right of the accompanying plate, are included three proper names written hieroglyphically, and inclosed each within an elliptical ring or cartouche: No. 1. is the name of *Ptolemy*, taken from the hieroglyphic branch of the triple inscription of Rosetta; No. 2. is the name of *Berenice*, copied from the ceiling at Karnak; and No. 3. is that of *Cleopatra*, as furnished by the obelisk of Philae. Of the first and second (*Ptolemy* and *Berenice*), we have already given Dr Young's analysis, deduced with singular ingenuity from the Enchorial of the Rosetta Inscription; and we must request the reader to bear in mind what was there stated, both in regard to the circumstance which determined the *locus* of these names, and the method adopted for ascertaining the values of their component characters or signs. At present we have to do only with the *first* and *third*, or with the names of *Ptolemy* and *Cleopatra*.

Now, on referring to the scrolls or rings, Nos. 1 and 3, con-

* Here we have an admirable sample of M. Champollion's ingenuousness and candour! The ideographic symbols of the female termination (a semicircle and oval) are assumed as long known and admitted; whereas the interpretation of these symbols had never been even suspected by any one till it was discovered by Dr Young. *Disc. in Hierogl. Lit. p.* 45.

taining these names, the reader will perceive that, in the scroll of *Ptolemy*, ΠΤΟΛΜΗΣ, (No. 1.), the fourth, sixth, third and first characters, answering to Λ, Ε or Η, Ο, and Π are identical with the second, third, fourth, and fifth characters of the scroll or cartouche of *Cleopatra*, ΚΛΕΟΠΑΤΡΑ, (No. 3,) which must therefore correspond respectively to the same letters Λ, Ε, Ο, and Π. Here, then, we have the values of *four* characters (the lion, the feather, the flower with the recurved stem, and the square) determined by a sort of *instantia crucis*—and, at the same time, a striking confirmation of the soundness of the original hypothesis, which has become certainty by the actual comparison of these hieroglyphic names. But the same process which enables us to ascertain the values of the characters common to both names, equally enables us to infer the values of those in which they differ. Take, for example, the name ΚΛΕΟΠΑΤΡΑ. It is spelled hieroglyphically by *nine* phonetic characters or signs, together with the symbol of the female termination; in other words, there is a phonetic character corresponding to *every* letter in the name. But *four* of these characters consecutively, Λ, Ε, Ο and Π, have been determined by the direct method of comparison; wherefore, as the name is, by the supposition, known, it follows that the values of the remaining *five* may be inferred without the possibility of error; for, having ascertained the values of the second, third, fourth and fifth, we get necessarily, and at the same instant, the values of the first, sixth, seventh, eighth, and ninth. The same thing is applicable to the name of *Ptolemy*. Hence, as the name *Cleopatra* contains *eight* distinct characters, and the name *Ptolemy*, deducting the four letters common to both, supplies *three*, we obtain from the analysis of these names alone, *eleven* distinct characters representing as many distinct sounds; and if the same indirect method be applied to the name *Berenice*, it will furnish *four* more, three of which represent distinct sounds, while the fourth, a goose of Nile (*Vulpanser*) proves to be a homophone of the letter Α; so that from these three names are deducible *fourteen* distinct phonetic characters, being only two less than the number of the Cadmean Letters, and forming a considerable portion of a Phonetico-Hieroglyphic Alphabet, which it was easy to verify and extend by applying it to other scrolls or cartouches.

These were of themselves pretty sure and prolific *data*. But the results, which they were almost sufficient of themselves to justify, were afterwards confirmed in the most complete and extraordinary manner, by a series of observations, conducted by M. Champollion, with surprising diligence and ingenuity, and verified by such a variety and accumulation of evidence,

as to exclude almost the possibility of error. Of the nature of that evidence, we shall by and by enable our readers to judge, by some examples:—But in the mean time, we may announce generally, that from a copious induction of instances, extending in some cases to several hundreds, for a single character, M. Champollion has completely ascertained that every *phonetic* hieroglyph is the image of a physical object, whose name, in the spoken language of Egypt, began with the *sound* or *articulation* which the sign itself is destined to represent. Thus, the image of an eagle, which, in the Coptic or Egyptian, is *Ahóm* or *Achóm*, became the sign of the vowel A; that of a small vase or censer, in Coptic *Berbé*, the sign of the consonant B; that of a hand, *Tot*, the sign of the consonant T; that of a hatchet, *Kelebin*, the sign of the consonant K; that of a lion or lioness, *Labo*, the sign of the consonant L; that of a nycticorax, *Mouladj*, the sign of the consonant M; that of a flute, *Sebiandjo*, the sign of the consonant S; that of a mouth, *Ró*, the sign of the consonant R; and the abridged image of a garden, *Schné*, the sign of the consonants SH, &c.

It is in this way that a Hieroglyphic Alphabet has been progressively formed, and (as the same method of investigation is applicable to the enchorial characters) a general Alphabet obtained. In the accompanying engraving, the first column contains the Greek letters; the second, the corresponding Demotic or Enchorial characters, as far as these have yet been determined; and the third, the Phonetic Hieroglyphics, with the recent additions made by Mr Salt and M. Champollion. With this key in his hand, and a correct representation of a hieroglyphic inscription—as, for example, in the plates subjoined to Zoëga's work, or in the engravings which illustrate the splendid *Description de l'Egypte*, or in any other delineations equally faithful—the reader will be enabled to convince himself practically of the value and importance of this remarkable discovery.

A Hieroglyphic Alphabet being thus constructed, M. Champollion proceeded to apply it in deciphering the proper names inscribed on the temples and other edifices of Egypt; and in his 'Lettre à M. Dacier,' he exhibits the results obtained from the inscriptions on the monuments of Dendera (*Tentyra*,) Thebes, Esneh (*Latopolis*), Edfou (*Apollinopolis Magna*), Ombos, and Philae, relative to the Greek and Roman periods of the history of Egypt. Of these we can only afford room to give a very brief abstract; and,

I. Connected with the Greek period, we read, 1. the name of *Alexander the Great*, written ΑΛΚΣΑΤΡΣ, on the temple of Karnak near Thebes. This name Dr Young had previously deciphered from the Enchorial, (*Supp.* to the *Encyl. Brit.* vol.

IV. plate LXXV.) 2. The name *Ptolemy*, common to all the Lagidae, written ΠΤΟΛΜΗΣ and ΠΤΛΟΜΗΣ, on the temples at Philae, Ombos, Edfou, Thebes, Koos, and Dendera, and generally followed in the cartouche itself by the ideographic legends, *Always Living*, *Beloved of Phtha*, or *Beloved of Isis*. 3. The name of Queen *Berenice*, written ΒΡΝΗΚΣ on the ceiling of the great Triumphal Arch south of Karnak. This hieroglyphic name was first deciphered by Dr Young. 4. The name of Cleopatra, written, ΚΛΕΟΠΑΤΡΑ on the obelisk of Philae already mentioned, and ΚΛΑΟΠΑΤΡΑ, and ΚΛΟΠΤΡΑ on the edifices of Ombos, Thebes, and Dendera. 5. The name of *Ptolemy*, surnamed *Alexander*, written ΠΤΟΛΜΗΣΑΡΚΣΝΤΡΣ at Dendera and Ombos. 6. The name of another *Ptolemy*, scarcely known in history, the son of Julius Caesar, and Queen Cleopatra, *Caesarion*, whose royal scroll, sculptured at Dendera, next to that of his mother, contains the legend ΠΤΟΛΜΗΣ surnamed ΝΗΟΚΗΣΡΣ, *Ptolemy the young Caesar*, followed by the *ideographic* symbols for *Always Living; and the title, Beloved of Isis, spelt phonetically.*

II. The Phonetic Alphabet was found to apply, without modification either in the value or arrangement of the signs, to a much more numerous series of hieroglyphic names of sovereigns sculptured on the monuments of Egypt,—we mean the Roman Emperors; but, contrary to all expectation, it was discovered, that their titles, names, and surnames, on the basreliefs of the temples, were expressed by means of hieroglyphic characters, suggesting not Latin but *Greek words*,—a circumstance which seems to prove, what is indeed otherwise established, that, latterly, these sacred sculptures were executed by Greek workmen. Thus we have—1. The title Αὐτοκράτως, spelled ΑΟΤΟΚΡΤΡ and ΑΟΤΑΚΡΤΡ,* inscribed alone on the edifices of Philae, Dendera, &c., and followed by the ideographic legends, *Always Living*, *Beloved of Phtha*, or *Beloved of Isis*. 2. The title of Καισαρ, Καισαρος, written ΚΗΣΡ and ΚΗΣΡΣ,† accompanied by the same qualifications as the preceding, and filling a cartouche or ring by itself. 3. The name of the Emperor *Augustus* in two rings joined together, and forming the legend ΑΟΤΚΡΤΡ ΚΗΣΡΣ, *Always Living*, *Beloved of Isis*. This is repeated six times in the cornice of the western temple of Philae, and contains the only legend inscribed on the first medals of Augustus struck in Egypt. 4. The name of the Emperor *Tiberius*, written ΤΒΗΡΣ, and more frequently ΤΒΡΗΣ, which occurs on the walls, and in the gallery of the western temple of Philae. Two rings joined together contain the whole

* This title is also found spelled ΑΤΤΚΡΤΡ, ΑΤΤΟΚΡΤΡ, and ΑΤΤΟΚΡΤΟΡ.

† This name is also written ΚΣΡΣ, ΚΙΣΡΣ, ΚΙΣΑΡΣ, ΚΛΙΣΡ, and ΚΑΙΣΑΡΣ.

legend, AOTOKPTP TBPHΣ KHΣPΣ ΣBΣTΣ, *The Emperor Tiberius Caesar Augustus*; but more generally AOTKPTP TBPHΣ KHΣPΣ, *Always Living*, which is repeated nine times on the frieze of the same temple. 5. The title and name of the Emperor *Domitian*, contained in two united rings of the same edifice of Philae, and written AOTKPTP TOMTHNΣ‡ ΣBΣTΣ; but a more extensive legend occurs several times on the edifices at Dendera, where the hieroglyphic rings which have been transcribed give AOTKPTP KHΣPΣ TOMTHNΣ KPMNHKΣ, *The Emperor Tiberius Caesar Germanicus*, with the symbol of *Always Living*. 6. The name of the same Emperor on the Pamphilian Obelisk at Rome. But this monument, in explanation of which the laborious Kircher has published a folio volume, is generally considered spurious; it is believed to have been chiefly sculptured at Rome, in imitation of the Egyptian style, but so negligently and unskilfully, as to exhibit a striking difference in the character of the workmanship, while the emblems are put together in a manner wholly arbitrary. 7. The name of the Emperor *Trajan* on the walls of the intercolumniation of the eastern edifice at Philae. Two cartouches or rings, united and placed before the figure of the Emperor adoring the Goddes Isis, and the God Arueris have AKOTPTP KHΣP TPHNΣ, *The Emperor Caesar Trajan*. The frieze of the same intercolumniation is composed of nine ovals or rings: that in the centre has TPHNΣ, *Trajan, always living*: the rings on the right, read two and two, give the legends KHΣPΣ, *Caesar, eternal germ of Isis*, KPMNHKΣ KHΣPΣ, *Germanicus Caesar*, KHΣPΣ TPHNΣ, *Caesar Trajan, always living*: those on the left, AOTKPTP ΣBΣTΣ, *The Emperor Augustus, always living*—AOTKPTP KHΣP TPHNΣ, *The Emperor Caesar Trajan, always living*. Lastly, two rings sculptured on the great temple at Ombos, give the legend AOTKPTP KHΣPNPOA TPHNΣ KPMNHKΣ THKKΣ, *The Emperor Caesar Nerva Trajan*, surnamed *Germanicus Dacicus*. 8. The name of the Emperor Hadrian on the pyramidion of the fourth face of the Barberini Obelisk at Rome, the cartouche containing it being placed before the figure of Hadrian on foot making an offering to Phrè or the Sun: but this monument, like the Pamphilian, is of Roman, not Egyptian workmanship. 9. On the Typhonium of Dendera, two rings united, and containing the legend AOTKPTP KΣPΣ ANTONHNΣ, *The Emperor Caesar Antoninus, always living*, which is several times repeated.

Such are a few of the results obtained by the application of

‡ On the Pamphilian Obelisk this name is spelled TMITANΣ, TMTIANΣ, and TMITIANΣ; at Philae, it is sometimes written TOMTINΣ, and at Dendera, TOMITNΣ.

the Phonetic Alphabet to inscriptions connected with the Greek and Roman periods of Egyptian History. How far these results go to establish the soundness of the original discovery, we shall endeavour to point out, after we have adverted to the first department of Mr Salt's Essay, which properly falls to be noticed in this place.

That gentleman informs us (*Essay*, p. 3.), that on the first intimation of the discovery, he had conceived 'a very decided 'prejudice against the phonetic system,' thinking it 'founded 'on too conjectural a basis;' but having received M. Champollion's 'Lettre à M. Dacier' and Dr Young's 'Discoveries 'in Hieroglyphical Literature,' he set himself seriously to the examination of their contents, being unwilling,' he says, 'to 'suppose that so much importance could be given, with-'out reason, by many persons of acknowledged talent in Eu-'rope, to a discovery which appeared to him only a very vague 'and conjectural hypothesis.' This led to a complete conviction of his error; and enabled him not only to confirm its truth on almost every point laid down by M. Champollion, from his own sketches on the spot, but, with the assistance of the latter, to add several new phonetic homophones, as well as the names of a number of Egyptian gods and kings, in regard to which, however, he had, without his knowledge, been forestalled by M. Champollion, in his 'Précis du Système Hieroglyphique des 'Anciens Egyptiens,' to be noticed immediately. We shall state a few of the more remarkable results obtained by Mr Salt.

Of names connected with the Greek and Roman periods of Egyptian history, Mr Salt has been able to add to the list of those previously deciphered, 1. the name of *Arsinoe*, found by him at Gau-Kibeer, at Edfou, and at Dakké: the first was written ΑΡΣΙΝΕ at full; the second, ΑΡΣΙ with a contraction; the third ΑΡΣΝ, together with a figure of Isis, which probably implies *goddess*,—the symbols of the female termination being subjoined in all the three. On the noble propylon at Karnak, the finest specimen remaining of Egyptian sculpture, this name is also found in conjunction with that of Ptolemy, who is designated as the 'father' of Ptolemy, who had for his wife Berenice. 2. The name of *Philip*, the father of Alexander, occurs on the granite sanctuary at Karnak; and on the same building is sculptured the name of his son, who is termed Mai-Amun, *Beloved of Amun*. The phonetic hieroglyhs representing the former evolve ΦΛΕΕΠΟΣ, which approaches as near to the sound of the Greek as any other name yet discovered, excepting that of ΚΛΕΟΠΑΤΡΑ, which accords with it letter for letter. 3. Mr Salt has applied what he conceives

to be an important correction to the reading of the name *Berenice*. In the hieroglyphs composing it, both Dr Young and M. Champollion concur in considering the final character as a goose of Nile. But in all the rings containing that name at Karnak, Edfou, the little temple near Esneh, Dakké, &c., Mr Salt observed that the bird was either a hawk, a crow, or an eagle; nor could he find any other bird to which the sound of A could be attributed. 4. To the names of Roman emperors already deciphered, the additions which Mr Salt has been able to make are those of *Nero*, *Commodus*, *Hadrian*, *Antoninus*, and one which appears to be *Marcus Verus Antoninus Augustus Imperator Caesar*, forming the ornaments of a cornice in the interior of a small propylon on the west of the island of Philae. The name of *Domitian* he copied from the Beneventine Obelisk, as given by Zoëga; and from the whole he has been able to deduce about twenty new homophones. So much for the Greek and Roman periods. Let us here pause a little, and take a retrospect of the ground we have cleared.

The phonetic system of the ancient Egyptians, as brought to light by the discoveries of Dr Young and M. Champollion, differs so completely from every mode of writing known or practised among Europeans, that a little scepticism at the outset of our acquaintance with it is perhaps unavoidable. But we are very much mistaken indeed if the proofs which prevailed over the early incredulity of Mr Salt, will not prove equally powerful in convincing our readers that, however anomalous it may at first sight appear, it was in reality employed by the extraordinary people to whom it is ascribed. The following considerations will have their due weight with all who are accustomed to examine and appreciate evidence.

1. The fact of there being a similar usage of phonetic characters in an existing language, which is not on the whole written phonetically, proves that the system in question is not so contrary to analogy as we might at first be inclined to imagine. The modern Chinese is a syllabico-ideographic language; but in order to express foreign combinations of sounds, the characters, instead of retaining their natural signification, are rendered simply *phonetic* by an appropriate mark, and thus represent merely the initial or predominant sound of the name or word of which they are the usual and natural signs. 2. The progress of the discovery, and the facts connected with it, really seem to demonstrate its truth and certainty. The name of *Ptolemy*, taken from the Rosetta Inscription, rests on the basis of *an accompanying translation*; the same thing may be said of the name Cleopatra; and from these two have the elements of a Hieroglyphic Alphabet been legiti-

mately derived. 3. But the strongest evidence in support of the Hieroglyphic Alphabet is the perfect agreement of the results obtained by means of it, with known facts in the history of the personages whose names have been deciphered—with the dates of the edifices on which these names are sculptured, or with other circumstances of a personal or general nature, the *combination* of which it is impossible to attribute to accident, or to account for in any other way than by admitting the correctness and certainty of the discovery. Thus, the name of Ptolemy is found only on buildings, evidently of a posterior date in the style of their architecture to the older monuments of Egyptian art: the name of Cleopatra is found *as mother to a Ptolemy*, at Ernent and Koos, at the latter of which there is also a *Greek* inscription, in which Cleopatra is represented as reigning *with her son:* and a queen of the same name is represented as wife to a Ptolemy at Gau-Kibeer, at Dakké, in a little temple at Philae dedicated to Venus Aphrodite, and in another discovered by Mr Salt, dedicated to Esculapius, in all of which it corresponds to the *Greek* inscriptions found there. On many other temples a Cleopatra is constantly associated with a Ptolemy. On the fine propylon at Karnak the name of Ptolemy accompanies, as usual, that of Cleopatra, and he is represented as son of Ptolemy and Arsinoe: the name of Alexander, son of Amun, is found *together with that* of Philip, his father: and at Edfou the name of Ptolemy is followed by the title of Alexander, and by the name of Berenice his wife. Again, the titles of Autokrator, Sebastos, Eusebes, Kaisar, are continually found in conjunction with the names of *Roman Emperors*, but *never* with those of the Ptolemies: and the titles of Germanicus, Dacicus, are found annexed *only* to the names of those sovereigns who bear these titles on their medals: the name of Hadrian is prefixed, as it should be, to the name of the Emperor Trajan: and the greater part of the names of the Emperors, from Augustus to Commodus, are found on temples and edifices, the style of which clearly indicates that they are of a more modern date than those of the age of the Ptolemies. These names and titles, all made out by interpreting the hieroglyphics into the initial sounds of words, as has been already explained, are not confined to a few isolated scrolls, but are sculptured by hundreds and thousands throughout the separate edifices, and there are no scrolls in these edifices which do not apply to those who had a share in the construction. The oval containing the name of Hadrian is sculptured on a column, the hieroglyphics of which are known, by a Greek inscription, to have been executed immediately after his reign: the name of Soter repeatedly oc-

curs in phonetic characters, among the hieroglyphics on the mummy-case of a person whose name was Soter, *as appears by the Greek inscription* written on the same case: and, above all, this name is found, in the Greek, exactly after that of Osiris, as Dr Young had before stated the names of persons deceased to have been found, in the hieroglyphics on the body. *These*, and many other analogous circumstances which might be mentioned, amount to such a body of concurring testimony, as cannot, we think, be resisted; and serve to establish the certainty of the Hieroglyphic Alphabet, and the truth of the deductions which M. Champollion and others have drawn from it. We shall yet have occasion to produce further evidence in support of this conclusion.

Before proceeding to give the phonetic names of the Egyptian deities, from which, as Dr Murray long ago remarked, (*Summary View of Egyptian Mythology*, App. to Vol. II. of Bruce's Travels), the names of the Egyptian kings are almost all derived, Mr Salt stops to mention an intermediate discovery of considerable interest, which proves that phonetic characters were in use as early as the reign of Psammitichus, (M. Champollion shows, as we shall see directly, that they were in use at a much earlier period). It had struck him forcibly, that as these characters had been applied to the names of stranger kings—the Ptolemies and Roman Emperors—so they would likewise, if known, have, in all probability, been made use of in expressing the names of the Ethiopian sovereigns, who had previously held the country in subjection. The result proved the soundness of this conjecture. From some sketches made at Abydos, Mr Salt, to his great delight, deciphered the name of ΣΑΒΑΚΟ, or ΣΑΒΑΚΟΦΘ, with the same termination as was afterwards found in ΑΜΕΝΟΦΘ; and, in a sketch taken from the back of a small portico at Medinet-Haboo, he discovered the name of ΤΙΡΑΚΑ, who, he imagines, can be no other than '*Tir-hakah*, King of Ethiopia, who came out to make war against 'Sennacherib, King of Assyria,' as is mentioned in the second book of Kings, c. xix. v. 9. If this supposed identity be admitted, it would prove that the phonetic characters were in use full 700 years before Christ, as far back as the time of the prophet Isaiah; and it would establish the reign of a sovereign, named in the Bible, of whose existence some learned men had been pleased to doubt. Nor did his discoveries stop here. Upon the high granite rocks at Elephantina, and also from beneath the intrusive name of a Ptolemy, on a large fallen column in front of the great temple at Karnak, Mr S. deciphered, with the utmost ease, the name of ΠΣΑΜΙΤΙΚ written phonetically: This name is also found sculptured on one of the small temples

at Eleithias, and on the Campensian obelisk, and that in Monte Citorio, of which engravings are given by Zoëga, at the end of his learned and valuable work on the Origin and Use of Obelisks.

Mr Salt then proceeds to give a short account of some of the principal Egyptian Deities, and the images under which they are represented, together with their hieroglyphical as well as phonetic names, wherever he was able to decipher them. He begins with the eight more ancient divinities mentioned by Herodotus, whose names he determines to be, 1. *Knüph*, or *Ich Neuphi*, or *Kneuph*, represented symbolically by a chicken watching an ostrich feather, or by the feather alone with a crouching figure, or by the flag indicating *God*, or, as the Agathodæmon, by the image of the sacred serpent, which enters into the celebrated union of the globe, wings, and serpent, placed over the entrance of all the temples in Egypt. The phonetic name is uncertain. 2. *Neith*, one of the great goddesses of the firmament, represented as a human figure with the head of a lion. Her phonetic name is either NEET or NΘ, * to which are generally annexed the goose and globe, with a feminine termination, signifying, ideographically, 'daughter of the Sun.' 3. *Phtha*, phonetic ΦΘA, having for his emblem a scarabœus, according to Horus Apollo, and represented on the temples under the form of a human figure, with a scarabœus over its head, sometimes encircled by the globe and serpent. 4. *Amun*, commonly represented by an image in the human form, of a black colour, with the head of a ram, surmounted by the globe and serpent, and written phonetically AMN. 5. *Phré*, or the Sun, generally represented by a globe encircled by a serpent, and hieroglyphically designed by the same emblem. His attributes are involved in mystery. 6. *Athor*, who is commonly represented under the form of a female with a peculiar head-dress, composed of a globe, encompassed by two slender upright horns, and surmounted by two long feathers. Her symbolical designation is the figure of a hawk enclosed in a square, with a smaller square at one of its corners; and her phonetic name, which is often met with, AΘP. 7. *Buto*, or *Maut*, representing the lower firmament, and designated like Neith by an outstretched female

* This occurs very frequently, and in such combination with the known symbols, as to leave no doubt of its signification. It may serve to give a clearer idea of what we mean by the *phonetic name* to mention, that it is invariably expressed in this instance by a zig-zag, two feathers, and a pair of tongs, the Coptic names of these objects beginning respectively with the letters, or sounds expressed by the letters, N, E, (repeated) and T or TH.

figure, which is also sometimes found as her symbolic characteristic. Her phonetic name is MT. 8. *Mendes*, or the generative power of nature, represented under the form of a human figure, with the head of a goat advanced in front of the forehead, and designated symbolically by a square, a dot, and a chicken watching over them: phonetic name unknown.

Of the minor deities, Mr Salt points out the phonetic names and symbols of, 1. *Hermes*, ΕΡΜΣ; 2. *Taut* or *Thoth*, ΤΤ or ΘΘ, represented as a human figure, with the head of an ibis; 3. *Osiris*, ΟΥΣΙΡΕ or ΟΥΣΙΡΙ, designated, as is well known, by an eye and a chair or throne; 4. *Nepthe*, ΑΝΕΦΘΕ; 5. *Horus*, ΟΡΣ, designated by a hawk, or the figure of a child with one hand pointing to the lips; 6. *Anubis*, ΑΝΦ, designated by the head of a fox, commonly mistaken for that of a dog; 7. *Seth* or *Sothis*, ΣΘ, symbol unknown; 8. *Serapi*, ΣΑΡΠΙ; lastly, *Imouth*, the Egyptian Esculapius, written ΙΜΟΥΘΦ, and confirmed by a papyrus, which contains the expression Ἀσκληπίου ὁ ἐστι Ἰμούθου υἱος Ἡφαιστου. Mr Salt then subjoins (p. 51–54) a tabular list, to which we can only refer, of Egyptian kings and queens, whose names are all written phonetically; and concludes with expressing an opinion—that as the fact of phonetic hieroglyphics having been in use in the earlier period of the Egyptian monarchy is now clearly established, so their application will be found not to have been confined to the names of gods, kings, or places;—an opinion which M. Champollion had already, unknown to Mr Salt, completely verified.

This brings us at once to the '*Précis du Système Hiéroglyphique des Anciens Egyptiens*,—a work beyond all doubt of the very highest interest and value, not merely as exhibiting a clear and comprehensive view of the results which had been previously obtained, but as embracing a great variety of new and important investigations, equally calculated to elucidate the graphic system of the ancient Egyptians, and to shed a strong light upon a portion of ancient history hitherto abandoned to scepticism or conjecture. In this masterly performance the object of the author is to demonstrate, 1. That the Phonetico-Hieroglyphic Alphabet is applicable to the royal hieroglyphic legends of every epoch in the history of Egypt; 2. That this alphabet is the true key to the whole hieroglyphic system; 3. That the ancient Egyptians constantly employed it to represent alphabetically the sounds of words in their spoken language; 4. That all the hieroglyphical inscriptions are, to a considerable extent, composed of signs purely alphabetical; and, 5. That different kinds of characters—the nature of which he also endeavours to appreciate—were simultaneously employed in the hieroglyphic texts: Lastly, from all these propositions, each of which

is proved by an incredible variety of applications and examples, the author attempts to deduce a general theory of the graphic system of the ancient Egyptians;—a difficult task, doubtless, but prosecuted with singular skill, ingenuity, and learning—and leading undoubtedly to very curious results. We have now stated what the author professes, or attempts to make out. To what extent he has succeeded, our readers will be better able to judge, when they have perused the following brief abstract of his proofs and illustrations.

Neglecting the controversial part of M. Champollion's work, in which he endeavours, (as we have already shown) most unjustly, to dispute with Dr Young the priority of discovery,—and also omitting that portion in which he retraces the results already obtained,—we come at once to the application of the Phonetic Alphabet to different hieroglyphical groups and grammatical forms, of constant occurrence in the inscriptions. And, first, of the former.

The hieroglyphic groups of most frequent occurrence in the texts are those which correspond to the ideas of *Son*, *Daughter*, *Child*, *Nursling*, *Progeny*, *Father*, *Mother*, *Sister*, *King*, *Place*. 1. The idea of *Son* is expressed by three different groups. The *first*, and most common, is a goose, *s* or *sh*, and a small perpendicular line, *a* or *e*, forming the word *sha* or *she*, or *shê*, evidently connected with the Theban Coptic root *sha*, oriri, nasci, and the Memphitic *shai* of the same import, and involved in the compounds *sheniôt*, son of father (brother-consanguinean), *shenmau*, son of mother (brother-uterine), and *shenson*, son of brother, or cousin. The *seeond* is formed of an ellipse or oval *s* and a small perpendicular line *e*, whence we have the word *se* or *si*, which appears in the Coptic proper name *Hôrsiêsi*, Horus son of Isis.* The *third* is composed of the figure of an infant with its hand at its mouth, which represents Σ in the title Σεβαστος on the Pamphilian Obelisk, and the small perpendicular line *e* or *i*, thus giving, as before, the word *se* or *si*. A fourth group expressing *filiation* is written *mes*, equivalent to the Coptic roots *mes*, enasci, gignere, *mas* or *mise*, natus, infans, pullus.† Be it observed, however, that this group expresses maternal descent only, while the group *she* or *si* indicates paternal: thus, *Hôr she n̂ Ousire mes n̂ Ese*, Horus, son of Osiris,

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* The late Mr Akerblad was the first who gave the import of this Coptic proper name.

† In the Rosetta Inscription this word, combined with the two characters which express *day*, corresponds to the τὰ γενέθλια of the Greek text, where the celebration of the King's birth-day is mentioned.

born of Isis. 2. The group expressing *father* reads *tue* or *toue*, which is clearly traceable to the Coptic roots *taue*, *taoue*, producere, proferre, probably derived from *ta* dare, and *ouô* germen. 3. The idea of *mother* is represented by a vulture, ‡ one of the homophones of M, and a peculiar species of hatchet recognised in the three forms of Egyptian writing (for example, in the enchorial name of *Ptolemy*) as the sign of the vowel *o* or of the dipthong *ou*; whence we get *mou*, allied to the Bashmouric Coptic *meou*, mater, the Theban *maau* and the Memphitic *mau* of the same import; or, by the addition of a third character—the segment of a sphere, *t*—which is a reading of frequent occurrence, we obtain *mout*, the very word which Plutarch has given as pure Egyptian for *mother*, and as one of the surnames of Isis. § 4. The group expressing *king* gives out *stn*, which is a derivative of *souten*, or *soutôn*, or *sooutn*, regere, dirigere. 5. The word τοπος, *place*, in the Greek text of the Rosetta Inscription, is expressed in the hieroglyphic text by an owl, *m*, and an arm extended, *a*, *ma*, a word which Dr Young erroneously supposed to signify *father*.

Next of the signs which represent certain grammatical forms, as genders, numbers, persons, and times. 1. The ordinary mark of feminine groups is the segment of a sphere, equivalent to T in all the proper names, and answering to the Coptic feminine article indicated by the same letter: thus, *tshe*, the daughter, *tsen*, the sister, and *tmou*, the mother. But, in the hieroglyphic inscriptions, the feminine article is sometimes placed at the end of a group; which accounts for our meeting sometimes with *mou*, mother, and sometimes with *mout*, the mother; though the Coptic contains no example of this inversion. The masculine determinate article in Coptic is P, the equivalent of which in the hieroglyphic texts is the striated square, the constant sign of the letter Π in all the Greek and Roman inscriptions. 2. The plural of nouns is expressed either by prefixes or terminations. The prefixes are the broken or horizontal line N, and the vase equivalent to NE or NI. The terminations are either two small perpendicular

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‡ Horus Apollo informs us (*Hierog.* I. No. 12.), that in order to denote *mother*, the Egyptians painted a vulture, ὅτι δὴ ἄρρεν ἐν τούτῳ τῷ γένει τῶν ζώων ουχ' ὑπάρχει.

§ Ἡ δ' Ἶσις ἐστιν ὁτε καὶ ΜΟΥΘ καὶ πάλιν Ἀθύρι. . . Σημαίουσι δὲ τῷ μὲν πρώτῳ τῶν ὀνόματων ΜΗΤΕΡΑ, τῷ δὲ δεύτερῳ κ. τ. λ. *De Iside et Osiride.* The statement of Plutarch is confirmed by the fact, that, wherever the representation of Isis occurs on the monuments, it is accompanied by the legend *Ese djermout*, Isis powerful mother. The Greeks, mistaking the qualifying word for a proper name, have written it Θερμουθις.

lines indicating duality, or three, indicating indefinite plurality. (This was first remarked by Dr Young.) The three lines are sometimes preceded by the *lituus* or the quail, and, rendered by the Phonetic Alphabet, are equivalent to the Coptic plural terminations *oue* or *oui*. 3. As in Coptic certain qualifying words are formed by the conjunctive pronoun *nt*, qui, so, in the hieroglyphic texts, a number of groups expressing qualifications, or, in other words, employed adjectively, begin with the vase and segment of the sphere, the phonetic signs of *nt*. 4. One example only has yet been found of a pronoun the subject of a proposition represented by a separate group: it is the pronoun of the third person singular masculine, which is written *ntoph*, being letter for letter Coptic; but numerous examples occur of pronouns of the second, and, above all, of the third person, combined with nouns or verbs, sometimes as prefixes, but more frequently as affixes. Thus (*nph*, or simply *ph*, equivalent to the Coptic *naph* or *neph* being the masculine, and *s*, equivalent to the Coptic *nes* being the feminine affix of the third person), we have *toueph*, father of him, *toues*, father of her; *moutph* or *tmouph*, the mother of him, *mouts*, the mother of her; *sheph*, the son of him, *shes* the son of her; *tsheph* or *shetph*, the daughter of him, *tshes* or *shets*, the daughter of her; *snph*, the brother of him, *sns*, the brother of her; *tsnph* or *sntph*, the sister of him, *snts* the sister of her. 5. In Coptic, the preposition *n̄* prefixed to a noun, indicates the genitive case; and in hieroglyphics, the broken line, one of the homophones of N, performs the same function. Thus, in all the hieroglyphic legends placed beside the representations of the god Horus, we read either *Hór shé n̄ Ousiré*, Horus the son of Osiris, or *Hór shé Ousiré ms n̄ Ese*, Horus, son of Osiris, born of Isis. 6. In the hieroglyphic branch of the Rosetta Inscription we meet with verbs in three distinct tenses, the present, past, and future, but only in third person singular. The characteristic signs of these tenses, taken phonetically, are, however, nothing more than Coptic prefixes and affixes. Thus, the third person plural of the present is indicated by the recurved sign or the two sceptres Σ, prefixed to the group representing the verb, and equivalent to the Coptic prefix *se*. Again, the third person of what seems to be a past tense is indicated by the affix of the horned snake Φ, if the subject be masculine, and by that of the two sceptres Σ, if it be feminine; forms of which traces appear in one of the past tenses of the verb *djǒ*, dicere, viz. *pedjai*, *pedjak*, *pedje*, *pedjaph*, *pedjas*, in the Theban dialect, *pedjēi*, *pedjak*, &c. in the Memphitic, and *pedjei*, *pedjek*, *pedje*, *pedjeph*, *pedjes* in the Bashmouric. Lastly, the third person plural of the future—the tense and person in which all the verbs of the nine last lines of the hieroglyphic text of Ro-

setta appear—is marked by a group of three characters; the recurved sign or the two sceptres Ƨ, the broken line N, and the three perpendicular lines I or E; from which we obtain *sne*, equivalent to the Bashouric *sene*, and the Theban and Memphitic *sena*, the characteristic mark of the third person plural of the Coptic future definite.—So much for the application of the Phonetic Alphabet to different hieroglyphical groups of frequent occurrence, and to certain grammatical forms;—an application which has gone far, if not to demonstrate, at least to create a very strong presumption, that a very great part of every hieroglyphic text is written *alphabetically*.

The next subject of investigation—the deciphering of the hieroglyphic proper names of the Egyptian Divinities—is one of great interest in relation to the subject now under consideration; but from the incidental notice already given of Mr Salt's readings, and the copious catalogue contained in the Article EGYPT (*sect.* II.) to which we refer, we shall, in a great measure, confine our analysis to the additional results obtained, or the corrections applied, by M. Champollion.

The images of the gods and goddesses, which cover the Egyptian monuments of all orders, are accompanied by hieroglyphic legends, invariably commencing with three or four characters, which import, *This is the aspect*, the *mode of existence*, the *presence*, or the *resemblance;* and this formula is followed by the preposition *n*, *of*, expressed by the broken or horizontal line: after which comes the proper name of the god or goddess. That name is always written in the same phonetic characters with those of individuals; but instead of the figurative character *man* found at the end of the latter, it is constantly terminated by the ideographic sign of *god* or *goddess*—a sign the import of which was determined by a comparison of the Greek with the Hieroglyphic and Enchorial texts of the Rosetta Inscription. By this initial formula, and this terminal character, therefore, the names of the Egyptian Divinities are easily recognised on the monuments.

1. The testimony of the Greek writers leaves no doubt whatever that the god represented on the monuments with the head of a hawk, surrounded by a globe or disc, was the Egyptian Ἥλιος, *Sun*, called *Rê*, *Ra*, *Ri*, and *Phrè*. M. Champollion has made out phonetically the name *Rê*, which baffled Mr Salt. 2. *Ammon*, or *Amoun*, or *Amun*, the principal deity of Thebes, represented with the head of a ram, and assimilated by the Greeks (from whom we first learned his name) to their own Ζεύς, M. Champollion reads AMN, as Mr Salt had previously done. 3. On the paintings and bas-reliefs, however, he discovers a second divinity with a ram's head, but distinguished

from the first, either by an *uræus* placed between his horns, or by complicated and very peculiar *coiffures*, containing a solar disc and one or more *uræi*. Like the preceding, this god bears the name of AMN, sometimes that of *Amon-Ra* or *Amon-Rê*,—but more frequently a third name, in the orthography of which there are four different varieties, viz. NB, NOUB, NM, and NOUM. If we pronounce the B of the name NB in the Coptic manner, like a V or F, we obtain NEV or NEF, the god Κνηφ, who, according to Plutarch, was the principal divinity of the Thebaid; and, in the same way, in NOUB (*Nouf*) we recognise the KNOYΦ-ις of Strabo, identical with the Κνηφ of Plutarch and Eusebius. If, on the other hand, we pronounce NOUB in the ordinary way (*Noub*) we get the XNOYB-ις of the Inscription of the Cataracts (Ἀμμωνι ὁ και Χνουβει) and of the Basilidian Stones, and the *Ammon-Chnubis* of the Latin Inscription discovered by Belzoni in the quarries of Syene. Lastly, in the variation NOUM, we also discover the XNOYM-ις of the Basilidian Stones, which bear indifferently Χνουφις, Χνουβις, and Χνουμις, and which show that these different names applied to one and the same divine being, represented under the form of a serpent.* 4. *Phtha*, one of the

* All the details transmitted by the Greek writers concerning the mode in which the Egyptians represented *Ammon-Knêph*, *Ammon-Chnouphis*, or *Ammon-Chnoumis*, are perfectly applicable to the images of the god whose hieroglyphic names we have found to be AMN, NB, NOUB, and NOUM. Eusebius informs us that the Egyptians represented the *Demiurgos*, or creator of the world, whom they called *Knêph*, under a human form, covered with blue flesh, encircled by a zone or girdle, holding a sceptre, and having on the head a royal ornamented coiffure of feathers. Porphyry gives us the same information: 'Hujus porro Κνηφ imaginem, inquit, humana 'forma depingunt, colore cæruleo, zonam tenentem et sceptrum, 'pennam gerentem in capite; ovum ab ore producit, a quo nascitur 'Deus quem Ægyptii Ptha, Graeci Vulcanum vocant.' Accordingly, on all the monuments, the god alternately called *Amun* and *Noub* appears under a human form, with flesh painted blue, invested with a zone, and having his head-dress surmounted by two enormous feathers of different colours. Eusebius also tells us (*Praep. et Demonst. Evang.* III. ix. 115, Paris, 1628,) that *Knêph* was represented emblematically under the form of a serpent; and we have seen above that on the Basilidian Stones, the names Χνουφις, Χνουβις, and Χνουμις are accompanied by the image of a serpent. Moreover, on the monuments in the elder style of Egyptian art, this divinity is sometimes found with an uræus on his head; but he is more frequently either preceded or followed by a huge serpent nearly covering his visible image with its enormous coils. We learn farther from Eusebius, that *Knêph* was regarded by the Egyptians as the Ἀγαθοδαιμων, and that, in this character, he was also represented by

principal Egyptian Divinities, chiefly adored at Memphis, and assimilated by the Greeks to their Ἡφαιστος, was, according to Eusebius, believed to be the son of the God *Knêph*, or Ammon-Cnouphis or Chnubis. In constant juxtaposition with the images of the *Demiurgos* sculptured on the bas-reliefs of Thebes, Ipsambul, Edfou, Ombos, and Philae is the figure of a second divinity, συνναος θεος, distinguished either by a solar disc and crescent surmounting his head-dress,—or by the ordinary sceptre of the gods combined with a nilometer, a handled cross, a lash and a balance,—or enveloped from neck to heel in a tight vestment, leaving only the hands which hold the sceptre at liberty: and there can be no doubt that this is meant for the representation of *Phtha*, since the hieroglyphic group placed beside the figure contains that name *expressed in phonetic characters*. Here, then, we have a complete proof of the statement of Eusebius, that Phtha was believed to be the son of Knêph, or Ammon-Chnouphis, the Demiurgos of the Egyptian mythology. Among the titles which the decree of Rosetta gives to Ptolemy Epiphanes is *Mai-Phtha*, ἠγαπημενος ὑπο του Φθα, *beloved of Phtha*. 5. *Petbé*, whom the Greeks call *Kronos* and the Latins *Saturn*, was deciphered from a Coptic manuscript in the Borgian Museum. 6. Among other names of Egyptian divinities contained in the Greek inscription discovered at Sehélé, between Elephantina and Philae, is that of a goddess called ΣΑΤΗ-Σ or ΣΑΤΙ-Σ, mentioned immediately after Ammon-Chnoubis, and of course corresponding to the Greek Ἡρα and the Latin *Juno*. But, on the bas-reliefs, the figure of Ammon is always accompanied by that of a goddess, whose distinctive sign is a large feather stuck in her head-dress, and whose hieroglyphic name, expounded phonetically, reads *Satè* or *Sati*, evidently the

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a serpent; and it is worthy of remark that the surname of Νεοαγαθοδαιμων given to the Emperor Nero on those of his medals struck in Egypt, is united to the image of an enormous serpent, bearded, and having the head ornamented with a symbolic coiffure. Lastly, the above-mentioned Greek and Latin inscriptions, in which *Ammon-Chnoubis* is mentioned, were found, the one in the isle of Sehélé near Syene, and the other at Syene itself; that is, at a small distance from the isle of Elephantina, where Strabo places the temple of Κνουφις, and where, according to Eusebius, the deity worshipped had a human form, the head of a ram surmounted by a disc, and the flesh painted blue. From all this, then, there can be no doubt that the god, who bears in the hieroglyphic writing the names of *Neb* or *Nef*, *Noub* or *Nouf*, and *Noum*, is identical with *Ammon*, and the divinity whom the Greeks call *Knêph*, *Chnuphis*, and *Chnumis*. *Vide Precis*, pp. 90–92.

same with the Σατης or Σατις of the Greek inscription. 7. Of the names of divinities better known, those deciphered by M. Champollion are—*Anubis*, the son of Osiris and Nepthé, written *Anb* and *Anebô*, and distinguished by the head of a *schacal*, which the Greeks have mistaken for that of a dog; *Osiris*, the spouse of Isis, written *Ousrê* and *Ousri*; *Arueris*, the twin-brother of Osiris, written *Aroeri*, *Haroeri*, or *Haroueri*; together with *Horus*, *Apis*, *Anucis*, *Besa*, *Socharis*, and *Thermouthis*. From all which it appears, that the ancient Egyptians wrote with phonetic hieroglyphics, the names of their gods and goddesses.

Results at once curious and interesting have been obtained by the application of the Phonetic Alphabet to the proper names of individuals of both sexes. Of these the Greek writers have preserved a considerable number, all of which are composed of the names of gods and goddesses, with the addition of some significative epithet, easily explicable by means of the phonetic analysis. Thus Αμυντιος signifies *given by Ammon*; Νιτωκρις *victorious Neith*; Αθωθις, *engendered of Thoth*; Μαρις or Μοιρις, *gift of Rê* or the *Sun*; Σεμφουκρατης, *Hercules-Harpocrates*; Θομασφθα, *the world friend of Phtha*; Παησις, *the consecrated to Isis*; Πανουφις, *the consecrated to Chnouphis*; Παθερμουτ, *the consecrated to Thermuthis*; Πετησις, *he who belongs to Isis*; Πετοσιρις, *he who belongs to Osiris*; Μαησις, *gift of Isis*; Ψεναμουν, *child of Amoun*; Σενοσορ, *child of Osiris*, &c. The same observation is applicable to the names deciphered by M. Champollion, which prove that the mythological creed of the ancient Egyptians was interwoven with the whole texture of their society, and with every circumstance of life and manners. Thus we have *Petamon*, he who belongs to Amon; *Petamonré*, he who belongs to Amonré; *Amenof* (Αμενωφις) an abbreviation of *Amenoftep* (Αμενωφθης), approved of Amon; *Amontet*, obedient to Amon; *Phtahaftep* or *Ptahftep*, approved of Phtha; *Ftep-an-Ptah* or *Ftep-Ptah*, the approved of Phtha; *Ptahdjer* or *Ptadjor*, Phtha the powerful, or the powerful by Phtha; *Pethôrprê*, he who belongs to Horus and the Sun; *Peteprê* or *Petephrê*, (supposed by M. Champollion to be the same with the *Putiphar* of Scripture, which, in the Coptic text of Genesis, is regularly written *Petephrê*), he who belongs to *Rê* or the Sun; *Isidjer* or *Isidjor*, Isis the great or powerful; *Hatôrchê* masculine and *Hatorchet* feminine, child of Athor; *Hôr-amon*, Horus-Ammon; *Horsiêsi*, Horus son of Isis, and *Amon-Horsiêsi*, Ammon-Horus son of Isis. From all which it appears, that the proper names of individuals of the Egyptian nation were written phonetically; and, consequently, that the opinion expressed by Dr Young in the Article Egypt, and repeated by M. Champollion himself in his first Letter to M. Dacier—that the phonetic hieroglyphics were con-

fined to the transcription of words and proper names *foreign* to the Egyptian language—is altogether erroneous.

But the investigations of the ingenious and indefatigable Frenchman did not stop here. By an analysis of the royal titles and qualifications inscribed on the more ancient Egyptian monuments, he has shown, that, even anterior to the Persian Invasion, the Egyptians employed, in their hieroglyphic texts, characters representing the sounds of words in their spoken language; and that these words are expressed by signs similar in form and value to those which were afterwards used for transcribing the proper names and titles of the Greek and Roman sovereigns: And by reading the hieroglyphic names of the kings of the Egyptian race sculptured on these monuments, he has not only established, upon a firm basis, the high antiquity of the phonetico-hieroglyphic system in Egypt, but, in a number of instances, determined the epoch at which the monuments themselves were erected. A few results of the latter class will complete our abstract of M. Champollion's labours.

In the *Lettre à M. Dacier*, it is proved by an unbroken chain of facts, that the Egyptians wrote phonetically (that is, employed the figures of familiar objects to express sounds), from the period of the conquest of Egypt by Alexander the Great, till the end of the reign of Antoninus, that is, from the year B. C. 332, to A. D. 161, or nearly 500 years. But the Persian Conquest preceded that of Alexander by about 193 years; and the next question was, whether, in the interval between the two conquests, and in the periods of the Egyptian monarchy anterior even to the first, evident traces of the same system of writing can be discovered. If this point can be determined in the affirmative, the chain of evidence will be complete. The following results will enable the reader to form his own judgment.

1. In a cartouche engraved on a vase of Oriental alabaster, preserved in the Cabinet of the King, and evidently of high antiquity, M. Champollion deciphered the name *Xerxes*, written *Khschearscha*, (the Persian name of that Prince), without any other omission than that of a single short medial vowel; and what seems to place this reading beyond all doubt is, that the same vase exhibits another inscription in the cuneiform or *Persepolitan* character (the ancient Persian), which M. Saint-Martin found *also* to evolve *Khşchearscha*—a new and very extraordinary confirmation of the phonetic theory. The hieroglyphic name of Xerxes is accompanied by five characters, whose phonetic values give the word *Ierina* or *Iriena*, the same with *Iéré*, Iranian or Persian. 2. In his 29th Dynasty (the *Mendesian*) Manetho places a king whose name is written Αχωρις, the Αχορις of Diodorus Siculus; and this king

had as his predecessor and successor two princes of the name of Νεφερίτης, as written by Manetho, and Νέφερευς according to Diodorus. But on two sphinxes, the style of which approaches that of the sculptures executed under the Greek kings of Egypt, we find the hieroglyphic names of a king *Hakr* (Ακορ-ις) and of a king *Naifroué* or *Naifroui*, evidently identical, we think, with *Nephereus* or *Nepherites*. 3. On the Campensian obelisk, which Augustus caused to be transported from Egypt to Rome, and placed as a gnomon in the Campus Martius, and which from the first was believed to be the work of a Pharaoh (Plin. *Hist. Nat.* xxxvi. 8. 9. & 10.), we read (see the engraving given by Zoëga) the name *Psmtk* or *Psmtg*, the skeleton of Psammeticus, Psammitichus, or Psammetichus, one of the most celebrated kings of Egypt, the same who opened the ports of that kingdom to the Greeks, encouraged commerce, and patronised the arts. M. Champollion proves, that the name on this obelisk is that of Psammetichus I., who flourished about 120 years before the Persian Conquest. 4. According to Manetho, the second king of the 23d Dynasty (the *Tanite*) bore the name of Οσορθος or Οσορθων; and on a granite obelisk amidst the ruins of Heliopolis is sculptured the name of a prince called *Ousortasen* or *Osortasen*; which name also occurs on a small statue of cornelian in the cabinet of M. Durand, accompanied by the legend, *the son of the Sun, beloved of Phtha.* Two coloured pillars, some time ago received from Egypt, confirm the above reading, and prove the identity of the king mentioned by Manetho, with the prince whose hieroglyphic name is *Osortasen*, (*Précis*, 197–200.) 5. The same monuments make us acquainted with several other persons of both sexes belonging to the 23d Dynasty; as *Ptahafiêp*, (the *Petubastes* of the Greeks), father of *Osorthos*; *Ran*, his wife; *Psjam*, or *Psdjam*, *Psammus*, ὁν Ἡρακλεα Αἰγυπτιοι ἐκαλεσαν, the son and successor of *Osorthos*; *Amonschet*, daughter of Osorthos, and sister of Psammus; *Beba*, or *Bebo*, wife of Psammus; and *Amonraou*, his son, probably the last scion of the Tanites. 6. The head of the 22d Dynasty (the *Bubastite*) is called by Manetho, Σεσογχις or Σεσογχωσις, the Pharaoh who, in Scripture, is named *Sesak*, *Schischak*, or *Schouschak*, and who, in the reign of Rehoboam, the grandson of David, pillaged Jerusalem, and carried off 'all the shields of gold which Solomon had made.' (1 Kings xiv. 25, 26.) On one of the colonnades which decorate the court of the great palace at Karnak, are two royal legends, the prænomen of the first of which contains the title *Approved of the Sun*, followed by *The beloved of Amon Scheschonk*, evidently the *Sesonchis* of Manetho; for, in the second legend, we read, *The beloved of Amon, Osorkon*, and we know that the king, called Οσορχων, (who

has sometimes been confounded with Οσορθων), was the immediate successor of *Sesonchis*. A variety of other legends confirm this conclusion. 7. M. Champollion next proceeds to decipher the name of the Pharaoh, chief of the 19th Dynasty, (one of the *Diospolitan*), which, occurring on almost every monument of the ancient style, he finds written *Rêmses*, *Ramses*, *Amon-mai-Ramses*, *Amon-Ramses-mai*, &c.; and determines, by a conclusive historical investigation (into which we cannot enter), to be that of *Rhameses the Great*, the same sovereign who is called *Sethosis* by Manetho, *Sesoosis* by Diodorus Siculus, and *Sesostris* by Herodotus and Strabo. The proof of this identity is quite irresistible, and well deserving the attention of every scholar. 8. Lastly, Of the 18th Dynasty, also Diospolitan, he deciphers the names of *Meiamoun-Ramses*, of *Ramses* I., of *Amenophis* II., (whom the Greeks mistaking the title *Meiamoun*, Beloved of Ammon, for the name, called *Memnon*), of *Amenophis* I., and, finally, that of *Thouthmosis*, the founder.*

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* These results have received a remarkable confirmation from the Genealogical Table of Abydos, of which an engraving is prefixed to Mr Salt's Essay, and which, among other things, contains the names of the Egyptian kings of the 18th dynasty, arranged in the same order as in the Canon of Manetho. This interesting monument was disinterred by Mr W. J. Bankes while excavating for the purpose of obtaining an accurate ground-plan of the extensive ruins at Abydos: and soon after his return to England a lithographic engraving of it was executed, and copies distributed to different individuals both in this country and in France. M. Champollion could not be ignorant of the fact here stated. In his Letter to the Duc de Blacas, published in the same year with the *Précis*, he expressly describes the monument in question as 'tableau precieux, *dont une copie* 'est depuis plusieurs années dans les portefeuilles de M. W. Bankes, 'en Angleterre;' but he cautiously avoids dropping so much as a hint which might lead his readers to suspect that the discovery was due to the exertions of Mr Bankes; and, in his *Précis*, he certiorates his readers that it is a hieroglyphic text of the highest interest, 'et 'dont le dessin a été apporté par notre courageux voyageur M. Cail-'liaud,' thus leaving them to infer that the discovery was due to that traveller. This literary dishonesty, in every case where the pretensions of Englishmen are concerned, is the besetting sin of M. Champollion, and cannot fail to injure his reputation among liberal and enlightened men of all countries. We have already had occasion to notice his gross injustice to Dr Young, who was, in every sense of the word, his master; and we cannot but be of opinion that he has behaved with equal impropriety to Mr Bankes, to whose spirited exertions Hieroglyphic Literature is so deeply indebted. The first discovery of the name *Cleopatra*, and the removal of the obelisk of Philae were

Thus, by a series of readings among the most remarkable in the history of scholarship (but of which we regret to say that our limits have permitted us to give only a faint outline), has M. Champollion traced the use of hieroglyphico-phonetic signs, first, from the age of Antoninus upwards to that of Alexander, secondly, from that of Alexander to the Persian Conquest, and lastly, through the different dynasties up to the commencement of the 18th, about the year 1874 before the Christian era:—exemplifying, at every stage of his progress, the accuracy of the royal chronological Canon of Manetho, as preserved by Julius Africanus and Josephus, and which the majority of learned men have hitherto treated with undeserved neglect. From the whole of these investigations, therefore, it follows, first, That the use of phonetic signs is capable of being traced upwards to a very remote antiquity; and, secondly, That the system of hieroglyphic writing, hitherto regarded as entirely consisting of symbols or emblems of ideas, is, on the contrary, composed of signs, a very considerable portion of which expresses merely the sounds of words in the spoken language of the Egyptians; that is to say, of phonetic characters.

So much, then, for the curious and singular results which have been obtained in exploring this new and interesting field of inquiry. It was our original intention to have followed up this abstract by an attempt at digesting these into something like a systematic shape; and, in particular, after explaining the nature, number, and arrangement of the signs, to have endeavoured to determine the principles upon which the three different orders of characters were combined in one and the same form of writing: But as this would necessarily require a much larger space than we can now afford, we shall conclude at present by giving a synoptical view of the elements of hieroglyphic writing, as these have been deduced from M. Champollion's researches.

The graphic system, then, of the ancient Egyptians was composed of *three* kinds of writing; I. The HIEROGLYPHIC, or *sacred*; II. The HIERATIC, or *sacerdotal*; and III. The DEMOTIC, or *popular*, called also the ENCHORIAL and EPISTOLOGRAPHIC.

I. The HIEROGLYPHIC or *sacred* writing consisted in the *simultaneous* employment of three distinct kinds of signs; viz. 1. *figurative characters*, which literally represented the object meant to be expressed; 2. *symbolic*, *tropic*, or *ænigmatic characters*, which expressed an idea by the image of a physical ob-

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both achieved by Mr Bankes; yet M. Champollion has chosen to be silent in regard to the former, and to ascribe the latter to poor Belzoni, who, had he been alive, would have rejected with indignation the credit here given him for the labours of another.

ject having an analogy true or false, direct or indirect, near or remote, with the idea to be expressed; and, 3. *phonetic characters*, which, by the images of physical objects, represented sounds merely.

The *figurative* and *symbolic* are employed in the hieroglyphic texts in a much smaller proportion than the *phonetic* characters, which are true *alphabetical* signs, expressing the sounds of words in the spoken language of ancient Egypt.

The phonetic characters combine to form words, like those of any other alphabet, but they are susceptible of a different arrangement. When placed in horizontal lines, they read either from the right to the left, or conversely, according to the direction of the principal figures; when placed in perpendicular columns, they generally read from the front to the rear. In words written phonetically the medial vowels are very often suppressed, as in the Hebrew, Phœnician, Arabic, and most other written Oriental languages. Each sound or articulation may be represented by several *homophonous* signs; but the employment of one in preference to another seems to have been regulated by considerations derived from the material form of the sign, and the nature of the idea to be expressed by the phonetic characters. The hieroglyphic texts also exhibit frequent *abbreviations* of phonetic groups.

In the same hieroglyphic text, certain ideas are represented, sometimes by a *figurative*, sometimes by a *symbolic* character, and sometimes, also, by a group of *phonetic* signs, expressing the word which is the sign of the same idea in the spoken language. Other ideas, again, are always expressed either by a *group* formed of a *figurative* and *symbolic* sign, or by the union of a figurative or symbolic sign with phonetic characters.

II. The Hieratic, or *sacerdotal* writing, is immediately derived from the *hieroglyphic*, of which it is merely a *tachygraphy*. The form of the signs is considerably abridged; but they nevertheless comprise *figurative*, *symbolic*, and *phonetic* characters, though the place of the two first is often supplied either by *phonetic* characters, or such as are purely *arbitrary*, or at least have no corresponding hieroglyphs from which we can now trace their derivation.

All the *hieratic* manuscripts extant, whether they belong to the Pharaonic, Greek, or Roman epochs, exhibit merely a tachygraphy of the hieroglyphic writing, however widely some of the characters may, at first view, appear to differ from it. This method seems to have been confined to the transcription of texts or inscriptions connected with matters of religion.

III. The Demotic, Epistolographic, or Enchorial writ-

ing, is a method distinct from the *Hieroglyphic*, and even from the *Hieratic*, of which, however, it is an immediate derivative. The signs employed in the *demotic* are only simple characters borrowed from the *hieratic*. The *demotic* nearly excludes *figurative*, but admits *symbolic* signs, to express ideas connected with the system of religion. The characters it employs are much less numerous than those of the other methods,—and a much larger proportion of them are phonetic. The medial vowels of words, whether Egyptian or foreign, are often suppressed, as in the hieroglyphic and hieratic texts; but it can express each consonant or vowel by means of several signs, different in form, yet entirely similar in sound. The number of demotic is, however, much smaller than that of hieroglyphic or hieratic homophones. *

The *Demotic*, *Hieratic*, and *Hieroglyphic* methods, were simultaneously in use among the Egyptians during a long series of ages.

Such is a tolerably complete view of the series of interesting discoveries in Hieroglyphic Literature, recently achieved by the united ingenuity and perseverance of Dr Young and M. Champollion; with incidental notices of the results, which have been obtained in the course of their laborious and successful researches. The historical importance of these results, independent of their connection with the system of writing, it would, in our opinion, be difficult to exaggerate. The names of the most renowned of the Egyptian princes, Misphrathouthmosis, Thouthmosis, Amenophis, Rameses-Maiamoun, Rameses the Great, Sesonchis, &c. have been deciphered from monuments erected during their respective reigns; and, after having been long abandoned as fabulous, have once more been brought within the pale of history. The Canon of Manetho, which the learned, in their ignorance, had so long contemned, has been verified in every point, first, by the general investigations of M. Champollion; and, secondly, by the discovery of that very remarkable monument, the Chronological Table of Abydos. Lastly, the errors so long prevalent as to the supposed contents of the Hieroglyphic Inscriptions, and the comparative antiquity of the

* Most of the papyri which have been examined are written in this manner; and it is in deciphering them that Dr Young has principally distinguished himself. His Enchorial alphabet, indeed, may be regarded as nearly complete; and by the help of it he has entirely translated at least two of these MSS. By a singular chance, a Greek translation of one of them was *afterwards* discovered in the same mummy chest with the original; and the version of our learned countryman stood the test of this formidable comparison.

Egyptian monuments, have not merely been exposed, but the possibility of their recurrence for ever prevented; while we have every reason to hope that the progress of the discovery will daily bring to light new and important facts in the early history of the most remarkable nation of the ancient world. If, in the face of all this, it should still be suggested that little has yet been done, we would suggest, in return, that the discovery is still in its infancy, and that that little has been achieved where *nothing* was previously known. Undoubtedly the great obstacle to further discovery, is the composite nature of the graphic system of ancient Egypt, and, particularly, the difficulty of interpreting the ideographic symbols, which constitute one of its elements. But, fortunately, these, compared with the sum-total of the hieroglyphic signs, are but few in number; and there is every reason to hope, that, by the method of exhaustion hitherto so successfully employed, and, above all, by the discovery of new inscriptions, accompanied by translations, a sufficient number of these symbols may be determined to enable us to decipher, not merely proper names, titles, legends, words of frequent occurrence, and a few grammatical forms, but whole inscriptions, and thus to obtain the full knowledge of all that these sacred sculptures have so long concealed.

ART. V. *Modern Infidelity considered with respect to its influence on Society, in a Sermon preached at the Baptist Meeting, Cambridge.* By ROBERT HALL, M. A. Tenth Edition. 8vo. pp. 88. London. Hamilton, 1822.

IT is one of the most trite remarks of rhetorical criticism, that the eloquence of the Pulpit, generally speaking, turns very peculiar advantages to a very moderate account. If any one were, for the first time, informed what Preaching was—if, for example, one of the ancient critics had been told that the time would come when vast multitudes of persons should assemble regularly to be addressed, in the midst of their devotions, upon the most sacred truths of a religion sublime beyond all the speculations of philosophers, yet in all its most important points simple, and of the easiest apprehension; that with those truths were to be mingled discussions of the whole circle of human duties, according to a system of morality singularly pure and attractive; and that the more dignified and the more interesting parts of national affairs were not to be excluded from the

discourse; that, in short, the most elevating, the most touching, and the most interesting of all topics, were to be the subject-matter of the address, directed to persons sufficiently versed in them, and assembled only from the desire they felt to hear them handled—surely the conclusion would at once have been drawn, that such occasions must train up a race of the most consummate orators, and that the effusions to which they gave birth must needs cast all other rhetorical compositions into the shade. The preacher has, independent of his subject, advantages of a kind enjoyed by no other orator. He speaks with the most complete preparation; in the midst of a profound silence, without the slightest contention to ruffle him or distract his audience; he speaks too as from a lofty eminence, clothed with high authority, not soliciting but commanding attention—not entreating or exhorting, but requiring compliance with his mandate, by virtue of the commission he bears—not discoursing as man to men, but delivering a divine message as if he were upon an embassy from above, and claimed to represent the Supreme Power, whose minister he is admitted to be. His superiority over his auditors is far more marked than that of other orators, who only excel their hearers in talents and acquirements: For he is also more pure in life and conversation; his habits are more virtuous, generally speaking, than that of the common run of men; and he is therefore more entitled to be respected. In very many cases he has a yet stronger claim to their regard; he is most probably their ordinary pastor, and endeared to them by having counselled them in difficulties, visited them in sickness, and comforted them in affliction. What, compared with this, is the advantage which secular declaimers prize the most, that of having a willing audience, when, as candidates for popular favour, they address their own partisans, or, as chiefs of a party, they appeal to their banded followers?

How then comes it to pass that instances are so rare of eminent eloquence in the pulpit? That there should be a great number of dull sermons preached, we can easily bring ourselves to expect—because there are a much greater number of such discourses delivered, than of all others taken together. Reckoning only 15,000 every Sunday, which is allowing above 10,000 of the clergy in England and Wales to preach but once a week, and supposing only 5000 by dissenters of all kinds, in both parts of the Island, we have above a million of sermons preached regularly every year, beside many thousand occasional discourses. How small a percentage of this large number ever sees the light through the

press! How trifling a per-centage of the number published ever reaches a second edition! Yet sermons, from the great multitude which are composed, form the most numerous class of publications; and, excepting works of very abstruse science, have the fewest readers; and without any exception, of all books sink, proverbially, the most speedily into oblivion. Their prodigious number will easily account for so many bad ones being found; and this may also explain the evil name which this species of composition generally has acquired. But it will hardly account for so few fine ones appearing. The vast body of preachers always at work is, on the contrary, a reason why many great orators should start up, independent of all the peculiar advantages which pulpit-eloquence enjoys. We must seek elsewhere, then, for the cause of the undeniable fact, which is so often admitted and lamented.

It is commonly said, that the advantages such as we have adverted to are more apparent than real,—that ample as they seem to be when enumerated, they shrink into a narrow space in practice,—that some of them, as for instance the absence of conflict, and the uniform preparation, are rather drawbacks than benefits; and that all the solid points of superiority over secular oratory would be most profitably abandoned, if they could only be exchanged for the lively excitement, the heartfelt glow, created by a present interest, however trifling in amount, compared with the reversionary prospects toward which sacred contemplations are directed. That such is the grovelling nature of men, may be easily admitted; that they will be disposed to feel far more strongly the appeals made to them, upon matters before their eyes and at the present time, than any topics drawn from 'the evidence of things unseen,' and which refer to the period 'when time shall be no more;' that the question, what shall be suddenly enacted, is much more practical, and affects the bulk of mankind more vehemently, than the question how they shall regulate their lives, and what they shall hope or dread to experience hereafter, will readily be granted; and, therefore, that the natural tendency of a preacher's auditory, is to regard his topics with indifference, as not calling for any lively attention or immediate resolution, when the same hearer would be roused to enthusiasm by the more practical discourses at the bar, the hustings, or the vestry. But after we have made every allowance of this kind, it remains unquestionable, that the preacher *has* advantages of subject, and of character and opportunity, which should enable him to overcome the grovelling tendency of men; to lift their ideas above the impulses of sense, and to counteract their inveterate habit of mistaking near things for great ones.

It has long been conceded by the most rigorous and orthodox divines, that their sacred office does not set them above the necessity of borrowing help from the resources of worldly rhetoric. Indeed, when the preachers who had supernatural endowments—who had the gift of tongues to fortify them, and could confirm the faith of their hearers by performing miracles before their eyes—when even they disdained not the aids of mere earthly eloquence, St Paul himself holding a very high place among orators in his purely secular capacity,—we may well admit, that their successors are not only justified, but called upon to exert themselves with all earnestness and diligence in the arts of persuasion, and to rely upon them for making their ministry effectual. They are bound, as St Jerome expresses it, to fight the flesh with the arms of the flesh,—after the manner of David, who slew Goliah with his own sword. They are bound, moreover, to keep pace with the improvements of the age they live in, that they may retain the influence which the success of their ministry requires, over those among whom they labour. That men of commanding genius have been able to move their auditors from the pulpit, as effectually as any secular orators ever did, is beyond all question. Not to mention the extraordinary feats performed by some of the Roman preachers, * there are numerous testimonies to the triumphs of the French pulpit. De Lingendes, Castillon, Bourdaloue, are less familiarly known to us then Flechier, Bossuet, and Masillon; but they seem to have been men cast in a grand mould. Rapin says of the first, in his *Reflexions* (II. 104.), 'Il enflammoit le 'cœur par tout ce qu'il y avoit de feu et d'ardeur dans les pas- 'sions, dont il sçavoit l'art, par une Rhetorique particuliere qu'il 's'etoit faite. On commençait alors à l'ecouter avec plaisir, 'parcequ'il s'insinuoit dans les esprits par l'artifice de son elo- 'quence, et l'on ne craignoit jamais tant de le voir finir, que 'quand il etoit prest de la faire. Car c'etoit alors qu'il en- 'troit dans les cœurs, pour s'y rendre le Maistre, et pour y faire 'ce qu'il luy plaisoit. Mais rien ne parloit plus à son avantage 'que le profond silence de son auditorie quand il avoit achevé 'son sermon. On voyoit ses auditeurs se lever de leurs chaises, 'le visage pâle, les yeux baisséz, et sortir tout êmus et pensifs de 'l'Eglise, sans dire un seul mot, sur tout dans les matieres tou- 'chantes, et quand il avoit trouvé lieu de faire le terrible, ce 'qu'il faisoit fort souvent.' There can be no more decisive cha-

* It is related of Philip of Narni, that he once preached a sermon upon Non-residence before the Pope (Gregory XV), which had the effect of driving thirty Bishops to their respective diocesses the day after.

racter painted of great and successful eloquence, unless it be that part—of itself the most eloquent which every one has heard of—the sudden starting up of the whole congregation, when Masillon preached, for the first time, that wonderful sermon upon the 'Few who will be saved.' (*Le petit nombre des Elûs.*) A general shuddering seized them at the famous passage, and they hastily rose, with a kind of cry, as if trying to escape from the frightful state he was describing! Dean Kirwan's Sermons are known to have produced the most extraordinary effects in later times. Persons have gone to church without being much afraid of being induced, as others had been, to give more to the charity for which the Dean was to preach, than they could afford; but, after resisting for some time, they have ended by throwing down their watches and rings, and whatever else of value they had about them. We have heard also of very remarkable effects being produced by the great preacher, one of whose most finished works, though certainly not his best, now lies before us.

Nor will it suffice to contend, that, in sermons, the principal object of great oratory is wanting—a topic of close and contested reasoning, some practical argument to be maintained and enforced. Some of the great specimens of ancient eloquence belong to the class which admits of little or no argumentation. Not to speak of Socrates and the professed Panegyrists, some of Cicero's finest orations are properly of the *Demonstrative* or *Epideictic* kind, in point of execution, though certainly not in their object; for they were not, like those strictly so called, made for the mere purpose of display. However, Demosthenes himself did not disdain to deliver at least one oration of this class, in every sense—although there is every reason to believe that the one preserved as his, is by another hand. *

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* The observations in the Επιταφιος λογος, upon the impossibility of citizens in a democracy misbehaving in battle, and not choosing θανατον καλον, μαλλον η βιον αισχρον, never could have been risked by one who had misbehaved in the very battle of which he was speaking. They form a striking contrast, too, to the extreme discretion shown in the oration περι στεφανου, where he cautiously avoids the topic of his misconduct at Cheronea, although Æschines had not only made it a distinct article of charge, but had, at least a dozen times, alluded to it in the most offensive terms. He declines the argument here; as indeed in the whole conduct of his defence, he makes a point of choosing his own ground, notwithstanding all his adversaries attempts to make him follow the line of attack. He only refers to the selection made of him to pronounce the funeral oration, as an answer to all that had been said against the

Yet he has, in the περι στεφανου, recorded the satisfaction which he experienced in performing that task.† It must indeed be admitted, that nothing but the highest degree of excellence can render this species of oratory attractive; and that it becomes unbearable long before it reaches the point of mediocrity. The great fame of Bossuet affords no exception to this remark. His funeral sermons, which alone he laboured with such care as to leave in a perfect state, although replete with exalted passages, where much dignity is united to very exquisite composition, have nevertheless such a sickening sweetness diffused over them, contain so little solid matter upon which the ornament is fine drawn, and show in the ornament such a defect of manly and original genius, that they oftener tire out our patience and pall upon the appetite, than afford gratification, while their perpetual exclamations and apostrophes, their gross exaggerations, and the never-ending *onction* of both thought and expression, is calculated not a little to excite disgust, in a reader of correct taste and masculine understanding.

The sermon upon Queen Henrietta Maria's death is esteemed among his finest, and probably would be pitched upon as his masterpiece. Now, passing over the subject-matter—which in displays of this class is always secondary—dismissing from our view such theories as those which ascribe to the Reformation all the crimes of our civil wars—such gross flatteries as that which can find in Charles I.'s whole life no error but the amiable failing of too much clemency, which he shares with Julius Cæsar, and can single out no qualities so undeniably belonging to his character as wisdom and justice—there is, neverthe-

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measures which led to the disaster, and ascribes the choice to the confidence in his ευνοια και προθυμια. Æschines, in attacking him, had, among other invectives upon his want of courage, and beside contrasting it with the reward of the brave bestowed by Ctesiphon, used this remarkable topic. 'He dared to pronounce a panegyrick upon the 'valour of the dead, while he trod upon their graves with the feet 'of a coward (literally, a runaway slave), who had fled from his post.' Ετολμησε, τοις δεκαπεταις ποσι και λελοιποσι την ταξιν αναβας επι του ταφου των τετελευτηκοτων, εγκωμιαζειν την εκεινων αρετην. Is it conceivable that such an artist as Æschines, who here resorts to a far-fetched, though very fine allusion, should have let slip the obvious advantage which the expressions above cited from the supposed funeral oration gave him, had they really been used?

† The funeral oration ascribed to Pericles in Thucydides, is still more undeniably made for him; but it proves beyond a doubt, that one of this illustrious orator's greatest efforts was of that kind.

less, a way of expressing such nonsense which makes it more intolerable, and compels us at once to reject it, as there is also a manner of enfolding it in imagery, and conveying it in chaste and subdued diction, which beguiles our better judgment, and makes us receive it unawares. The exquisite adulation of Cicero to Cæsar, has this remarkable quality, that it is so delicately managed, as to be no more offensive to the by-stander, or even to the reader (a severer test), than to the object of it. But the clumsy preacher at the first sickens us with the subject and the artist. 'Que lui peut-on re-'procher, sinon la clemence? Je veux bien avouer de lui, ce 'qu'un auteur celebre a dit de Cesar.'—'Qu'il a été clement 'jusqu'à être obligé de s'en repentir.'—'Que ce soit donc la, 'si l'on veut, l'illustre defaut de Charles aussi bien que de 'Cesar.'—'Comme il n'a jamais refusé ce qui étoit raison-'nable, étant vainqueur; il a toujours rejeté ce qui étoit foible 'et injuste, étant captif.' *—'Grande Reine!' (says he, apostrophizing Henrietta Maria), 'je satisfais à vos plus tendre 'desirs, quand je celebre ce Monarque; et ce cœur que n'à 'jamais vecu que pour lui, se reveille, tout poudre qu'il est, 'et devient sensible, même sous ce drap mortuaire, au nom 'd'un epoux si chere, à qui ses ennemis mêmes accorde-'ront le titre de sage et celui de juste,' &c. But it is not only the Queen's deceased husband that draws the preacher off his subject; her living son-in-law, being present in the Church, is addressed at some length—exhorted to work upon the power and the *virtue* of Louis XIV. and Charles II., for the peace of the two countries; and told, 'que l'on peut tout 'ésperer d'un Prince que la sagesse conseille, que la valeur 'anime, et que la justice accompagne dans toutes ses actions.' '—Mais, (he suddenly exclaims) ou m'emporte mon zele, si 'loin de mon triste sujet? Je m'arrête à considerer les vertus de 'Philippe, et ne songe pas que je vous dois l'histoire des mal-'heurs d'Henriette!' He afterwards addresses himself to the wife of Philippe, and daughter of Henrietta Maria, apparently present also, but with a far-fetched contrivance, perhaps as absurd as any on record in the worst schools of rhetoric. The Dutchess, as is well known, was born at Exeter, whence her mother was obliged to fly immediately after her confinement, and leave her in the power of the Parliamentary army. This happened in 1664. The preacher, in 1669, long after all the

* So thought not the unfortunate King himself, when he admitted that he justly merited his fate for *not rejecting* Strafford's Bill of Attainder, and while he was at liberty.

perils of her infancy are over, and when she is grown up and safely married and settled in France, most fervently prays for her preservation from the enemies who surrounded her cradle. 'Princesse! dont la destinée est si grande et si 'glorieuse, faut-il que vous naissiez en la puissance des enne-'mis de votre maison? O Eternel! veillez sur elle; anges 'saints! ranger à l'entour vos escadrons invisibles, et faites la 'garde autour du berceau d'une Princesse si grande et si 'delaissée. Elle est destinée' (he goes on to inform the angels as a reason for watching her) 'au sage et valeureux Philippe! 'et doit des Princes à la France, dignes de lui, dignes d'elle, 'et de leurs aieux!' Of Charles II. he says in plain terms, that 'his reign is peaceful and *glorious*, and that he causes jus-'tice, wisdom, and mercy, to reign with him.' Certes, these effusions are not from the great master, who exclaimed, 'Cave 'ignoscas! Hæc nec hominis, nec ad hominem, vox est: Quâ, 'qui apud te C. Cæsar utetur, suam citius abjiciet humanitatem, 'quam extorquebit tuam;' and who afterwards flattered the conqueror in such terms as these—the model no doubt of the French artist, but which he has most unsuccessfully copied—'Vidi enim et cognovi quid maxime spectares, cum pro ali-'cujus salute multi laborarent, causas apud te rogantium gravi-'ores esse quam vultus: neque spectare te quam tuus esse, 'necessarius is qui te oraret, sed quam illius pro quo laboraret. 'Itaque tribuis tu quidem tuis ita multa, ut mihi beatiores illi 'esse videantur interdum, qui tuâ liberalitate fruuntur, quam 'tu ipse, qui illis tam multa concedis. Sed video tamen 'apud te causas, ut dixi, rogantium valere plus quam preces; 'ab iisque te moveri maxime, quarum justissimum dolorem 'videas in petendo.'—(*Pro Lig.*)

The *Panegyricks* of Bossuet, or Discourses in Praise of the Virgin, the Apostles and Saints, are still more offensive to correct taste; containing, with much excellent composition, and many displays of a subtle, though perverse ingenuity, an abundance of the most childish conceits, and whining exclamations, calculated to sicken and divert, rather than awaken or sustain devotional feelings; while the topics of praise are often such as, to Protestant ears at least, are not only tainted with the grossest absurdity, but the most revolting indelicacy. Take a specimen from two of his most famous sermons; the one preached on the Fast of the Nativity of the Virgin, '*Sur les* '*Grandeurs de Marie;*' and the other on the Conception. They both turn much on the same point—one of his most favourite topics—the Immaculate Conception of the Virgin, and of Christ, on which he has many theories, by which he appears to set no

little store. ‘ Car permettez moi, je vous prie, d'approfondir un ‘ si grand mystere, et de vous expliquer une verité qui ne sera ‘ pas moins utile pour votre instruction qu'elle sera glorieuse à ‘ la Sainte Vierge. Cette verité, Chretiens, c'est que notre ‘ Sauveur Jesus-Christ ne s'unit jamais à nous par son corps, ‘ que dans le dessein de s'unir plus etroitement en esprit. Ta- ‘ bles mystiques! banquet adorable! et vous saints et sacrés au- ‘ tels, je vous appele à temoins de la verité que j'avance, mais ‘ soyez en les temoins vous-mêmes, vous qui participez à ces ‘ saints mysteres. Quand vous avez approché de cette table ‘ divine; quand vous avez vu venir Jesus-Christ à vous, en son ‘ propre corps, en son propres sang; quand on vous l'à mis ‘ dans la bouche, dites-moi, avez-vous pensé qu'il vouloit s'ar- ‘ reter simplement au corps? A dieu ne plaise que vous l'ayez ‘ cru, et que vous ayez reçu seulement au corps celui qui court ‘ a vous pour chercher votre âme! “Ames saints! âmes pieuses! “ vous qui savez gouter Jesus-Christ dans cette adorable mys- “ tere!” &c. This constant practice of apostrophizing, bor- rowed, no doubt, from the Roman school, but adopted with the wonted intemperance of imitators (who, far from being ser- vile followers, as of old, are almost always extravagant carica- turists), is one of the most offensive parts of French oratory, and would destroy the force of a far more powerful species than the Epideictic in which our neighbours have so long re- velled, can ever be made, even in the strongest hands. Will it be credited, that the same sort of address which we have seen Bossuet make on behalf of the Dutchess of Orleans, five-and- twenty years after she had escaped the perils in question, is made in behalf of the Virgin Mary, seventeen centuries and more after the occasion—a prayer to Christ that, in creating his mother, he would prevent her from being conceived in sin! ‘ Cheres Freres, que vous en semble? que pensez vous de cette ‘ doctrine? Ne vous paroit-elle pas bien plausible? Pour ‘ moi, quand je considere le Sauveur Jesus, notre amour et ‘ notre esperance, entre les bras de la Sainte Vierge, en suçant ‘ son lait virginal, on se reposant doucement sur son sein, ou ‘ enclos dans ses chastes entrailles!—mais je m'arrete à cette ‘ derniere pensée!’—it might be supposed, out of regard to the feelings of propriety, and because he had gone quite far e- nough;—no such thing!—only because the other topics belong- ed to another day—‘ dans peu de jours nous celebrerons la ‘ Nativité du Sauveur; et nous le considerons à present dans ‘ ces entrailles de sa Sainte Mere; quand donc je regarde l'In- ‘ comprehensible ainsi renfermé, et cette université comme rac- ‘ courcie; quand je vois mon Liberateur dans cette etroite et

'voluntaire prison, je dis quelquefois à part moi le pourroit-il bien faire que Dieu eût voulu abandonner au diable, 'quand ce n'auroit été qu'un moment, ce temple sacré qu'il 'destinoit à son fils? ce saint tabernacle on il prendra un si 'long et si admirable repos; ce lit virginal où il celebrera des 'nôces toutes spirituelles avec notre nature? C'est ainsi que je 'me parle à moi-même. Puis, je m'addressant au Sauveur: Enfant Beni, lui dis-je, ne le souffrez pas, ne permettez pas que 'votre mere soit souillée! Ah! que si Satan l'osoit aborder 'pendant que demeurant en elle vous y faites un paradis, que de 'foudres vous feriez tomber sur sa tête! Avec quelle jalousie 'vous defendriez l'honneur et l'innocence de votre Mere! 'Mais, ô Saint Enfant! par qui les siecles ont été faits, que 'vous étés avant tout les temps—quand votre Mere fût con'çue, vous la regardiez du plus haut des cieux; mais vous'même vous formiez ses membres. C'est vous qui inspirâtes 'ce souffle de vie qui anima cette chair dont la votre devoit 'être tirée. Ah prenez garde, ô sagesse eternelle! que dans 'ce meme moment elle va être infectée d'un horrible peché, 'elle va être en la possession de Satan! Detournez ce mal'heur par votre bonté! commencez à honorer votre Mere; 'faites qu'il lui profite d'avoir un fils qui est avant elle. Car 'enfin, à bien prendre les choses, elle est dejà votre Mere, et 'dejà vous etes son fils!'*

After pursuing the subject at great length, he observes, that next to the Articles of Faith, he knows no doctrine more attractive or more certain than that of the Immaculate Conception, and therefore is the less surprised that 'cette celebre 'Ecole des Theologiens de Paris oblige tous ses enfans à 'defendre cette doctrine.' This of course brings on an apostrophe, as indeed does the mention of any person or body corporate whatever. 'Savante compagnie! cette pieté pour la 'Vierge est peut-être l'un des plus beaux heritages que vous 'ayiez reçu de vos peres! Puissiez-vous être à jamais floris'sante! Puisse cette tendre devotion,' &c. &c. 'Pour moi, 'je suis ravi, Chretiens, de suivre aujourd'hui ses intentions. 'Apres avoir été nourri de son lait, je me soumets volontiers 'à ses ordonnances; d'autant plus que c'est aussi, ce me semble, la volonte de l'Eglise. Elle a un sentiment fort honorable de la conception de Marie; elle ne vous oblige pas de 'la croire immaculée; mais elle nous fait entendre que cette

* How striking is the effect, almost ludicrous, produced in this last sentence, by the French having no poetical language—no diction higher than the tone of common life!

‘ croyance lui est agreable.’—‘ Il est de notre pieté, si nous ‘ sommes vrais enfans de l’Eglise, non seulement d’obeir aux ‘ commandemens, mais de flechir aux moindres signes de la ‘ volonté, d’une mere si bonne et si sainte.’ *

It is to be remarked that Bossuet, in the character which he gives of Cromwell—the finest passage perhaps, in the funeral sermon upon Henrietta Maria, says nothing of his canting and mysterious language; nor does he, in stigmatizing the sects which then sprung up, join in the abuse usually lavished upon them for the same excesses. (*VI.* 69. 74.) How indeed could he, who thus equals at the least in absurdity, the very wildest of their ravings? But it would be well for those in this country, who are fond of laughing at the language of the old Covenanters, to point out any thing in the choicest remains of their field oratory, which goes beyond the effusions of this court-preacher, the classical prelate whose sermons are deemed among the choicest models of sacred eloquence.

The style of Massillon is undoubtedly much more masculine, and formed more in the Greek than the Latin school. As he flourished somewhat later than Bossuet, and as ‘ the fashion of this ‘ world passeth away,’ not merely in secular matters, he is not wont, like the ‘ Eagle of Meaux,’ to lose himself in the cloudy regions of mystery, but more apt, when he must deal with such subjects, to draw down from them some practical inferences applicable to the concerns of his flock. His panegyrical discourses, though abounding in the faults of the French manner, offend far less in that luscious sweetness and sickly ‘ *onction*,’ which remind us of the descriptions the ancients have left of the Asiatic oratory. If, in praising Louis XIV., but after his death, he could paint him as a husband, ‘ malgré les foiblesses ‘ qui partagerent son cœur, toujours respectueux pour la vertu ‘ de Therese; condamnant, pour ainsi dire, par ses egards pour ‘ elle, l’injustice de ses engagemens et renouant par l’estime ‘ un lien affoibli par les passions,’ he certainly does not spare the reverses of fortune which followed his conquests; but paints the miseries of war, and the losses sustained by France, with an honesty as rare in court-preachers, as it must have been unpalatable to the people he was addressing. ‘ Mais helas! ‘ triste souvenir de nos victoires, que nous rappelez vous? ‘ Monumens superbes elevés au milieu de nos places pub- ‘ liques, pour en immortaliser la memoire, que rappeleres-vous

* The first of these Sermons to be found in Vol. V., p. 371; the second in Vol. I., p. 204 of the Choix de Sermons de Bossuet. Paris, 1808.

'à nos neveux, lorsqu'ils vous demanderont, comme autrefois 'les Israelites, ce que signifient vos masses pompeuses et enor-'mes? *Quando interrogaverint vos filii vestri, dicentes: Quid sibi volunt isti lapides?* Vous leur rappelerez un siecle entier 'd'horreurs et de carnage: l'elite de la Noblesse Françoise 'precipitée dans le tombeau; tant de maisons anciennes 'eteintes; tant de meres point consolées, qui pleurent encore sur 'leurs enfans; nos campagnes desertes, et au lieu des tresors 'qu'elles renferment dans leur sein, n'offrant plus que des ron-'ces au petit nombre des laboureurs forcés de les negliger; 'nos villes desolées; nos peuples epuises; les arts à la fin 'sans emulation: le commerce languissant; vous leur rappel-'erez nos pertes plutôt que nos conquêtes; *Quando interro-'gaverint?* &c. Vous leur rappelerez tant de lieux saints pro-'fanés; tant de dissolutions capables d'attirer la colere du 'ciel sur les plus justes entreprises; le feu, le sang, le blas-'pheme, l'abomination! et toutes les horreurs qu'enfante 'la guerre: vous leur rappelerez nos crimes plutôt que nos 'victoires! *Quando interrogaverint?*' &c. (*Sermons de Massillon, VII.* 238.) This, it must be admitted, is a language far better adapted to the pulpit, and much better to be held, both to princes and their subjects, than the glorious descriptions of war, and the songs of triumph upon the success of their arms, and the shouts of exultation at national superiority, and the thunders and invectives against other countries, with which so many high priests of the religion of peace and charity make the vaults of their temples ring in modern times. It is observable, that this funeral sermon upon Louis XIV., must have been preached at the beginning of the Regency, and probably was delivered in the presence of that holy man, the Duke of Orleans; but no allusion whatever is made to him; and in the sermon upon his mother's death (when indeed he had ceased to be regent), the most extravagant praise bestowed upon him, is only that he was 'le premier 'exemple d'une minorité pacifique; le modele des Princes 'beinfaisans,' (ib. 295.) which might be said with the most perfect truth. After all we are accustomed to hear of the flatteries of French courtiers, and especially French preachers, in the age of Louis XIV.; it is somewhat mortifying to find them so far exceeded by our own countrymen of the same day; and not by men only of little mark, unknown in after times, and in their own distinguished merely for their servile propensities, but by the ablest and most gifted of their profession; as South, who proved before Charles II. that Providence saves and delivers Princes, 'by endowing them with a more than ordinary

'sagacity and quickness of understanding above other men—'so that they have not only a long reach with their arm, but a 'further with their mind—by giving them a singular courage 'and presence of mind—and by disposing their hearts to such 'virtuous and pious courses as he has promised a blessing to, 'and restraining them from those ways to which he has de-'nounced a curse;' beside disposing of events, and of the minds of men in their favour. (*Sermons*, III. 410.)

Voltaire, un unsuspected eulogist of pulpit eloquence, describes the famous passage in the sermon, '*Sur les Elus*,' as one of the finest strokes of eloquence in ancient or modern times, and the figure which forms its basis, as at once the boldest and most happily appropriate ever employed. He gives the passage, but in a manner differing materially from the version of it in the common edition of the sermons. He says, that there have been several varieties of it in the several editions, but that the substance is the same in all. It is probable, that the Bishop may have made the additions which certainly enfeeble it, from a desire to improve still farther what was so successful; and that Voltaire may quote from the earliest edition; but one very remarkable figure is omitted by him, and one piece of reasoning of a kind so truly Demosthenean, that no further proof is wanted of the models upon which Massillon formed his style. We shall give Voltaire's, and then add those two passages, and afterwards attempt a translation; but we shall also note the changes by which the effect has been so much altered, and generally for the worse, in the subsequent editions.

'Je suppose que ce soit ici notre derniere heure à tous; que 'les cieux vont s'ouvrir sur nos têtes; que le temps est passé, 'et que l'eternité commence; que Jesus-Christ va paraître 'pour nous juger, selon nos œuvres, et que nous sommes tous 'ici pour attendre de lui l'arrêt de la vie ou de la mort eter-'nelle! Je vous le demande, frappé de terreur comme vous, 'ne separant point mon sort du votre, et me mettant dans la 'même situation ou nous devous tous paraître un jour devant 'Dieu notre Juge; si Jesus-Christ, dis-je, paraissait des à pre-'sent, pour faire la terrible separation des justes et des pecheurs, 'croyez-vous que le plus grand nombre fut sauvé? Croyez-'vous que le nombre des justes fût au moins egal à celui des 'pecheurs? Croyez-vous que, s'il fesait maintenant la discus-'sion des œuvres du grand nombre qui est dans cette eglise, il 'trouvât seulement des justes parmi nous? En trouverait-il 'un seul?'

Nothing can be finer than the conception, nor more perfect

than the execution. The language is at once the most simple, and the most expressive;—the effect is strikingly grand;—the temperance with which so much is rejected, can only be equalled by the felicity of the selection. The sensation produced is supposed, according to this edition, and by what we can collect from the narrative of Voltaire, to have been at the awful words, 'En trouverait-il un seul?' which seemed as it were to exclude each individual present from all hope of mercy. But, in the later editions, those words are postponed; and the 'discussion des cœurs du grand nombre qui est dans cette 'eglisse,' is expanded into an enumeration of four classes of sinners, who are to be deducted from the congregation; and the preacher proceeds thus:—'Retranchez ces quatre sorts de 'pecheurs de cette assemblée sainte; car ils en seront retran-'chés au grand jour. Paraissez maintenant, justes; ou êtes-'vous? Pestes d'Israel, passez à la droite: froment de Jesus-'Christ, demelez-vous de cette paille destinée au feu! O 'Dieu! ou sont vos Elus? et que reste-il pour votre partage?' And we presume, that the effect is supposed to have been produced here, according to this edition. The preacher then enlarges upon the idea, and weakens it lamentably; but he closes in a very high strain of reasoning, introducing at last something like the words which conclude the passage in the edition of Voltaire, though so far weakening what went before, that it is a reference to the topic, and a repetition of part.

'Sommes nous sages, mes chers auditeurs. Peut-être que 'parmi tous ceux que m'entendent il ne se trouvera pas dix 'justes; peut-être s'en trouvera-t-il encore moins; que sais-je? 'O Mon Dieu! Je n'ose regarder d'un œil fixe les abmîes de 'vos jugemens et de votre justice; peut-être ne s'en trouvera-t-il 'qu'un seul; et ce danger ne vous touche point, mon cher au-'diteur? et vous croyez être ce seul heureux, dans le grand 'nombre qui perira—vous qui avez moins sujet de le croire que 'tout autre; vous sur qui seul la sentence de mort devroit 'tomber, quand elle ne tomberoit que sur un seul des pecheurs 'qui m'ecoutent.'

Now, although this last part is of the highest merit, and equals the closeness of the Greek originals, there can be no doubt that the topic is derived from a very great blemish, namely, a recurrence to the former topic for the purpose of changing and weakening it. Whether we take the edition referred to by Voltaire, or suppose an alteration to have been practised by him in citing it, and that 'n'en trouverait-il un 'seul?' was not in the original; at any rate, the same meaning is conveyed by the figure which he suppresses, the invoca-

tion to the Just, and the exclamation, ‘ O Dieu, ou sont vos ‘ Elus? et que reste-t-il pour votre partage? ’—for this supposes that there are none at all; and then the preacher, going back to the enumeration, assumes, as the worst that can happen, that possibly there may be but one! It may also be observed, that the exclamations, ‘ Sommes nous sages, ’ &c.—‘ O mon Dieu! ’ &c. and ‘ Mes cher auditeurs! ’ lower the severe dignity of the style, by lessening that nervous simplicity which gives such grandeur to the former part of the passage. That simplicity, however, is far less remarkable in the later editions, than in that from which we have cited. They introduce, in the middle of the description, an argument of some length—that as the audience now is, so will it be, as to salvation, in death and in judgment, which, in Voltaire's edition, is merely glanced at in a word. Instead of simply making Jesus Christ appear, they make him appear ‘ dans ce temple, ’ and not only there, but ‘ au milieu de cette assemblée; ’ and worse still, the assembly is ‘ la plus auguste de l'univers. ’ Instead of that sublime expression, ‘ Que le temps est passé, et que l'eternité ‘ commence, ’ they have, ‘ Que c'est la fin de l'univers: ’ Instead of ‘ l'arrêt de la vie, ou de la mort eternelle, ’ they vary the first substantive, drop the antithesis, and diffuse the expression into ‘ une sentence de grace, ou un arrêt de mort e- ‘ ternelle; ’ and instead of the simple and appropriate language, in which Voltaire's edition makes the preacher identify himself with his flock, without a word to awaken them from the trance, as it were, into which he has flung them, the later editions add to the words, ‘ ne separant pas mon sort du ‘ votre, ’ these, ‘ en ce point; ’ and these, which still more effectually end the delusion, as much as if he had reminded them in so many words that he was preaching ‘ me mettant ‘ dans la même disposition, ou je souhaite que vous etiez, ’ and drop the fine phrase, ‘ paraitre devant Dieu notre juge. ’ These and other changes are all very much for the worse. One or two alterations are, perhaps, improvements; as, ‘ le ‘ terrible discernement des boucs et des brebis; ’ for, ‘ la ter- ‘ rible separation des justes et des pecheurs; ’ and certainly the description is made more lively, and the allusion better pursued, by substituting for the general expression, ‘ Croyez ‘ vous que le plus grand nombre fut sauvé? ’ the picturesque one, ‘ Croyez vous que le plus grand nombre, de tout-ce que ‘ nous sommes ici, fut placé à la droite? ’ The passage, as we cannot avoid thinking it must have originally stood, may be thus given in English, though with the inferiority which is almost necessarily the lot of a translation, even from a less to a more expressive language.

'I figure to myself that our last hour is come;—the Heavens 'are opening over our heads—Time is no more, and Eternity 'has begun. Jesus Christ is about to appear to judge us, ac- 'cording to our deserts—and we are here awaiting at his hands 'the sentence of everlasting life or death. I ask you now— 'stricken with terror like yourselves—in no wise separating 'my lot from yours, but placing myself in the situation in 'which we all must one day stand before God, our Judge. '—If Christ, I ask you, were this moment to come to make 'the awful partition of the just and the unjust—think you that 'the greater number would be saved?*—Do you believe 'that the numbers would even be equal? If the lives of the 'multitude here present were sifted, would he find among us 'ten righteous? Would he find a single one?'

If any one examines the rest of this famous sermon, which abounds with the most nervous and brilliant passages, he will find the strongest reason to conclude, that the great one we have been speaking of was retouched and overdone, after its first extraordinary effect had stamped it with celebrity; for the other parts are by no means liable to the same objections. Many of them are distinguished by Attic simplicity, and recall to the mind of the classical reader the close and rapid declamation of the greatest orators.

'Ou sont ceux qui renoncent de bonne foi aux plaisirs, aux 'usages, aux maxims, aux esperances du monde? Tous l'- 'ont promis—qui le tient? On voit bien des gens qui se plaig- 'nent du monde; qui l'accusent d'injustice, d'ingratitude, de 'caprice; qui se dechainent contre lui; qui parlent vivement 'de ses abus, de ses erreurs; mais en le decriant ils l'aiment, 'ils le suivent, ils ne peuvent se passer de lui; en se plaig- 'nant de ses injustices, ils sont piqués, ils ne sont pas desa- 'busés; ils sentent ses mauvais traitemens, ils ne connaissent 'pas ses dangers; ils se censurent, mais ou sont ceux qui le 'haissent? Et delà, jugez si bien des gens peuvent pretendre 'au salut. Enfin vous avez dit anatheme à Satan et à ses 'œuvres; et quelles sont ses œuvres? Celles qui composent 'presque le fil, et comme toute la suite de votre vie; les pompes, 'les jeux, les plaisirs, les spectacles, le mensonge dont il est 'le pere, l'orgueil dont il est le modele, les jalousies et les 'contentions dont il est l'artisan. Mais, je demande, où sont 'ceux qui n'ont pas levé l'anatheme,' &c. &c.

We have extended this quotation for the purpose of remark-

* 'Think you that the greater number would pass to his right hand?'—(*Later Editions.*)

ing, that it is employed to introduce a long and most vehement invective against all dramatic exhibitions, and all actors,—which makes Voltaire's unqualified admiration of the whole discourse a still stronger testimony in its favour. A comparison with Bossuet's frequent sermons on kindred subjects is quite unnecessary to establish Massillon's vast superiority. But whoever would satisfy himself of this, may compare Bossuet's '*Sur l'impenitence finale*,' with Massillon's on the same subject. It is certainly one of Bossuet's best. There is one magnificent passage worthy of Massillon in conception, and in execution also, but for the superfluous exclamations, in which the Angel of Death is described as retiring, time after time, to give an opportunity for repentance—till at length the order goes forth from on high, Make an end!—'L'Audience est ouverte; le juge est assis: 'Criminel! venez plaider votre cause. Mais que vous avez 'peu de temps pour vous preparer! O Dieu, que le temps 'est court pour demeler une affaire si enveloppé que celles de 'vos comptes et de votre vie. Ah! que vous jetterez de cris 'superflus: Ah! que vous soupirerez amerement après tant 'd'années perdues! Vainement, inutilement: il n'y a plus de 'temps pour vous; vous entrez au sejour de l'eternité. Voyez 'qu'il n'y a plus de soleil visible, qui commence et qui finisse 'les jours, les saisons, les années. C'est le seigneur lui-même 'qui va commencer de mesurer toute chose par sa propre in-'finité. Je vous vois etonné et eperdu en presence de votre 'juge: mais regardez encore vos accusateurs; ce sont les 'pauvres qui vont s'élever contre votre dureté inexorable.' (Tom. iv. p. 255.) It is very probable that the opening of this splendid passage first suggested to Massillon the idea of that of which so much has been said; and, in the remainder, we certainly perceive a striking coincidence with the leading feature of Mr Hall's peroration to his beautiful sermon upon War.

Of Massillon's discourse, 'Sur l'impenitence finale,' the merits are indeed of the highest order. The exordium, in particular, is eminently oratorical; supposing the audience to have shuddered at the awful words of the text, John xviii. 21, and to stand in need of being comforted and supported, rather than awakened and intimidated. But the description of a deathbed, which is much admired, in its most striking circumstances, the picture of the state of the soul, immediately on quitting the body, (Tom II. p. 170), falls short of the effect produced by a few simple and most picturesque expressions on the same subject, in the Sermon upon Death. 'Vous ignorez ce que vous serez 'dans cette autre terre, ou les conditions ne changent plus;

'entre les mains de qui tombera votre ame, seule, etrangere, 'tremblante, au sortir du corps.' What follows is much more ambitious, but less striking, though by no means unsuccessful. 'Si elle sera environnée de lumiere et portée aux pieds du Trône 'sur les aîles des Esprits bienheureux, ou enveloppée d'un 'nuage affreux, et precipitée dans les abîmes.' (Tom. III. 410).

In sermons professedly of the Panegyrical kind, the orator must needs fall into the two vices more or less inseparable from this species of eloquence—flattering, and speaking for the mere sake of display. The latter, indeed, seems to have been regarded as an excellence by the great master of Epideictic Rhetoric; for he says, that in his judgment these 'are the finest 'orations which handle the greatest topics, benefit the audience most, and best show off the speakers.' [τους τε λεγοντας μαλιστα επιδεικνουσι]. (Isocrates). Massillon's panegyricks partake accordingly of these defects, though in a far less degree than Bossuet's; who does not confine to his funeral orations, the introduction of allusions, and direct addresses to the great ones of the earth, but hardly ever suffers an occasion to pass, when he is preaching before princes, of turning to them and making them parts of speech. 'Grand Roi! qui surpassez de si loin 'tant d'augustes predecesseurs,' &c. After recounting his earthly glories, indeed, he makes a very fine application. 'Ne 'voyez vous pas ce feu dévorant qui precede la face du Juge ter'rible, qui abolira, en un même jour, et les villes, et les forteresses 'et les citadelles, et les palais, et les maisons de plaisances, et 'les arsenaux, et les marbres, et les inscriptions, et les titres, 'et les histoires, et ne fera qu'un grand feu, et peu après qu'un 'amas de cendre, de tous les monumens des Roi? Peut-on 's'imaginer de la grandeur en ce qui ne sera un jour que de 'la poussiere? Il faut remplir d'autres faites et d'autres an'nales.' (*Tom. I. p.* 158.) In preaching upon the day of judgment before the Court, he dwells on the havoc which will then be made among titles and ranks; and very properly exclaims, 'God grant that so many grandees who are now listening to me, may not lose their precedence on that day!' But he straightway turns to the King, (*Tom. III. p.* 497), 'Que cet 'Auguste Monarque ne voie jamais tomber sa couronne! qu'il 'soit auprès de Saint Louis, qui lui tend ses bras, et qui lui 'montre sa place! O Dieu, que cette place ne soit point va'cante!' Then comes a prayer for his temporal glory, and a curse on all who desire it not. But, the Prelate goes on, 'Sire! je trahis votre Majeste si je borne mes souhaits pour 'vous dans cette vie perissable. Vivez donc heureux, fortuné,

‘ victorieux de vos ennemis. Pere de vos peuples !—mais vivez ‘ toujours bon et juste ;’ and so he wishes him a heavenly crown, ‘ Au nom du Pere, et du Fils, et du Saint Esprit !’

Between Massillon and Bossuet, and at a great distance certainly above the latter, stands Bourdaloue, whom some have deemed Massillon's superior, but of whom a truly illustrious critic has more justly said, that it was his greatest glory to have left the supremacy of Massillon still in dispute. * In the vigour and urgency of his reasonings, he was undeniably, after the ancients, Massillon's model ; and if he is more harsh, and addresses himself less to the feelings and the passions, it is certain that he displays a fertility of resources, an exuberance of topics, whether for observation or argument, not equalled by almost any other orator, sacred or profane. It is this fertility, the true mark of genius, that makes us certain of finding, in every subject handled by him, something new, something which neither his predecessors had anticipated, nor even his followers have imitated, so far as to deprive, if not his substance, at least his manner, of the charm of originality. It is another mark of genius, and one akin to this exuberance, and generally seen in its company, that though his language be, for a French orator, somewhat rough, and his composition not always diligently elaborated, his style abounds in point, and in felicitous turns of expression.

‘ Quand je parle de l'hypocrisie, ne pensez pas que je la ‘ borne à cette espece particuliere qui consiste dans l'abus de ‘ la pieté, et qui fait les faux devots. Je la prends dans un ‘ sens plus etendu, et d'autant plus utile à votre instruction, que, ‘ peut-être, malgre vous-mêmes, serez-vous obligés d'avouer que ‘ c'est un vice qui ne vous est que trop commun. Car j'appelle ‘ hypocrite, quiconque, sous de specieuses apparences, à le ‘ secret de cacher les désordres d'une vie criminelle. Or, en ‘ ce sens, on ne peut douter que l'hypocrisie ne soit repandue ‘ dans toutes les conditions ; et que parmi les mondains, il ne ‘ se trouve encore bien plus d'imposteurs et d'hypocrites, que ‘ parmi ceux que nous nommons devôts. En effet, combien ‘ dans le monde de scelerats travestis en gens d'honneur ? ‘ Combien d'hommes corrompus et pleins d'iniquité, qui se pro- ‘ duisent avec tout le faste et toute l'ostentation de la probité ? ‘ Combien de fourbes, insolens à vanter leur sincerité ? Com- ‘ bien de traitres, habiles à sauver les dehors de la fidelité et ‘ de l'amitié ? Combien de sensuels, esclaves des passions les ‘ plus infames, en possession d'affecter la pureté des mœurs, et

* D'Alembert—Eloge de Massillon.

‘ de la pousser jusqu'à la severité? Combien de femmes li-
‘ bertines, fieres sur le chapitre de leur reputation, et quoique
‘ engageés dans un commerce honteux, ayant le talent de
‘ s'attirer toute l'estime d'une exacte et d'une parfaite regula-
‘ rité? Au contraire, combien de justes, faussement accusés
‘ et condamnés? Combien de serviteurs de Dieu, par la ma-
‘ lignité du siecle, decriés et calomniés? Combien de devots
‘ de bonne foi, traités d'hypocrites, d'intriguans, et d'interes-
‘ sés? Combien de vraies vertus contestées? Combien de
‘ bonnes œuvres censurées? Combien d'intentions droites
‘ mal expliquées, et combien de saintes actions empoisonées?’
(*Tom. I. p.* 531. *Ed.* 8*vo.* 1818.)

Although the other passions are seldom addressed by this great orator, yet does he not unfrequently appeal to the terrors of his audience, and with the greatest effect, set before them some unexpected ground of alarm. Thus, in his Sermons upon the Universal Judgment, he pronounces that the Saviour is to be the Judge, for the purpose of rendering it more rigorous and dreadful. ‘ Il paroit etrange, et il semble
‘ d'abord que ce soit un paradoxe, de dire que nous devons
‘ être jugés avec moins d'indulgence, parce que c'est un Dieu
‘ Sauveur qui nous jugera. Nous comprenons sans peine la
‘ parole de Saint Paul, “ *Qu'il est terrible de tomber dans les mains*
‘ *du Dieu vivant!*” Mais qu'il soit en quelque sorte, plus ter-
‘ rible de tomber dans les mains d'un Dieu Mediateur, d'un
‘ Dieu qui nous a aimés, jusqu'à se faire la victime de notre
‘ salut; voilà ce qui nous etonne, et ce qui renverse toutes
‘ nos idées. Cette verite, neanmoins, est une des plus con-
‘ stantes et des plus solidement etabliés. Comment? C'est
‘ après avoir abusé des merites d'un Dieu Sauveur, et pro-
‘ fané son sang precieux, le pecheur en sera plus criminel;
‘ et qu'une bonté negligée, offensée, outragée, devient le sujet
‘ de l'indignation la plus vive, et de la plus ardente colere.
‘ Job disait à Dieu, “ *Ah! Seigneur, vous etes changé pour moi*
‘ *dans un Dieu cruel.*” Funeste changement, qu'eprouveront
‘ tant de libertins et de pecheurs, de la part de ce Dieu-
‘ Homme, qu'ils auront les uns meconnu en renonçant à la
‘ foi, les autres meprisé et deshonoré par la transgression de
‘ la loi! Ce qui devait leur donner un accès plus facile au-
‘ pres de lui, et leur faire trouver grace, je veux dire les
‘ abaissemens, et les travaux de son humanité, sa passion, sa
‘ mert, c'est par un effet tout contraire, ce qui l'aigrira, ce qui
‘ l'irritera, ce qui lui fera lancer sur eux les plus severes ar-
‘ rêts, et les anathemes les plus foudroyans.—Juge d'autant
‘ plus inexorable, qu'il aura été Sauveur plus misericordieux.

‘ Aussi est-il remarquable dans l’ecriture, qu’a ce dernier jour, ‘ qui sera son jour, il nous est representé comme un agneau, ‘ mais *un agneau en fureur*, qui repand de tous cotés la desola- ‘ tion et l’effroi. Telle est l’affreuse peinture que nous en fait ‘ le disciple bien aimé, Saint Jean, lorsqu’annonçant par avance ‘ le dernier jugement de Dieu, dont il avait eu une vue anti- ‘ cipée, et le decrivant, il dit que les rois, les princes, les po- ‘ tentats de la terre, les conquerans, les riches, que tous les ‘ hommes, soit libres, soit esclaves, saisis d’épouvante, et con- ‘ sternés, allerent se cacher dans les cavernes et dans les ro- ‘ chers des montagnes, et qu’ils s’ecrierent— “ Montagnes et ‘ rochers, tombez sur nous et derobez-nous *à la colere de l’Ag- ‘ neau ;* car le grand jour de sa colere est arrivé, et qui peut ‘ soutenir ses regards? ”—(*Tom.* xvii. p. 36.

We have seen above the extravagances into which Bossuet was betrayed in treating of the Mysteries; and the sins which he committed, against common sense and delicacy, as well as correct taste, in dwelling upon their details. Much of this fault was that of the age; but Bourdaloue his contemporary is nearly free from it—his moderation, his logical head, and his chastened taste, keep him above it. When, upon the appointed feast of the church, he must preach upon the Immaculate Conception, he sets forth the doctrine in a few words; supports it by a reference to St Augustin, who very peremptorily says, that upon this point he will not have any question raised (*nullam prorsus haberi volo quæstionem*), and to the Council of Trent, which, though less dogmatically, excepts the Blessed Virgin from its decree touching Original Sin; and then he hastens to draw from the position its practical inferences in favour of grace, and purity of life, as illustrated by the grace and life of Mary. (*Tom. XII. p.* 1. *et seq.*) His three sermons upon the Purification are almost equally free from extravagance and indelicacy; and nearly altogether devoted to the practical lesson of obedience, derived, by no strained process of reason, from the consideration of the Mystery. The third closes with a peculiar application to the Monarch in whose presence it was delivered, and whom the preacher will by no means exempt from the same duty, though he lavishly praises his Majesty for his piety, which he seems to represent as something gratuitous in so puissant a sovereign. However, as Louis was fortunately so very obedient to the Divine will, the preacher draws a somewhat novel inference from hence, and makes, it should seem, a practical application to a quarter, very unexpectedly addressed even in a sermon before the King. ‘ Il est, ‘ si j’ose le dire, de l’intêret et de l’honneur de Dieu, de main-

'tenir votre Majesté dans ce même lustre qui lui attire les regards du monde entier, puisque plus vous serez grand, plus Dieu tirera de gloire des hommages que vous lui rendez! Il aura, Sire, dans votre personne royale, aussi bien que dans la personne de David, un roi selon son cœur, fidele à sa loi, zelé pour sa loi, protecteur et vengeur de sa loi.' (*Tom. XII. p.* 244.). It is only fair to mention, that however Bourdaloue may have been occasionally seduced into such absurd time-serving conduct, by the influence of the courtly atmosphere he moved in, his independence, generally speaking, was exemplary. Not only did he, in the most plain and unwelcome language, denounce the vices of the age to those who chiefly practised them—'frappant' (as Mad. de Sevigné said) 'comme un sourd, disant des verités à bride abattue—parlant à tort et à travers, contre l'adultere—sauve qui peut—allant toujours son chemin.' Not only did he openly, and in the King's presence, rebuke men for the very conduct notoriously pursued by the King himself; but, in private, he risked the Monarch's displeasure, by being instant with him, in season and out of season, upon the most delicate points of his life and conversation. Bossuet, it is true, when transported with the heat of controversy, which in him raged uncontrolled, had attacked too loudly the mild and amiable Fenelon in the King's presence, and was asked by Louis, what he would have said, if *he* had taken Fenelon's part?—was carried on by the same hot fit to give his Majesty an admirable answer—'I should have roared ten times as loud.' But this was inferior to Bourdaloue's calm and witty rebuke, when the King, bragging that he had sent Mad. de Montespan to Clagny, said, 'Mon Pere, vous devez être content de moi—Elle est à Clagny.'—'Oui, Sire; mais Dieu serait plus satisfait, si Clagny etait à soixante-dix lieues de Versailles.'

It must not be forgotten, in comparing together these two great preachers, that Bourdaloue was the first in point of time, and therefore had effected the reformation of the eloquence of the French pulpit, before Massillon began his career. Bossuet, indeed, had begun a few years before him; but his discourses are confessedly inferior, and are besides extremely imperfect, and, except his panegyrics, rather the heads from which he spoke, than complete sermons. Hence, Voltaire calls Bourdaloue the first model of good preachers in Europe, by which he plainly means the first in point of time, and not of excellence; for it is certain, that he greatly preferred Massillon to all others.

We should now proceed to the great English models; but the subject is too extensive, and too interesting, to be handled

in the close of this paper, and demands a separate discussion. The importance of Pulpit Eloquence is great; and the improvements of which it is susceptible may be pointed out, without the slightest disposition to undervalue either the eminent examples of its excellences which the present day affords, or the just and lofty reputation which the orators of former times have left behind them;—unless, indeed, any one should hold, that, in this line of exertion alone, men ought to stand still, and make no advances to keep pace with the progress of the age.

ART. VI. *Remarks upon the Wine and Brandy Trade.* pp. 24. London, 1826.

OF the various measures adopted by the present administration for improving the fiscal policy of the country, there is none that deserves more unqualified praise than the reduction of the duties on spirits distilled in Scotland and Ireland, from 5s. 6d. to 2s. a gallon. The effects of this measure are, of themselves, sufficient to put to rest all doubts about the superior productiveness of moderate duties. It appears from the accounts laid before the House of Commons, that the total number of gallons of spirits, of the manufacture of the United Kingdom, that paid the duties of Excise in Ireland in the year ending 10th of October 1823, being the last year of the high duties, amounted to 2,118,651. In 1824, the first year of the *low* duties, the consumption had increased in a nearly quadruple proportion, or to 8,158,046 gallons; and in 1825, it had increased to 9,208,618, producing at the low rate of duty, nearly 400,000*l.* a year more revenue than had been produced by the high duty! The effects in Scotland have been equally beneficial.

But the diminution, or rather suppression of illicit distillation, was, no doubt, the principal advantage that was expected, and has resulted from this wise and salutary measure. The extent to which smuggling had been carried in Ireland, the crimes and atrocities to which it had led, and its influence in generating a contempt for the enactments of the Legislature, and in diffusing predatory and ferocious habits among the peasantry, were distinctly and fully pointed out in the Reports of the Revenue Commissioners. And as every thing that force, and the multiplication of oaths, penalties, and confiscations could do to suppress this illegal

traffic had been tried, without effect, it was plain that it could only be put down by taking away the overpowering temptation to smuggle, or, in other words, by reducing the duties. The result has not belied the anticipations of those who advocated the measure on this ground. Smuggling, except in some remote districts of the country, where it is still practised to an inconsiderable extent, may be said to have entirely ceased. And thus, while the reduction of the duties has produced an additional revenue to the public, it has dried up one of the most prolific sources of outrage; and has powerfully contributed to produce the tranquillity, such as it is, that now prevails in the land of paupers and potatoes.

We confess, however, that it seems very difficult to reconcile the liberality and good sense displayed by ministers on this occasion, with their conduct in keeping up the present oppressively high duties on *foreign spirits*. Having seen the advantage of moderate duties in one case, why should they not be equally anxious to introduce them in others? We do not wish them to act upon any speculative or doubtful principle; but we wish them to act consistently, and to give effect to principles which *experience*, as well as theory, has shown rest upon an unassailable foundation.

The prime cost of Brandy and Geneva may, we believe, be taken on an average at from 3s. to 4s. a gallon; but they are charged on being imported into this country, with the exorbitant duty of 19s. the wine gallon—being from 500 to 600 per cent. on their price! And as they are in very considerable demand amongst us, this most oppressive duty has naturally occasioned their clandestine importation in large quantities, the manufacture of counterfeits, and the reduction of the revenue. One is almost tempted to believe that this system had been originally framed for the purpose of diminishing the revenue, and serving as a bounty on smuggling; at all events, it is difficult to conceive for what other purpose it is still kept up. It appears from an account, printed by order of the House of Commons, (No. 251, Sess. 1825–6), that the excess of the number of gallons of brandy imported into Great Britain over those that were exported, or the number remaining for home consumption, in 1806, amounted to 1,521,653 gallons. The duty was at this period 14s. a gallon;* so that the revenue must have amounted to 1,065,156*l.* In 1807 the duty was raised to 16s. 6d., and the excess of imports over exports in 1808 was reduced to 1,256,345 gallons, yielding, at the increased rate of

* Excise Duty, 12s. $7\frac{1}{2}$d.; Customs Duty, 1s. $4\frac{11}{20}$d.

duty, only 1,036,484*l.*, being nearly 30,000*l. less* than had been obtained by the lower rate of duty. But Mr Vansittart was not a person whose purposes could be shaken by such an experiment as this; and, in 1811, an additional 2s. was added to the duties, which raised them to 18s. 6d. Unluckily, however, for Mr Vansittart's calculations, this increase of duty was still less productive than the former: For, instead of yielding any increase of revenue, the exports in 1811 exceeded the imports, and in 1812 the excess of imports only amounted to 205,425 gallons, yielding, at 18s. 6d. a gallon, 190,018*l.* or about *one sixth* part of what it had yielded when the duty was at 14s.! But this *felo de se* system did not stop even here. In the teeth of all this experience, and of the most obvious suggestions of common sense, the duties were again increased in 1812, and were fixed in 1814 at the rate at which they have ever since continued, of 19s.* the wine gallon, or of 22s. 6d.† the Imperial gallon. This excess of duty has had the effect which every man of sense must have anticipated. The average annual excess of the imports over exports, during the three years ending with 1818, was only 795,092 gallons, and the revenue 755,337*l.*, being a diminution of 726,561 gallons in the annual consumption, and of 309,818*l.* in the annual revenue, as compared with 1806! The same spirit of speculation and overtrading that infected other branches of commerce, in 1824 and 1825, infected the brandy trade; but notwithstanding this extraordinary stimulus, the *total* excess of imports over exports, during the three years ending the 5th January 1826, amounted to only 5,381,810 gallons; while the *total* excess of imports over exports, during the three years ending with the 5th January 1810, amounted to 6,100,441 gallons, being upwards of 700,000 gallons of excess in favour of the latter period.

It is obvious, however, that unless the duties had been carried to such an excess as to defeat their own object, the consumption of, and consequently the revenue derived from brandy, would have been very greatly increased since the peace. The period when the duties were lowest, and when, as we have also seen, the consumption and revenue were greatest, was the very *hottest period of the war*. Commercial intercourse with France was then almost wholly interrupted; and the charges on account of freight, insurance, &c. were at least *five* or *six* times greater than at present. It was, it is true, incomparably more difficult to smuggle during the war, than

* 18s. 10d. 3-16ths. † 22s. 7d. 6-16ths

it has been since; but this circumstance is of itself a conclusive reason, why the duties imposed during its continuance should have been reduced at its close, instead of being increased. Had the duty been fixed at 8s. or 10s. a gallon, in 1816, instead of 19s., there cannot be a doubt, that the consumption would have been increased in a *threefold* proportion, that clandestine importation would have been almost entirely unknown, and that the revenue would have been greatly augmented.

The effects of the increase of the duties on Geneva, which have for many years past been identical with those on brandy, are equally striking. The annual average consumption of Geneva in Great Britain, during the ten years ending with 1805, amounted to 724,381 gallons; but, during the ten years ending with 1825, when the duties had been about doubled, the annual average consumption only amounted to 117,401 gallons! * —So much for the facts of one brief chapter of Mr Vansittart's financial administration.

But though the present exorbitant duties had been as effectual in producing an increase of revenue as they have been in lessening it, they would still be altogether indefensible. The stimulus they have given to illicit importation, has been so very great, that they have gone far to render the whole south-east coast of England a prey to all the horrors of civil war. Murderous contests are daily taking place on the coasts of Kent and Sussex, between the officers engaged in the preventive service, and the country people and smugglers; and the peasantry are, in consequence, gradually becoming more and more demoralised, and more ready to place themselves in opposition to the authority of government and the laws. The temptation to smuggle is so overpowering, that many individuals have been induced to embark large capitals in the contraband trade; and the high profits they make on a successful adventure, enable them to run any risk, and to give large bonuses to those by whom they are assisted in effecting the landing of the cargo. When such incentives to violate the laws are thus suffered to exist, the immoderate penalties imposed on those who are detected in violating them, serve only to increase the evil. Officers are deterred from informing against poor creatures, when they know that they will be fined 100*l.* or sent on board one of his Majesty's tenders, for having what most gentlemen would wish to have—a keg of smuggled spirits in their possession! The excess of the penalties has thus been productive of a double mischief: for, while it paralyses the exertions of every class of officers,

* Parliamentary Paper, No. 248, Sess. 1825–6.

and occasions the corruption of many, * it renders the smugglers more desperate, and procures for them the sympathy and commiseration, and frequently even the active cooperation of the public. The continuance of such a system, in short, is most disgraceful to the country. It is subversive of every principle of justice; it diminishes the public revenue; injures our foreign trade; and is productive of nothing but perjury, villany, and bloodshed!

We have heard it said, that though the effect of a reduction of the duties on brandy and geneva to 8s. a gallon, might not occasion any reduction in the revenue derived from them, it would lessen the consumption, and, by consequence, the revenue derived from British spirits. But it must be recollected, that the effect of this measure would be, to put an instant stop to the practice of smuggling, and to a considerable extent also to the practice of adulterating; and it may well be doubted, when allowance is made for the great quantity of brandy that is now clandestinely imported, and also for that which is furnished by the practices of adulterators, whether the consumption would be very greatly increased. But supposing it were, still it is plain, inasmuch as the duties on brandy would be as high as the duties on rum, and much higher than those on whisky, that the revenue could lose nothing in that way.

In every point of view, therefore, in which this subject can be placed, the policy of reducing the duties is obvious. We certainly have no desire, to use a phrase of Mr Robinson's, to 'ride a willing horse to death;' and we are fully aware, that, under the present circumstances of the country, no portion of revenue can be spared. But we feel perfectly confident that we are not asking the Right Honourable Gentleman to part with a single shilling. On the contrary, if he adopts the plan we have ventured to suggest, we think there is little doubt that he will *add* 300,000*l.* or 400,000*l.* a year to the public revenue, and save 100,000*l.* a year in the Customs department; at the same time that he will give peace to extensive districts, and will suppress one of the most fruitful sources of crime and atrocity.

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* Two officers were, not long since, *convicted* of a collusive seizure; having planned with a smuggler where he should land some of his goods, in order that they might be seized, and that he might share in the reward given by government!

ART. VII. *Anti-Slavery Monthly Reporter.* 8vo. London, 1826.

THIS is a very useful periodical work which the Society, instituted for mitigating the Evils of Slavery, and effecting its Gradual Abolition, has published during the last two years. It contains the intelligence most interesting to the friends of this great and good cause; with such remarks as are fitted to make the passing events produce their due effect towards its furtherance and final success. The price is, by the liberality of the Society, made exceedingly moderate, being only eight shillings a hundred, when the number consists of a whole sheet, and so in proportion when it is larger or smaller. It is therefore somewhat less than a penny per sheet. At this price, any anti-slavery society is entitled to receive a supply, by making application to the Office, No. 18, Aldermanbury, London, and pointing out the conveyance by which the work is to be sent. Such is the announcement in the front of each number; and we gladly take this opportunity of giving it greater publicity.

The time now approaches when we were taught to expect, last Session of Parliament, that the West Indian Legislatures would show their disposition to adopt the necessary changes in their system, pointed out by the Government of the mother country: and we cannot better employ the interval that yet remains, than by examining what those feats of colonial reformation were, which so inspired our rulers and legislators at home with confidence in their tropical brethren, as to make them perfectly easy while abdicating their own functions—their highest functions of justice and mercy—and leaving the rights of 800,000 fellow-creatures in bondage, and the controul over their masters, to select bodies—composed of those masters, and of them alone. We examined a portion of this subject some months ago; but the more recent acts of the colonial Assemblies had not then arrived; and as much was said in the discussions that took place before Easter, respecting certain provisions then in progress, or enacted, but not yet received in this country, we cannot have a complete view of the question without adverting to the information laid before Parliament, in the latter part of the Session. This will enable us to clear the ground, as it were, and be prepared for the reception of whatever may come from the Islands, in consequence of last Session's renewed appeal to them. Possibly it may be found to confine our expectations on this score within very narrow

limits. At any rate, it will enable us to judge calmly of the wisdom exercised by our representatives in the last Parliament, when, with this case before them, they renewed, almost by acclamation, their professions of confidence in assemblies of Slave-owners, and acted up to those professions.

When Mr Brougham, in order to ascertain the credit due to the representations made by the Government on behalf of the Colonial Assemblies, and examine accurately the grounds upon which his proposed Bill was delayed, moved for a return of the titles and dates of all the West Indian laws, passed since May 1823, and providing for any of the great interests of the Slave population, distinguishing those interests under the various heads, of Religious Instruction, Admissibility of Slave Evidence, Facilities to Marriage, Compulsory Manumission, Security of Property, Regulation of Punishment, and Prevention of Separation by Sale from the estates or from their families, a statement was produced in a Tabular form, and ordered to be printed on the 5th of April. That document, the first case relied on by the West Indian advocates, now lies before us; and in almost all the Islands, and all the important particulars, it presents *a blank!* *Nil*, to use the technical phrase, is the prevailing feature of the return. But much dissatisfaction was expressed by those zealous defenders of the system, at the nature of this paper, when they perceived the effect which it was calculated to produce; when, for instance, they saw that the greatest Island of all, Jamaica, presented to the eye, in five out of eight columns, the word '*none;*' and in the remaining three, a few words, which to the mind in an instant conveyed the very same impression; and that the Island next in importance, Barbadoes, in every one of the eight columns made the same ominous negative sign! A tabular form was plainly ill adapted to the statement of their case; and after a good deal of surd murmur at the negligence with which the paper had been got up, they presented perhaps a more full, certainly a more bulky, but in reality not a more correct statement, containing extracts from the Acts of Assembly themselves, under all the heads. The Acts themselves, and the correspondence with the Governors, were about the same time laid before Parliament; and we shall now shortly demonstrate how entirely they speak the same language of negation; how accurately their amount in substance is, after all, *nil;* how truly they present one wide and dreary waste, without an object for the eye of him to rest on, who would still fondly imagine that slave-owners are fit to legislate for slaves; how impressively they teach, for the thousandth time, the lesson, that what is

wanting to those unhappy beings, must be supplied from the disinterested solicitude of the mother country.

Let us begin with Jamaica, the most forward object in every point of view, and the quarter from which, on every account, most was to be expected. The amended statement, after citations from three Acts passed since 1823, concludes with this very ample admission. 'It does not appear from the documents received at this department, that any Act has been 'passed by the Legislature of Jamaica since the fifteenth of 'May one thousand eight hundred and twenty three, containing any provisions respecting the admissibility of the evidence 'of slaves—for preventing the sale of slaves detached from the 'estates of their owners—for preventing the separation of slaves 'from their relations—for restraining or regulating the punishments of slaves by their masters or those having authority 'from their masters—provisions for enabling slaves to acquire 'and enjoy property—Nor any provisions respecting the office 'of protector and guardian of slaves.' (p. 6.)

What then, it may be asked, has been done under the remaining heads, of Religious Instruction, Marriage, Manumission, and Property? An Act has been passed, extending to Saturday the protection against being taken in execution for their master's debts, already provided for Sunday; and another has been framed respecting the clergy, the principal provision of which is, to give the newly appointed Bishop ecclesiastical jurisdiction. Curates are allowed to marry, either on the estates, or at the chapels. A person possessing only a life-interest in a slave, is *allowed* to free him, upon providing compensation to the party having the reversion; and by another act, slaves are declared capable of receiving legacies of personal property,—*but are prohibited from suing for them in any court* of law or equity. Is not this a very prolix and round-about way of saying the same word *None*,—or nil,—or nothing? The extension from Sunday to Saturday is plainly for the benefit of the master; the provision respecting life-interests, does not enable a slave to obtain his freedom upon being able to pay for it, by a fair appraisement between him and his master, which was the meaning of manumission in the discussion as referring to the Trinidad Order in Council; and the right to receive a legacy, and give a 'valid acquittance' for it, *if* the executor or administrator chooses to pay it, is a right of property closely resembling the foregoing personal right. The Duke of Manchester himself justly characterises such measures as of 'very trifling importance,' (*Continuation of Papers*, 1825, *p.* 5); and the following expressions of his Grace to the

Secretary of State, and to the Assembly, show how different an estimate of our prospects in that quarter is formed by those on the spot and those at a distance.

'*Mr Speaker, and Gentlemen of the Assembly*—Another year 'has been allowed to pass away without any effectual measure 'having been adopted for the improvement of the condition of 'the slaves. *It does not become me to anticipate what the result 'may be of the great disappointment his Majesty's Government will 'experience*, when they learn that the reiterated representations 'which have been made to you, to do what your own interest 'calls for, as much as a due regard for those who look up to 'you for protection and relief, *have totally failed.* In obeying 'the instructions which I received, I earnestly pressed upon 'your consideration the necessity of doing something, if not to 'disarm your enemies, still to satisfy your friends; and more 'than all to convince Parliament, that the urgent representa-'tions of his Majesty's Government had not been entirely dis-'regarded.'

To Lord Bathurst he writes—'I *am afraid, after so many re-'peated trials, that there is no hope of persuading* the present 'House of Assembly to *do any thing effectual for the relief of the 'slaves.* I have *exhausted all the means in my power to lead them 'to a proper way of thinking.* I, in the first instance, assumed 'a responsibility, by speaking to them in my own name, 'and which, perhaps, I was not justified in doing. I have 'since addressed them in the name of his Majesty's Govern-'ment, and employed the words of your Lordship's despatch in 'my speech. I reminded them that the time had now arrived 'when the island enjoyed perfect repose, and nothing had oc-'curred to mislead the minds of the slaves, or encourage a-'mongst them unreasonable expectations, and, of course, pe-'culiarly favourable for the consideration of what may be 'found practicable for their benefit.'

In Barbadoes, the Tabular View laid by the Government before Parliament had represented, that no provisions were made under any one of the eight heads. Each column contained the word 'NONE,' and nothing else; although certainly it was stated, that an Act passed there, in March 1825, was under consideration at home, and that this Act had, for one of its objects, to give the slaves further protection. The more detailed statement afterwards produced, extracts from this notable specimen of Colonial Legislation several of its enactments, and parades them under the heads of Evidence, Manumission, Punishment, and Property. The reader who does not read—who only looks at the title or head of the column, and finding

there, for example, 'Provisions respecting the Admissibility of 'Slave Evidence,' observes, without reading further, a whole page of printing—will naturally be deceived into the notion, that some new provisions have been made by the Barbadoes Legislature for allowing slave evidence to be received. But he has only to look a little more closely, and he will find the provision to be—one to facilitate the conviction of persons accused of selling arms, powder, or poisons to slaves, and for this purpose allowing the slaves to be examined, but providing that the freeman's oath shall be an answer to the slave's,—and the other declaring, that the evidence of slaves against each other shall be received in all cases *as heretofore.* Such provisions plainly have nothing to do with the real meaning of the title 'Admis-'sibility of Slave Evidence;' and it becomes, therefore, a matter of perfect indifference to examine whether they are new, or only copied from former acts. One of them avowedly makes no change in the law as it before stood; the other, in all probability, is likewise a copy, or merely declaratory.

The same observation applies with perhaps greater force, if it be possible, to the head of Manumission. In the detailed statement, it is made to look as if there were three sections in the New Act, 'facilitating the manumission of slaves;' and the inference obviously intended to be conveyed is, that Barbadoes has, since May 1823, made so many provisions for this purpose. But what is the fact? The first of the clauses provides, that any slave giving such information of rebellion, or plots, or 'evil designs,' as may procure the conviction of any other slave or free person, shall be declared free; the second enables *the Legislature* (somewhat superfluously) to declare any slave free who shall distinguish himself in fighting against an invading enemy, or against any insurgent slaves; and the third provides, that any slave manumitted in either of these ways, shall be tried for all offences committed before manumission, exactly as if he were still a slave. These provisions, then, have clearly nothing to do with facilitating the manumission of slaves. But such as they are, it happens that they were made about a century and a quarter before May 1823. The first is taken from the Act of Assembly 1692, October 27th; the second from the Act of Assembly 1707, November 30th, with the addition of the case of rebellion, not to be found in the former Act; the third, we believe, is the only novelty in the Act 1825. So that the only additions are those which bear hard upon the Negroes, the enabling parts are old, the restraining parts alone new.

The provisions for 'enabling slaves to acquire and enjoy 'Property,' turn out to be penalties attached to any one allow-

ing his slave to go at large, in order to work for his own benefit or that of his master, without license; penalties upon employing any slave without making agreement with his master; power given to any person to seize slaves who shall have any articles of produce in their possession, and 39 stripes attached to the slaves for this offence; and other checks upon the cultivation of produce. As for the provisions respecting Punishment, they are those which we cited in our last discussion of the subject, to shew the cruelty and injustice of the system; They are such indeed as to excite indignation wherever they have been made known; and are only fit to be appealed to by the enemies of the system as decisive evidence of the incapacity of the Islands for legislating respecting slaves. A single example may suffice.

After a preamble, reciting 'that it is highly expedient to 'restrain owners and other persons having the government and 'direction of slaves, from indiscriminately, wantonly, and cruelly 'exercising the power they possess over their slaves, and that, 'as the cruelty of punishment by flogging necessarily depends 'much more upon the manner of inflicting it, than upon the 'number of stripes, it is therefore deemed most conducive to the 'ends of humanity, *to trust to the discretion and good feelings of* '*the justices* (planters of course) before whom complaints of 'such offences shall be made, it is enacted, that if any person 'shall hereafter commit any *wanton act or acts of cruelty* towards 'any slave, or if the same shall be committed by his direction 'or order, or with his knowledge, privity, or consent, or shall '*wantonly, maliciously, and cruelly* whip, beat, or *bruise any* '*slave*, or keep in confinement, without sufficient food and support, any slave, or shall suffer, permit, cause or procure the 'same to be done, whether such slave may or may not belong 'to him, such person shall be summoned before any two justices of the peace, to answer for the offence, and such justices 'are ordered, on conviction thereof, to impose a penalty on the 'person so offending, *not exceeding* twenty-five pounds, according to the nature of the offence.'—*Section* 44.

As a contrast to this punishment for wantonly and cruelly bruising a slave that is doing him any personal violence short of cutting off a limb, it is fit that we show the kind of punishment denounced against the slaves, in order to exemplify the evenness with which the scales of West Indian justice are poised. It is enacted by the same law of 1825, 'that any slaves 'guilty of quarrelling or fighting with one another; or of *in-* '*solent language or gestures* to any White person; or of swear- 'ing, or uttering any obscene speeches; or of drunkenness, or

'making, selling, throwing, or firing squibs, serpents, or other 'fire-works; or of cock-fighting, or gaming; or of riding on a 'faster gait than a walk; or of driving on a faster gait than a 'gentle trot; or of cruelly whipping or beating any horse, mare, 'mule, ass, or other cattle; or of negligently driving any cart, '&c., or of *any* disorderly conduct or behaviour, shall, on con-'viction before a magistrate, be whipped at the discretion of 'such magistrate, not exceeding thirty-nine stripes! Again, it is enacted, that 'any slave who shall *hear* any other slave 'speak any words *tending* to mutiny or rebellion, or shall know 'of his having gunpowder or arms in his possession for pur-'poses of rebellion, and shall not immediately disclose the same, 'shall suffer Death, without benefit of clergy, or such other 'punishment as the court may think fit.' It is unnecessary to add, that the very least we can say of the Barbadoes Legislature is, that it has done nothing since May 1823. To admit this, is giving a somewhat favourable picture of its proceedings.

We shall now, instead of going through the six other colonies in detail, take the heads to which the papers refer, and see if, under any of them, any improvement has been made in any of the Islands. We have already shown, that Jamaica and Barbadoes, in comparison of which all the rest put together are of little importance, and the councils of which might be expected to show most liberality and wisdom, have done absolutely nothing on any of the great subjects pressed upon their consideration by the united voice of the Government, the Parliament, and the People of England. We shall now inquire if any of the lesser settlements has evinced a better disposition on any of those questions.

1. Has provision been made for the Religious instruction of the slaves, by any of these Colonial Legislatures? The Bahamas Assembly passed an act in 1824, it is said, requiring that 'all 'owners, &c. shall, as much as in them lies, endeavour to in-'struct their slaves in the Christian Religion, and shall do their 'endeavour to fit them for baptism, and, as soon as conveni-'ently may be, shall cause to be baptised, all such slaves as 'they can make sensible of a Deity and of the Christian faith.' So says the 9th clause of the Act, passed 28th January 1824; but so, and in the self same words, had said the Act passed by the same Legislature in the year 1796, section 6. This very precise and efficient provision of Colonial legislation, therefore, has not the merit of novelty, whatever its other perfections may be. In Grenada, there are one or two provisions, of no practical efficacy, upon the same matter; and the more definite enactments of the Act passed in 1788 are omitted, as are also

the important penal clauses of that Act, § 9, 10 and 11, for preventing the debauching of female slaves, whether by freemen or slaves. In St Vincents, Sunday markets are restricted to the morning, before ten o'clock, involving a necessity of passing the Sabbath on the road home, or in idling about the town, wherever the slave has to come from a distance. For the further 'promoting religious instruction,' it is likewise enacted, that all slaves found 'preaching, or teaching any religious subject,' shall, 'upon due proof thereof,' receive whipping and imprisonment, by way, it should seem, of at once stimulating their zeal and aiding their meditations. In Dominica, two provisions, enacting that slaves shall be encouraged to be baptized, and allowed to attend divine worship, under a penalty of five pounds, and that goods shall not be publickly sold during service, are taken from the Act 1788; and a day in each fortnight, instead of in each week, is given to the slaves for cultivating their provision grounds. In Tobago alone is any thing enacted that can pretend to answer the description of provision for promoting religious instruction or the observance of the Sabbath. Sunday markets are there abolished, and one day in the week allowed to the slaves.

2. Has any provision been made for the admissibility of slave Evidence by those Colonial Legislatures? The Bahamas Act of 1824 is cited, as containing such provisions; but nothing can be more absurd. It declares that, in all cases, slaves may be witnesses against slaves, which they were by the former laws of the Island; and it copies sections 64 and 73, word for word, from the Act of 1796, sections 59 and 69 affixing the punishments for perjury, and directing slave evidence to be received against such Negroes, Mulattoes, &c. as have been once slaves, and are now freed—a provision rather unfavourable than favourable to the Black race. In Grenada, however, it is confidently said that slave testimony has been admitted; and in the same way, there can be little doubt that all the Legislatures which have peremptorily rejected the proposition, would feel no reluctance whatever to adopt it, if the mother country could be satisfied with such a manifest evasion. For, first, the slave to be examined must produce a certificate of baptism from a clergyman of the Established church; next, a certificate, either from the clergyman or the owner, or his attorney, that he is of good character and repute, and so far instructed in religion as to understand the nature and obligation of an oath; then the court is, before admitting his evidence, to decide on the validity of those certificates, and the truth of the facts certified; and, after all, no White or free person is to be

convicted on slave evidence, unless two slaves concur in deposing to the same facts and circumstances, and unless their testimony be 'clear and consistent,' and also unless it be corroborated by circumstantial evidence, to the satisfaction of the court, and even then only if the trial take place within twelve months of the offence. Let any man reflect for a moment on the small number of English witnesses who could ever be sworn under such restrictions, the still smaller number whose testimony could be allowed to go to the jury, and the imperceptible amount of the risk which any criminal would run of conviction, though the case should, under such grounds, be gone into, and he will then be able to estimate how far Grenada is an exception to the general rule of rejecting the propositions for admitting slave evidence. The Legislators of Tobago have not gone much further; in cases of murder, mayhem, or cruelty, where no free person can be produced as a witness, and two slaves were present, they may be examined, and their testimony is to have the weight of one White's, provided their credit is unimpeached. This notable provision was made in 1823. In St Vincent, the subject was disposed of as late as December 1825; and the provision is there clogged with some half dozen restrictions, which really make it a mere mockery, we should think, in the eyes of the most prejudiced West Indian. The evidence is confined to cases of murder, felony, and other transportable offences. The slave must have a certificate of baptism from the established clergyman, as in the Grenada law; but he must have a certificate of character, not as there from the clergyman *or* the owner, but from both, so that the slaves on every estate are admissible or not, as the owner and his attorney please; all the other restrictions of the Grenada Act are adopted *verbatim*, and, moreover, the two slaves must be examined apart; and, as if any thing of negro testimony still remained to be afraid of, it is expressly declared, that it shall never, in any case, be received against either 'the owner, attorney, manager, 'overseer, or person having the charge of such slave'—or 'in 'in any case where any White person may be charged with a 'capital offence!' So much had the Colonial Legislators improved between April, the date of the Grenada Act, and December!

The same lapse of time seems to have communicated equal improvement to the lawgivers of Dominica; for the Act passed in January 1826, after stating, by way of preamble, the difficulty of convicting free persons of offences committed against slaves, and the consequent necessity of allowing the latter to give evidence, 'under such restrictions as are rendered abso-

'lutely necessary by their imperfect knowledge respecting the 'true nature' of an oath,' enacts, that they shall be admitted in all cases 'except charges against their owners,' that is, in all except the cases where it is at all material for their protection to receive their testimony; But, this restriction being stated to be rendered necessary by their ignorance of the 'true nature 'of an oath,' it is further provided, that in no case whatever shall they be allowed to give evidence, unless, 'after having 'been minutely interrogated, they appear to the Court tho- 'roughly to comprehend the true nature and meaning of an 'oath.' There are the usual restrictions of two slaves being witnesses, otherwise there is no admission of the slave evidence, of consistent examination apart, and prosecution within twelve months. Absurd and utterly inconsistent with each other as these enactments are, they seem to have been sufficient to satisfy the Council of St Kitts; for they have recommended the provisions of the Dominica Act respecting slave evidence to the adoption of the Assembly. The Governor, however, reports, that neither there, nor in Nevis, nor in the Virgin Isles, has any progress been made towards making or adopting any law whatever respecting the slave population. (*Continuation of Papers*, p. 69.) It is therefore clear, that to the important question, what has been done any where to facilitate the admission of slave evidence, the 'true nature' of the pretended measures being understood, the proper answer is, *Nothing*.

3. Has any thing been done to encourage Marriage among the slaves? Only two colonies have done any thing that can be pretended to touch the subject of marriage. The Bahamas Assembly has allowed slaves professing the Christian religion to marry with the consent of their owners, as if Pagans were not still more likely to be improved by the introduction of marriage among them; and the St Vincent's legislature has, for the religion, substituted as a condition, the slaves appearing to understand the nature of the marriage vow.

4. Has any thing been done any where to facilitate Manumission, meaning by this, to give the slave a power of obtaining his freedom, who is willing and able to pay the fair price for it? In Bahamas we find a provision stated under this head, for suspending all acts imposing a tax on manumissions. This law is dated 1824, and would be of little avail if it had any meaning; but it happens, that, since 1821, there had been no tax on manumissions in the colony. This we learn from No. 347 of the Papers ordered to be printed, 14th May 1823, and entitled Slave Population. It is a certificate from the

Colonial Secretary to that effect, and bears date 5th December 1822. In Grenada, the provision has been adopted which we formerly mentioned as having been adopted in Jamaica, as to persons having a life-interest in slaves; but it is restricted to the case of mortgagers, in respect of the mortgagees, and thus becomes still more trifling in importance. In Dominica, the manumission tax imposed in 1810 has been repealed; in Tobago, St Kitts, and the other islands, except St Vincent, nothing is pretended to have been done, or even attempted, under this head; but St Vincent was always, during the Parliamentary discussions of the last Session, cited as having, though it was admitted to be the only one, yet furnished an instance of a West Indian provision for facilitating compulsory manumission—that is, manumission at the option of the slaves. The Act of December 1825, containing this provision, was therefore expected with much anxiety; and, upon examination, it is found to contain no provision at all for facilitating manumissions! It only makes a deed of manumission good upon registration, with a penalty of 200*l.* currency upon manumissions of aged or infirm slaves, which is a restraining, and not an enabling enactment; and it allows courts, in certain atrocious cases, of offences proved against the owner, to direct the manumission. To the most important question of all, therefore, what has been done to facilitate manumission, the answer is, *Nothing.*

5. Has any thing been done to prevent the Separation of slaves from the estates, or from the families they belong to? It is not pretended that any provision whatever has been made in any one colony since May 1823, to prevent the separation of slaves from the soil; the laws of Tobago alone had formerly prohibited the separation of land and slaves in the single case of sale under legal process. The separation of families has been in two Islands, and to a very limited extent, the subject of some late enactments. In the Bahamas, children under fourteen are not to be sold apart from their parents, if these be man and wife, or reputed man and wife. In Grenada the same provision is still further restricted, to children under twelve, and to judicial sales. In all the other settlements there is nothing, absolutely nothing done, or pretended to be done, upon a matter which the sanguine friends of humanity had hoped would have been among the earliest fruits of the abolition of the Slave Trade.

6. Has any provision been made for enabling slaves to acquire Property? Doubtless there must be something worth knowing here to tell; for this head is gratuitously added to the re-

turns moved, the order, as the motion, being silent upon it; yet it turns out, perhaps, the greatest mockery of all. There are enactments cited from four colonies. In Grenada and St Vincent, a penalty of ten pounds, beside the value, is attached to the taking away any slave's property, in whatever manner the taking is perpetrated, and whether by master or stranger. In Tobago, there is a declaration that slavery shall not be a bar to actions brought in respect of rights of property; and in Dominica, the penalty for interfering with a slave's property in any way is made twenty pounds; but from this the owner is expressly excepted. Nor is this a provision since May 1823; it forms part of the Act 1788, with this notable difference, that the later enactment of January 1826 lowers the penalty from thirty to twenty pounds.

7. We have now come to the last head of inquiry, and ask, what has been done any where to mitigate or regulate Punishments? We are first presented with the 18th section of the Bahamas Act, 1824, restricting the punishment to twenty lashes in the owner's absence, and thirty-nine if he be present, and prohibiting a second punishment, while the slave is suffering under the effects of a first. Now, this is *not* a provision since May 1823 —it is copied, word for word, from the 11th section of the Act 1796, passed, like all the other trifles extracted from Colonial Lawgivers by their fears (their ill grounded fears, it should now seem), of the mother country's indignation. The 10th section of the old Act is, in like manner, copied into, and forms the 17th of the new; the 12th of the old is the 19th of the new; the 13th of the old is the 20th of the new; and the 65th of the old, the 69th of the new;—and thus is prepared a very decent appearance of West Indian legislation, to meet the declared wishes of the Parliament, announced through the executive Government; and at a very cheap rate, viz. the copying over some four or five obsolete clauses of the last Act passed by the same parties, for the same purpose. In the mass of legislative enactments brought together by the Report of the Privy Council, 1789, (a huge folio volume, without the common helps of contents, index, or even a series of numerals on the pages), there may have escaped us many still older clauses, copied afterwards into the Act 1796;—and we cannot be sure that, in this latter Act, we have observed all that has been transcribed in 1824;—but we think there is one clear addition made in this last Act—we mean that requiring girls above twelve to be punished in private, under a penalty of ten pounds —by which change as much may be lost to mercy as is gained to decorum.

We have stated the presentation of *two* returns to the House of Commons, or rather that one return was made to the order of March 3, 1826, exhibiting a Tabular view of the Legislature since May 1823; and that the West Indian party, dissatisfied with this, had a fuller statement presented immediately after, under the title of 'Papers by his Majesty's commands, containing an abstract of the Acts passed in the Islands since May 1823, for improving the condition of Slaves,'—evidently introduced to parade what had been lately enacted, and to answer thereby the objections of those who maintain that nothing can be expected from this quarter. The Tabular return is, in every respect, infinitely the more correct and fair document; and in no instance is its superiority more conspicuous, than under the head we are now examining. It does not exhibit as late improvements the clauses copied entire from the old Act: nor give one as all new, which contains only a single addition, that respecting the female punishments; but the more full statement would have us believe, that all the clauses transcribed, and which it extracts as enactments since May 1823, are new measures 'for improving the condition of slaves.'

But the regulation of punishments is, of necessity, a matter of little importance, unless the driving system is put down, by prohibiting the use of the whip. Now, has this been done in any one colony by the local Legislature? Several of the Assemblies have passed regulations for restricting the number of lashes to be inflicted at any one time, some allowing twenty-five, others twenty, others thirty-nine; a thing of little moment; for who could desire to inflict more than even the least of these punishments? The great change in the system is to be made by preventing the driver from carrying the whip, or any substitute for it, in the field, as the symbol of authority and stimulus to labour; and thus treating his human labourers as cattle, actuated by no motive or impulse other than the dread of the impending lash. What have the Assemblies done in this respect? We are referred to two—Grenada and St Vincent. In the former it has been enacted, 'that no *slave* shall carry any whip, cat, or other instrument of the like nature, as a mark or emblem of his authority,' in the field,—in the latter (to which the most triumphant appeal was made before the Act arrived), it is only provided, that 'no *slave* shall carry any such instrument as is commonly called the *cart-whip* as a mark of authority.' The last enactment is plainly nugatory; for it is evaded by the use of any other instrument than the one 'commonly called the cart-whip,'—while both enactments are evaded by employing, as drivers, free blacks or mulattoes.

How different from these boasted fruits of colonial justice and clemency, are the provisions of the Trinidad order, which was to have been the model of the whole reforms adopted! 'And 'it is further ordered, that it is, and shall henceforth be illegal '*for any person or persons*, within the island of Trinidad, to 'carry any whip, cat, or other instrument of the like nature, 'while superintending the labour of any slaves in or upon the 'fields or cane pieces upon any plantation, or *to use any such 'whip, cat, or instrument, for the purpose of impelling or coercing 'any slave to perform any labour of any kind or nature whatever*, 'or to carry or exhibit, upon any plantation or elsewhere, any 'whip, cat, or other instrument of the like nature, as a mark 'or emblem of the authority of the person so carrying or ex-'hibiting the same over any slave,' and then all persons doing 'so, or authorizing, or aiding, or abetting "such illegal *driv-'ing*, or use, or exhibition of any such whip," shall be deemed 'guilty of a misdemeanour, to which is attached *a fine not ex-'ceeding* 500*l. nor less than* 50*l. or imprisonment for not more than 'six months, or less than one month, or both fine and imprisonment*, 'at the discretion of the Court.'

To conclude this examination of the details, let it be borne in mind, that beside the eight colonies, which alone are even mentioned in the Parliamentary papers containing the case for the West Indians, there are four others having Legislatures of their own, respecting which not a word can be said. These have done nothing; and so far they are on a footing with the eight;—but they have not pretended to do any thing; and so far they are more contumacious, and somewhat more honest.

The amount of the whole then is, that nothing has been done—and the inference is, that *nothing will be done!* The Legislatures have in some cases left us to draw this conclusion; in others they have very frankly helped us to it. The Assembly of Barbadoes, for example, after passing the Act above commented upon, and which Lord Bathurst described as containing clauses 'capable of becoming so injurious and oppressive to 'the slave population,' that he cannot advise the Crown to allow it, intimates, that all has been done which ever will be done for the slaves, in the following courteous address to the Governor:—'Is it expected that we should abandon the right 'of enacting such laws as are necessary for our own preserva-'tion and the security of our property? *Is it expected that our 'Slave Code shall contain no provision for the security of the lives 'and property of the Whites; but be a mere catalogue of indulgen-'cies to the Blacks, who, we are proud to say, experience* at this moment less of care and more of comfort than the peasantry

'of any country in the world, England herself not excepted? 'This, Sir, would really be expecting too much. If, however, 'such expectations are, unfortunately for us, entertained by 'those under whose control we are placed; if nothing less than 'an implicit conformity with Orders in Council, the ruinous 'effects of which are published almost daily in the Gazettes of 'a neighbouring colony; if, in short, a plan has been already 'organized for our destruction; if it is determined that we 'shall be the victims of fanaticism, prejudice, and injustice, *we 'must submit;* but neither threats nor persuasion will ever in- 'duce us to put the finishing hand to our own political, per- 'haps natural existence; and we have too much reliance on 'the justice of our beloved Sovereign, to believe that *he* ever 'will.

'As I fear,' says the Governor of Grenada, 'there are 'points which seem to your Lordship indispensable to be add- 'ed to the bill, which, after the most serious and mature con- 'sideration, the Legislature of this island *have deemed* it (at 'least for the present) *impossible to comply with*, namely, the 'total prohibition of the whip as an instrument of correction 'of females, and the right of slaves to purchase their free- 'dom.' The Speaker of the Assembly of St Vincent de- scribes their act, as 'evincing a desire to go to the utmost li- 'mits, nay, *almost beyond the limits of what seems safe and prac- 'ticable*, to meet the wishes of those persons in England who 'have the true interests of the colonies in view.' And the Tobago Assembly speaks still more plainly. They profess their readiness to adopt certain measures (and we have seen the extent of that readiness); but they add, that 'they yield 'rather from a sincere desire to conciliate public opinion and 'Trans-Atlantic prejudices, than from any conviction that the 'proposed alterations can in any way be beneficial to the slaves, 'or claimed as due to the rights of humanity. But in so do- 'ing, they beg leave respectfully, but firmly, to declare, *that 'concessson will then have reached its utmost;* and a deep 'sense of their public duty bids them implore his Majesty's 'Government to consider and reflect on the earnest appeal 'now made to their wisdom, discretion, and justice, by this the 'Legislative Council of Tobago, against any further altera- 'tions, or proposals of alteration, which a mistaken zeal in 'the cause of humanity may still consider requisite to be 'effected in our Slave Laws, without due deliberation on 'the rights of property, which such interference must de- 'stroy.' And then comes a very precise declaration, that they will do no more.—'They must also declare they have there- 'in stated their *ultimatum. No consideration will induce them to*

'*advance one step further*, in sacrificing those political rights 'which they acquired when, under the Royal Authority, power 'was given them to judge of, and make all laws necessary for 'themselves. No consideration whatever will induce them, fur-'ther than they have stated, to fritter away and tamper with 'those rights of property which they conceive rest on no less 'solid a foundation than the pledged faith of Great Britain, 'which, as they know it is yet untarnished, they are confident 'will not first be sullied in their instance.'

If any man, after this examination of the conduct held by the Islands, and these warnings given by themselves, continues to indulge the hope, that *they* will ever reform the system confided to their administration, we can only say, that man has himself to thank for the certain disappointment which awaits him. The proceedings in Parliament, last Session, upon this important question, disappointed the expectations—the just and pious expectations of the country, in a manner which we dare not trust ourselves with describing. Upon the ground of often repeated evasions, and new marks of open contumacy, the people were asked once more to lend their confidence to those who had once more deceived them, and were beginning even to dispense with the forms of courtesy in their determination to follow their own course. No new confidence, indeed, was reposed, in answer to this appeal; but the Government and the Legislature incurred a heavy responsibility when they made it, and delayed for another year applying *the only* effectual remedy.

ART. VIII. *The Consequences of a Scientific Education to the Working Classes of this Country pointed out, and the Theories of Mr Brougham on that Subject Confuted, in a Letter to the Marquis of Lansdown.* By a COUNTRY GENTLEMAN. 8vo. pp. 77. London. Cadell, 1826.

THE alarm which seems to have seized the author of this pamphlet, we had hoped, might pass over speedily, and be confined to a small part of the community. He appears, however, to become more apprehensive, the longer he broods over the subject, and he intimates that his fears must be shared by all 'who will not consent to such an extensive change as 'shall alter the character of the Nation and the style of the 'Government'—that is, as he immediately adds, by 'nine-'tenths, nay, by ninety-nine hundredths of the community.' We feel quite confident that our own estimate is much beyond the truth, when we say that he is in a minority of one in the hun-

dred, in point of numbers—its weight, as far as understanding goes, we had better leave to be illustrated by himself.

This 'country gentleman' determined to sift the matter to the bottom, and to begin at the beginning, first proposes to inquire into the nature of 'the Being to whom this style of education is vouchsafed,'—next into the character of the Government under which he lives; and, thirdly, into the situation he fills under that government. His solutions of the three problems are short and oracular, and not likely to be much disputed. 'In reply to these queries (says he), I affirm—the Being is Man —the character of our Government is what is called a limited Monarchy;—and, lastly, the persons alluded to belong to a description of persons called the Working Classes of Society.' (p. 3.) This theory of our Government is of a geometrical nature; and he ingeniously derives its properties from those of the Pyramid.

'The next step is, to inquire whether there be any thing in that limited monarchy under which we live, that should make any alteration in the question? I think there is; and to prove it, I shall beg your Lordship's attention to what I may call an outline of such a Government. From one hereditary chief Magistrate it proceeds, by gentle and scarcely perceptible gradations, to the great bulk of the people, which compose, if I may so say, the base of the constitution. It may be likened in fact to a Pyramid, which is the most lasting of all buildings, in much the same manner as a limited Monarchy is the most durable of all Governments. From an extended base, its superstructure is raised, gradually getting smaller and smaller, till it reaches a point; one part not being too heavy or too light for another; the part below feeling not the weight of that above it; a correct proportion appearing throughout, and combining, as a whole, one mass of beauty and of strength. M. de Calonne says, that no where else in the world does such harmony subsist between the several ranks of citizens as in England; and the celebrated historian,* in commenting on the passage, calls "this harmony the firm foundation on which the proud superstructure of the British constitution rests. Ranks vary as much, or perhaps more, than elsewhere; but no one rank has that gigantic pre-eminence which can enable it to trample on its next inferior. In the scale of subordination the distance from top to bottom is great, but the gradation is scarcely perceptible, and the connexion intimate. Each rank, moreover, is interested in the support of the next superior; none are excluded from the hope of rising; † and

* 'Mitford.'

† 'This is no such blunder as it may at first sight appear: the simile halts a little, but it is a mere trifle. In the change which takes place in society one rises and another falls; the character of the country remains unchanged, as one may suppose *in a pyramid of cannon-balls*, one removed for another, whereby the figure is not destroyed, nor its durability endangered!'

of all the various ranks, the highest is most interested in the support of the whole." What can bear a more correct resemblance to a pyramid? At all events, a pyramid, nearer than any other figure, may be said to represent a limited monarchy, in the same way that a space, inclosed by four equal lines at right angles with each other, is called a square!

'Presuming this to be admitted, we come now to the consideration of what place in society do those persons, called the working classes, fill? The answer is clear. They occupy that important part in the pyramid which is called the base, and on which the superstructure rests.

'We have thus seen that Man is a most imperfect being, swayed by inclination or passion, and that the constitution of the country is like a pyramid, of which figure the working classes form the base.'

This *doctrine* he illustrates by a diagram, representing two pyramids, with the classes of society, one above the other; and we are surprised to observe him place the gentry below both lawyers and merchants; which almost inclines us to suspect that he is not, after all, a true country gentleman, but something else, though in 'sheep's clothing,' and acting the part, as far as learning and acuteness are concerned, in great perfection.

The sum of his argument, if such it can be called, even in courtesy, is, that by giving scientific education to the working classes, you destroy the proportion between them and their superiors, who will no longer be able to retain their more elevated station. If our author will only take the trouble to reflect upon the large portion of every working man's time which is necessarily consumed in providing for his daily wants, he will perceive how easy it must always be for the wealthy to keep far above their inferiors, in every pursuit of knowledge. Undoubtedly, when a taste for such noble acquirements as those he dreads sometimes, and sometimes contemns, pervades the the body of the people, the upper classes will naturally improve themselves as well as the rest; But a very little sacrifice of the indulgences incident to their station, will always suffice to maintain their superiority in this, as in the less valuable and dignified circumstances of life.

As for the topics resorted to by our author to vindicate his alarms, and support his unfavourable opinions of learning, they really consist either of misrepresentations of other men's positions—most innocent, no doubt, as arising from manifest misapprehension—or of scraps of instances misapplied—as the case of the Gnostics, who, he says, were 'great philosophers, 'believing learning to be the *summum bonum*, and who main-'tained,' he assures us, that 'men, however vicious their 'practice, would be saved by their learning'—and that of Lord Bacon, who he says was also 'a great philosopher—and 'yet was mean, avaricious, and dishonest!' The dangers of a

little learning are easily traced in such errors as this writer has fallen into, and the arguments he supports them by. The following is a very fair average sample of the *reasoning* and declamation of which the 77 pages now before us consist. We believe it contains also about as rational views of the subject as are to be found in the lucubrations of most of the visionaries who rack their imaginations to furnish alarming topics, for the purpose of securing men from improvement.

'It surely is incumbent on Mr Brougham to let us know to what extent he would carry his mechanic's education; or, to be still more specific, to declare at once, if he would give the working classes as good an education as the Houses of Lords or Commons. If it falls short of that, it cannot bring about the blessed results of the learned gentleman's expectations; it being well known, I believe, that he entertains a very humble opinion of those bodies. Nay, he has, I believe, accused them of intolerance, want of justice, want of principle, of corruption and self-interest. Admitting, for the sake of argument, all this to be true;—then, has education, advanced so far, not improved the man! But, supposing that the working classes were superior to our senate in ability? Are they to take their places? Is it possible to suppose they will be satisfied with any thing less? And having them, will they be satisfied without their estates? It is absurd to think, that these enlightened mechanics will be such a heaven-born race as to have no passions, no prejudices like other people; that they will be content to till the ground or mend the streets when they are able to instruct the Lords and Commons; that they will feel so much gratitude to their superiors as never to meddle with the government, giving their advice, when called upon, without reward or hope of it; that they will live like labourers, work like labourers, but devote what time they can spare from working hours, to ascertain the longitude, to penetrate the dark recesses of science, or peradventure to find out the philosopher's stone. This, my Lord, it is next to impossible to suppose; yet if they are not thus to act, their talents are of no use; or being used, they will take the helm into their own hands, and steer the vessel of the state into the fanciful harbour of perfection. Hail glorious day! that shall witness "this consummation so devoutly to be wished," when man shall cast off his mortal infirmities, and with them the inclinations and passions inherent in our nature.

'At first sight, my Lord, I admit that it seems hard to deny our fellow-creatures what we confess to have derived considerable enjoyment from ourselves. But, with the same propriety, may the person that *claims education* from your Lordship on such terms, *claim part of your estate!* Yet I know this is not unfrequently urged in favour of education. It does not deserve the name of an argument—it is but a superficial remark; and whatever is looked at superficially is, generally speaking, incorrect. The populace ever judge superficially; the probability therefore is, that they are ever wrong: nor, with the little time they are able to devote to study, will all the education they can receive ever do

them good, for they will become dissatisfied with their ignorance, before they will be wise enough to profit by their knowledge. It is reported, I think, of Cato, when the populace cheered a remark he made, that he asked his neighbour what he had said amiss. Why should not your Lordship, like another Cato, hold their applause in like contempt; and, like him stand forward as your country's champion?

'In this proposal of the learned Gentleman's there is nothing to merit praise. It has not even novelty to recommend it. It must be in the recollection of your Lordship that Voltaire attempted, alas! too successfully, the philosophizing his unfortunate countrymen by nearly the same means. He formed his disciples into coteries, who met periodically to discuss subjects and read books suggested and recommended by him.'

Then follows one of the usual invectives of the speculative writer against knowledge, as leading to infidelity; and, assuming the French school to be the model which the English is now following, though he candidly allows, without intending it or perceiving the consequences, he adds an appendix of Atheistical quotations from Mirabaud, Diderot, &c. with literal translations. We need hardly state, that he therefore earnestly implores the Noble Lord to whom his alarms are addressed, to save the country from 'the irretrievable ruin and despair' into which the plans of the Educators must speedily plunge it. In aid of these apprehensions, he asserts, that he is informed 'that some of Mr Brougham's leading cooperators are Uni-'tarians, and consequently members of a sect hostile to the 'Established Church.' Whether he alludes to Lord Liverpool or the Chancellor of the Exchequer, who have openly avowed the strongest opinions in favour of education being extended to all classes; and have nobly said, 'God forbid that 'any science should be deemed too good to be taught the 'working part of the community!'—or to Mr Peel and Mr Huskisson, who have encouraged, by their subscriptions and exhortations, Mechanics' Institutions and Schools of Arts, we are not enabled very precisely to ascertain. Possibly it may be the late Bishop of Durham whom our author may have in his eye, for no man showed a more decided favour towards the scientific instruction of the people. The places even where those dreadful seminaries of Jacobinism and Atheism are holden, do not escape our author's indignation. But here he is not so happy in his facts. The mistaking Cato for Phocion in his classical allusions was very harmless to the subject-matter; but he confounds Dr Lindsay of the Essex Street Chapel, who has been dead many years, with the venerable teacher of the Congregation in Monkwell Street, and then charges the London Mechanics Institution with being cradled in a 'Socinian place 'of worship.' The same eagerness to bring a kind of accusation,

which always bears the highest premium in the market of outcry and alarm, has led many other controversialists of late to make the same statement with absolute confidence. They find a passage in Mr Brougham's Tract on Popular Education, expressing a most just respect for the late Dr Lindsay, of Monkwell Street, as a steady and enlightened friend of civil and religious liberty; and therewithal they are pleased to forget the difference between Monkwell Street and Essex Street, (though Theophilus Lindsay's chapel is always mentioned in connexion with Essex Street), in order to raise the outcry of Socinianism. The Monkwell Street Congregation, and their venerable Pastor, are well known to have been strict Presbyterians; and we fear our Mother-church and all her branches are pretty well known for a still more unrelenting hatred of Socinians than even the Romish or Episcopalian communions.

To make the reader some amends for the commonplace topics of this very well meaning, but visionary and ill-informed writer, we may give the following as a novelty in the almost expiring controversy between the dark-loving school and the educators.

'Unwilling as I am to trespass longer upon your Lordship's patience, I cannot resist calling your attention to a few further observations, which occur to me in opposition to this baneful project. Suppose, for instance, that some friend to humanity were to attempt to improve the condition of *the beasts* of the field;—to teach the horse his power, and the cow her value;—would he be that tractable and useful animal he is, and would she be so profuse of her treasures to a helpless child? Could any thing be more impolitic? Yet there is not, that I know of, any express law against it; nor would it be one jot more ridiculous than teaching tailors and cobblers "the beautiful system of geometry."

There is, however, in this pamphlet, a very praiseworthy spirit of mildness and candour, with few exceptions. It is not perhaps among these, but through inadvertence, that the author tells Mr Brougham 'how much better he would employ his great 'talents and laudable motions in proposing some improve-'ments in our Universities and first rate schools'—forgetting the reception which that Gentleman met, from the alarmists of our author's class, when he formerly ventured to cast a glance towards those Institutions. But we fear the Postscript can hardly be exempted from the charge of wanting candour; for there the writer speaks of 'that amiable gentleman, William 'Carlyle, as Mr B.'s very honourable associate and very meri-'torious cooperator in this beautiful system of philosophy'—without being pleased to recollect the bitter attacks of Mr C. and his associates upon the London Mechanics' Institution, for refusing the use of its Hall to them, when they grant it to all the world besides.

It is, we very sincerely assure our readers, out of no wish to triumph in the controversy, or to make an appeal that may be successful with the class of Alarmists to which this writer belongs, but with views of a much higher kind, that we now express the extraordinary gratification we feel at the good effects so manifestly produced by the improvement of the working classes in every part of the country. A most trying season of distress has succeeded to one of unexampled prosperity; and the sufferings of the poor have been, in many districts, as severe as in the worst times of the late war, or the still more depressed state of industry which attended the first years of the peace. Yet in no part of England or of Scotland have there been any of those outrages committed, which, in former times, were the constant accompaniments of sudden and general want of employment. Parliament has met since the distress attained its height; and no one has been heard to complain of the People, in places where such complaints are pretty sure to find a vent, at least as often as there is the least ground for them. Ten years ago, even seven years ago, the short Session that has just been brought to a close, would have been passed in devising means of restraining popular excesses by some new inroads upon the Constitution; and the only question respecting the conduct of the people, would have been, whether their violent demeanour had arisen from their sufferings, or from a spirit of insubordination, and hatred of the Government and the Law. The opinions which, on such occasions, especially in 1812, 1817, and 1819, we always earnestly maintained, was, that the acts of violence complained of, were owing to the distresses of the day; that they were exaggerated, in the greatest degree, by the alarms of those who described them, and in some measure by the machinations of spies, and the arts of designing men in petty situations, for their own purposes; but that no spirit of insurrection existed, much less any plots formed and matured for overthrowing the established Government. Those who opposed us, the Alarmists of every description, the honest as well as the designing, and the class of small statesmen, now happily nearly extinct, who were glad to make such alarms available for their party purposes, stoutly contended, that there existed a deep-rooted and wide-spreading disposition to subvert the existing order of things, and to substitute in its room, under the specious name of Reform, a wild, revolutionary scheme, that from being, in its origin, fantastic and impracticable, must speedily end in universal confusion. Such were the only two doctrines held upon the subject; *tertium nullum concilium*. The fact of discontent, of violence to some extent,

and of acts on the part of the people requiring vigilance and coercion, whether by the existing laws, or by new powers of control, was admitted on all hands. How different our situation now! Distress has unhappily returned—and not the more easy to be borne that it comes swiftly in the track of gay enjoyment and brighter prospects, and that no man ventures to administer comfort, by propounding a remedy, or even by foretelling better times. It is not too much, surely, to bestow upon the progress of education a portion of the praise which so salutary an improvement is fitted to call forth. Men have been attending more than formerly to the cultivation of their minds: The refinement of their taste, and the softening of their feelings, has been one consequence; the habit of reflecting more upon their best interests, has been another.

If such be the natural effects of their *beginning* to learn—of their knowing that they have a capacity above the more grovelling pursuits of sense, and feeling a desire to know more—to store their minds with useful and interesting knowledge—what may we not expect from their further perseverance in the same course? But here a difficulty meets us at the outset—the want of means of instruction. Much has been done of late years, by the friends of education, to supply this; And indeed it is peculiarly incumbent upon those who have been chiefly instrumental in spreading a general taste for knowledge, and in giving to all classes the simple acquirements of reading and writing, by which it is obtained, to take care that the means of using this acquirement beneficially to themselves be also provided. They have already taught the people to read; they have implanted in them a desire of learning; it is their bounden duty to give them the means of gratifying this desire, and of gratifying it in a way not merely innocent, but beneficial. The outcry against teaching all the people to read would have some sense, if, when they are taught, there is nothing useful for them to read, which shall be easily understood, sufficiently attractive, and of a useful tendency. The obligations of this duty, it appears, have been felt, as they should have been; and accordingly great exertions have been made to promote the scientific education of the people, by the formation of Reading Societies, Apprentice Libraries, and Mechanics Institutions, in various parts of the country. We have, from time to time, given the particulars of the progress made in this most important operation; and we shall, in our next Number, continue the subject, so as to bring it down to this season. At present, we may only observe, that the distresses in many districts, although unfriendly to the formation of new institutions, and retarding also the ad-

vancement of those already established, have most fortunately proved far less prejudicial than might have been apprehended; in so much that those best acquainted with the details are, we have good reason to know, satisfied that not one Institution has been discontinued, and not above three or four materially affected, by the privations to which the working classes have been unhappily subjected.

It is however evident, that with every assistance which can be given by means of Lectures, the education of the people is chiefly to be accomplished by reading. The principal use of Lectures is to excite the student, and help him through his book. Many never attend Mechanics' Institutions where they are established; in many places there are none; in many places, from their size, there never can be any founded. The main reliance, therefore, of all who desire the improvement of the body of the people, must ever be on books. But Elementary works, that really answer the description, are rare indeed.

Upon most branches of knowledge, there are none which unfold the subject to ignorant persons—to persons whose habits have not been formed by previous study, and who have not the help of experienced teachers at hand. This is a want felt not merely by the working classes, but by persons of every rank in society. Even the young of the upper classes, who are learners of any science, with every advantage of previous education, of professors, and of tutors, feel it: For a teacher cannot always be at hand, and the most valuable instruction is that in which the student does the most for himself, and by himself. But those of more advanced years, who may have neglected the improvement of their minds by the cultivation of science, at a time when such pursuits were far less attended to, are now prevented from supplying the defect, when they most probably would be glad to learn, if they could find the most interesting branches of knowledge expounded in a plain and purely didactic manner. With such helps, a man, having the advantage of leisure, which is enjoyed by the wealthier classes, would often be led on from step to step, until he had learned the whole of a science; whereas, he is now repulsed at the outset, by seeing a mass of cramp statements in hard words, very fit for the proficient, but unintelligible to the beginner. When Mr Brougham, two years ago, strongly recommended the preparation of such works, he announced the expected formation of an Association for promoting their composition, publication, and distribution. (*Practical Observations*, p. 9, 10, 11.) We understand that it was soon after established, under the name of the 'Society for the Diffusion of Useful Knowledge;' and

that some progress was then made in preparing to carry the plan into effect. The maturity of the measures adopted for this purpose was announced by Dr Birkbeck at the late Anniversary of the London Mechanics' Institution; and it gives us extreme gratification to be able to refer our readers to the authorized Notice from the Acting Committee of the Society, among the advertisements subjoined to this Number.

The Committee there state, that the publication of a series of Elementary treatises will be commenced on the first of February next, under the title of 'A Library of Useful Knowledge;'—that each will unfold the principles of some branch of science—their proofs and illustrations—their application to practical uses, and to the explanation of facts or appearances;—that, in order to bring each subject within the limits of these treatises, the greater divisions of science will be subdivided into branches, and where any portion is of such practical importance as to require minute details, a separate treatise will be given upon it. Thus Natural Philosophy being divided into the general docrine of the Mechanical powers, and their application to Machinery, Hydrostatics, Hydraulics, Optics, and so forth,—while each of these heads is taught in a treatise, or, if necessary, in two,—the practical subjects of Millwork, Optical Instruments, Dialling, &c. will be taught in separate treatises, leaving the general treatises only to expound the application of the principles to their departments of art. So the doctrine of Heat being taught as a branch of Chemistry, and the theory of Thermometers and of the Steam-engine unfolded under that head, separate practical Treatises on Thermometers and Pyrometers, and on the Steam-engine, will also be given, for the more thorough elucidation of every minute detail of such important subjects. Thus, too, while the principles and practice of Agriculture are taught under the general heads, certain parts, of great local importance, will be selected as the subjects of separate treatises—*e. g.* Hop Planting—Sheep Farming—Potato and Cottage Husbandry—Timber and Plantations.

Under every head there will be references to the best works, or parts of works, where the subject is more fully treated, in order that the student may be enabled to pursue his inquiries further, if he shall have acquired a taste for it.

The price of each treatise is not to exceed sixpence: And, for this small sum, it is found that 32 8vo pages, printed so as to contain above 100 ordinary 8vo pages, can be given. There are therefore very few *subdivisions* of science which may not be fully treated in a single work, so as to unfold the principles and their proofs and applications. The prospectus states a

few further particulars, respecting the order of publication, and the subjects of the treatises which are to appear during the first eighteen months; they comprise the Mathematics, Natural Philosophy, the greater part of Chemistry, Botany, and the greater part of Agriculture. Two treatises are to be published every month, beside separate and extra treatises—and advantages in respect of price are held out to distributors, as Mechanics' Institutions, Reading Societies, and Education Committees in the country.

It is unnecessary to add our opinion upon the great usefulness of this plan, and the important benefits which it is likely to confer upon every class of the community. For a sum so small as to be within every man's power, works may be obtained calculated to teach, or rather giving any one the means of teaching himself, whatever branch of knowledge he may feel an inclination, or have an interest to learn. He may take one or more, or the whole of the treatises belonging to a great division of science, or the whole library—or he may take a single treatise upon some art, as dying, bleaching, &c. in which he is concerned. Those who have no reason to spare their money, may also benefit greatly, by having brought within their reach, the means of easily learning subjects which it is not very creditable to be ignorant of, when the humbler classes are masters of them. Led thus to know something of science, the probability is, that they may feel a relish for it, and their leisure and affluence will be most worthily employed in its further cultivation. The design is truly of a most general description; embracing all knowledge, for its means, and the good—the highest good—the moral improvement of all classes, for its end.

Art. IX. *Charte Constitutionelle de Portugal.* Paris, 1826. pp. 54. 24mo. (Original, dated at Rio de Janeiro, 19. April 1826.)

The affairs of Portugal have at this moment a peculiar importance. It is the only country of the Continent of Europe where the Monarch has offered liberty to the people, and where their right to accept that offer is disputed. It is not denied that the offer is made by the Monarch sincerely, freely, of his own accord. His authority to do every other act of sovereign authority has never been called in question at home or abroad. The hottest zealot of legitimacy cannot call him an usurper. He is the oldest male heir of a Royal Family which has filled the Throne of Portugal for near two hundred years. The Constitutional Monarchy which he has conferred

on his country, is not formed on the model of Spain and Naples, but on those of France, the Netherlands, Sweden, Bavaria, Wurtemburgh, to say nothing of the ancient monarchy of Great Britain. It contains (as will be presently seen) security for the regal power, for the nobility, for the church, for every class of proprietors: and is in substance the ancient Constitution of Portugal, reformed according to the dictates of experience, and adapted to the circumstances of the present time. It would therefore be manifestly needless to revive, on this occasion, the questions recently in dispute between some of the great powers of Europe, and the people of Spain and Italy. These disputes have been practically determined by arms. Whatever may be the judgment of history concerning them, it cannot comprehend the case of Portugal, where the Constitution proceeds from the spontaneous act of a legitimate sovereign, grants a due share of power to every order of society, invades no legal possessions, disturbs no established dignity, and neither seizes an acre of land, nor spills a drop of blood; where, if any rapine or bloodshed should arise, it will be from the opponents of the Constitution, unprovoked by any acts or even words of its supporters. The only precedent which it can establish is, that a King and People may conjointly reform the institutions of a monarchy. Even those, therefore, who took up arms against the revolutions of Spain and Naples, may, in perfect consistency with all their avowed principles, approve the Constitution of Portugal. It is no part of the subject in dispute between the advocates of the unlimited sovereignty of the people, and the partisans of the indefeasible authority of monarchs. It is rather an attempt to negociate a peace between them. It has accordingly been joyfully received in Portugal by enlightened Royalists, as well as by considerate Liberals, as an attempt, by mutual concession, and under the Royal mediation, to protect the interests, and to satisfy the reasonable pretensions, of all classes of men. The principles common to both parties, are sufficient to resolve all the questions which can arise concerning it, and the prudent silence of both, on differences not now necessary to be considered, cannot be interpreted as a desertion of former opinions by either.

Let it be recollected too, that discussions about the government of the other unmixed monarchies of Europe, however important, can at present lead to nothing beyond right opinion. In Portugal alone there is a practical contest. Liberty is within the reach of the people, or rather it is in their hands—an attempt is threatened, and perhaps commenced, to snatch it from them, and, as usual, sophistry is employed to give some colour

to violence. All that can be effected by reason, is to strip it of this colour. The rest must mainly depend on the sense and spirit of the nation, and on the prudence and moderation of great states, who have now an opportunity of manifesting, that their alliance was formed against what they thought licentiousness; and that, when they condemned reformations not proceeding from the free grant of the sovereign, they really intended, what their words import, to oppose no cautious and moderate improvements, which issued from that regular source. It relates to a country which is still interesting from her ancient renown, from her heroes and her poets, from the illustrious part which she had in those discoveries and establishments which have spread the civilization of Europe over the earth, from a local situation, which connects her tranquillity with the continuance of a good understanding between some of the greatest powers, and to us of serious importance on account of the treaties of alliance and guarantee founded in common interest, which have for a century and a half bound, and which at this day bind, England to Portugal. Independent of these considerations, the introduction of liberty into the smallest spot subject to absolute power, is unspeakably more important to the well-being of mankind, than the greatest transfers of dominion, from one despotism to another. The question is not here, whether the free government be perfect? Its faults may be amended. Neither are we to inquire whether the measures adopted for its introduction be the wisest which could have been devised. The democratist must own it to be free, compared to absolute monarchy. The reasonable royalist will acknowledge it to be deliberate and stable, compared to uncontrouled democracy. Shall such a government, issuing from established authority, and accompanied by measures which bear the visible stamp of honest and benevolent intention, be overthrown by intrigue and mutiny, fomented by foreign Instigation, and supported by no national interest?

In speaking of transactions, which, though they affect the well-being of mankind, must, for the present, be regulated by the determination of a few, the writer who is conscious that, in such circumstances, he is able to do little good, will be very careful to do no harm. We shall on this subject, therefore, be content to be thought cold by most of our readers, rather than utter a syllable likely to excite or increase the fears or the anger, which would be the most formidable enemies of the cause which we undertake to defend. The subject is surrounded by warm and recent animosities, between individuals, parties and nations, which it is a principal object, and will be an unspeakable be-

nefit of the Constitution of Portugal to allay; between individuals whose reconciliation is essential to the public quiet; between parties whom prolonged or renewed contest may drive into fierce extremities; between nations still bleeding from the painful, though inevitable amputation which has cut them asunder. All these differences are connected by many ties with the general peace of Europe. Far be it from us to avail ourselves of our obscurity, so far as to treat such matters with disregard. We shall be content with *proving*, that the new Institutions of Portugal are lawful, wise, and harmless; that any attack on that Kingdom, for them, would be iniquitous; and that, if it be foreborne, though we shall accept the forbearance as an act of generosity, it will be only a duty of justice.

In a discussion of such practical moment, it is better to be ineloquent and even illogical than imprudent, and to sacrifice an advantage in reasoning, than to endanger an important interest. We shall therefore pass over, or touch very gently, events of which a more ample narrative, and a bolder examination, might indeed strengthen our argument, but would tend to defeat our purpose; and it will not be our fault if those to whom we address no warning, but in the courteous form of hope, shall ever, by their own conduct, turn our language into bitter reproach.

Before the usurpation of Portugal by Philip II. King of Spain in 1580, the Portuguese nation, though brilliantly distinguished in arts and arms, and as a commercial and maritime power, in some measure filling up the interval between the decline of Venice and the rise of Holland, had not yet taken a place in the political system of Europe. From the restoration of her independence under the House of Braganza in 1640, to the peace of Utrecht, Spain was her dangerous enemy, and France the political opponent of Spain, was her natural protector. Her relation to France was reversed as soon as a Bourbon King was seated on the throne of Spain. From that moment the union of the two Bourbon monarchies gave her a neighbour far more formidable than the Austrian princes who had slumbered for near a century at the Escurial. It became absolutely necessary for her safety that she should strengthen herself against this constantly threatening danger by an alliance, which, being founded in a common and permanent interest, might be solid and durable. England, the political antagonist of France, whose safety would be endangered by every aggrandizement of the house of Bourbon, and who had the power of rapidly succouring Portugal, without the means of oppressing her independence, was evidently the only State

from whom friendship and aid at once effectual, safe and lasting, could be expected. Hence the alliance between England and Portugal, and the union, closer than can be created by written stipulations, between these two countries. The peril, however, was suspended during forty years of the dissolute and unambitious government of Louis XV. till the year 1761, when, by the treaty known under the name of the Family Compact, the Duc de Choiseul may be justly said (to borrow the language of Roman ambition) to have reduced Spain to the form of a province. * A separate and secret convention was executed on the same day, † by which it was agreed, that if England did not make peace with France by the first of May 1762, Spain should declare war against the former power. The sixth article of the same Convention fully disclosed the magnitude of the danger which, from that moment to this, has hung over the head of Portugal. His most Faithful Majesty was to be desired to accede to the Convention, 'it not being 'just,' in the judgment of these Royal Jurists, 'that he should 'remain a tranquil spectator of the disputes of the two courts 'with England, and continue to enrich the enemies of the two 'sovereigns, by keeping his ports open to them.' The King of Portugal refused to purchase a temporary exemption from attack by a surrender of independence. The French and Spanish Ministers declared, 'That the Portuguese alliance 'with England, though called *defensive*, became in reality *of-* '*fensive*, FROM THE SITUATION OF THE PORTUGUESE DOMI- 'NIONS, and from the nature of the English power.' ‡ A war ensued—being probably the first ever waged against a country, on the avowed ground of its geographical position. It was terminated by the treaty of Paris in 1763, without any proposition on the part of France and Spain that Portugal should be cut away from the Continent, and towed into the neighbourhood of Madeira, where perhaps she might reenter on her right as an independent State to observe neutrality, and to provide for her security by defensive alliances. This most barefaced act of injustice might be passed over here in silence, if it did not so strongly illustrate the situation of Portugal, since Spain became a dependent ally of France; and if we could resist the temptation of the occasion for asking, whe-

* 15th August 1761. Martens Recueil des Traités, I. i.

† Flassan, Hist. de la Diplom. Franc. vi. Schoell Hist. abreg. des Traités, iii. 91.

‡ Note of Don. Jos. Torrero and Mr James O'Dun, Lisb. 1. April 1762, Ann. Reg. v. 210.

ther the authors of such a war were as much less ambitious than Napoleon, as they were beneath him in valour and genius. In the American war, it does not appear that any attempt was made, on principles of geography, to compel Portugal to make war on England. * The example of the Family Compact, however, was not long barren. As soon as the French Republic had reestablished the ascendant of France at Madrid, they determined to show that they inherited the principles as well as the sceptre of their monarchs. Portugal, now overpowered, was compelled to cede Olivenza to Spain, and to shut her ports on English ships. † Thus terminated the second war made against her to oblige her to renounce the only ally capable of assisting her, and constantly interested in her preservation; but these compulsory treaties were of little practical importance, being immediately followed by the peace of Amiens. They only furnished a new proof that the insecurity of Portugal essentially arose from the dependence of Spain on France, and could not be lessened by any change in the government of the latter country.

When the war, or rather wars, against universal monarchy broke out, the Regent of Portugal declared the neutrality of his dominions. ‡ For four years he was indulged in the exercise of this right of an independent prince, in spite of the geographical position of the kingdom. At the end of that period the geographical principle was enforced against him more fully and vigorously than on the former instances of its application. The Portuguese monarchy was confiscated and partitioned in a secret convention between France and Spain, executed at Fontainebleau on the 27th of October 1807, by which considerable parts of its continental territory were granted to the Prince of the Peace, and to the Spanish Princess, then called Queen of Etruria, in sovereignty, but as feudatories of the crown of Spain. § A French army under Junot marched against Portugal, and the Royal Family were compelled, in November 1807, to embark for Brazil; a measure

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* Portugal did indeed accede to the armed neutrality—but it was not till the 15th July 1782, on the eve of a general peace. MARTENS, ii. 208.

† Traité d'Alliance entre la Republique Française et le Roi d'Espagne, 19 Aout 1796. Martens, vi. 656.

‡ Traités de Badajoz, 6. Juin 1810; de Madrid, 20th September 1810. Martens Supp. ii. 340. and 539.
3. Juin 1803, Martens Supp. iii. 536.

§ Schoell, ix. 110.

strongly suggested by the constant insecurity to which European Portugal was doomed by the Family Compact, seriously entertained by the government since the treaty of Badajoz, and which may be considered as the first step towards the independence of Catholic America.

The events which followed in the Spanish Peninsula are too memorable to be more than alluded to on this occasion. Portugal was governed by a Regency nominated by the King. The people caught the generous spirit of the Spaniards, took up arms against the conquerors, and bravely aided the English army to expel them. The army, delivered from those unworthy leaders to which the abuses of despotism had subjected them, took an ample share in that glorious march from Torres Vedras to Toulouse, which forms one of the most brilliant pages in history.

The King opened the ports of his American territories to all nations,—a measure in him of immediate necessity, but fraught with momentous consequences. He cemented his ancient relations with Great Britain (which geography no longer forbad) by new treaties; and he bestowed on Brazil a separate administration, with the title of a kingdom. The course of events in the spring of 1814 had been so rapid, that there was no minister in Europe authorized to represent the Court of Rio Janeiro at the Treaty of Paris: But so close was the ancient and modern alliance with England then deemed, that Lord Castlereagh took it upon him, on the part of Portugal, to stipulate for the restoration of French Guiana, which had been conquered by the Portuguese arms. At the Congress of Vienna in the following year, the Portuguese plenipotentiaries protested against the validity of this restoration, and required the retrocession of Olivenza, which had been wrested from them at Badajos, in a war where they were the allies of England. The good offices of the European powers to obtain this last restoration were then solemnly promised, but have hitherto been in vain.

In 1816, John VI. refused to return to Lisbon, whither a squadron under Sir John Beresford had been sent to convey him; partly because he was displeased at the disregard of his rights, shown by the Congress of Vienna; partly because the unpopularity of the Commercial Treaty had alienated him from England; but probably still more, because he was influenced by the visible growth of a Brazilian party which now aimed at independence. Henceforward, indeed, the separation manifestly approached. The Portuguese of Europe began to despair of seeing the seat of the monarchy at Lisbon; the Regen-

cy were without strength, all appointments were obtained from the distant Court of Rio Janeiro; men and money were drawn away for the Brazilian war on the Rio de la Plata; the army left behind was unpaid; in fine, all the materials of formidable discontent were heaped up in Portugal, when the Spanish Revolution broke out in the beginning of 1820. Six months elapsed without a spark having fallen in Portugal; Marshal Beresford went to Rio Janeiro to solicit the interference of the King; but that Prince made no effort to prevent the conflagration, and perhaps no precaution would then have been effectual. In August 1820, the garrison of Oporto declared for a revolution; and, being joined on their march to the Capital by all the troops on their line, were received with open arms by the garrison of Lisbon; and it was determined to bestow on Portugal a still more popular constitution than that of Spain. With what prudence or justice the measures of the popular leaders in the south of Europe were conceived or conducted, it is happily no part of our present business to inquire. Those who openly remonstrated against their errors when they seemed to be triumphant, are under no temptation to join the vulgar cry against the fallen. The people of Portugal, indeed, unless guided by a wise and vigorous government, were destined by the very nature of things, in any political change made at that moment, to follow the course of Spain. The Regency of Lisbon by the advice of a Portuguese minister, at once faithful to his Sovereign, and friendly to the liberty of his country, made an attempt to stem the torrent, by summoning an assembly of the Cortes for the redress of grievances, and the reform of abuses The attempt was too late; but it pointed to the only means of saving the monarchy. The same minister, on his arrival in Brazil, at the end of 1820, advised the King to send his eldest son to Portugal as Viceroy, with a constitutional charter, in which the legislature was to be divided into two chambers, and composed as in that of 1826. He also recommended an assembly of the most respectable Brazilians at Rio Janeiro, to consider of the improvements which seemed practicable in Brazil. But while these honest, and not unpromising counsels, were the objects of longer discussions than troublous times allow, a revolution broke out in Brazil, in the spring of 1821, of which the first professed object was, not the separation of that country, but the adoption of the Portuguese Constitution; which was soon acquiesced in by the King, and espoused with the warmth of youth, by his eldest son Don Pedro. In the month of April, the King, disquieted by the commotions which encompassed him, determined to return to Lisbon, and to leave the con-

duct of the American Revolution to his son. Even on the voyage he was advised to stop at the Azores, where he might negociate with more independence: But he rejected this counsel; and on his arrival in the Tagus, on the 3d of July 1821, nothing remained but a surrender at discretion. The revolutionary Cortes were as tenacious of the authority of the mother country, as the Royal Administration; and they accordingly recalled the heir-apparent to Lisbon. But the spirit of independence arose among the Brazilians, who, encouraged by the example of the Spanish Americans, presented addresses to the Prince, beseeching him not to yield to the demands of the Portuguese assembly, who desired to make him a prisoner, as they had made his father; but, by assuming the crown of Brazil, to provide for his own safety, as well as for their liberty. In truth it is evident, that he neither could have continued in Brazil without acceding to the popular desire, nor have then left it without insuring the destruction of monarchy in that country. He acquiesced therefore in the Prayer of these flattering petitions; the independence of Brazil was proclaimed; and the Portuguese monarchy was finally dismembered.

In the summer of 1823, the advance of the French army into Spain, excited a revolt of the Portuguese Royalists. The infant Don Miguel, the King's second son, attracted notice, by appearing at the head of a battalion who declared against the Constitution; and the inconstant soldiery, equally ignorant of the object of their revolts against the King or the Cortes, were easily induced to overthrow the slight work of their own hands.

Even in the moment of victory, however, King John VI. solemnly promised a free government to the Portuguese nation. His proclamation says,

'Inhabitants of Lisbon—your *liberties* shall be guaranteed in a manner, which, while it secures the dignity of the Crown, *respects and maintains the Rights of Citizens.*'—Proclamation of the King, Villa Franca, 31. May 1823.

'Portuguese! Your King, placed in liberty on the Throne, will promote your happiness. *He is about to give you a Constitution*, from which will be excluded the principles which experience has shown to be incompatible with the quiet of the State.'—Id. 3d June 1823.

Don Miguel at the same time said,

'Do not believe that we seek to *restore despotism.*'—Proclamation of D. Miguel, 27th May 1823. *

* O Padre Amaro, vi. 243. A Portuguese Journal published in London.

A few weeks after, the King gave a more deliberate and decisive proof of what was then thought necessary to the security of the Throne, and the well-being of the people, by a Royal decree, which, after pronouncing the nullity of the Constitution of the Cortes, proceeds as follows.

'Conformably to my feelings, and the sincere promises of my proclamations, and considering that the ancient fundamental laws of the monarchy cannot entirely answer my paternal purposes, without being *accommodated to the present state of civilization, to the mutual relations of the different parts which compose the monarchy, and to the form of Representative Governments established in Europe,* I have appointed a Junta to prepare the plan of a Charter of the fundamental laws of the Portuguese monarchy, which shall be founded on the principles of public law, and open the way to a progressive reformation of the Administration.'—Decree, 18th June 1823. †

Count, now Marquis Palmella,—the Statesman to whose counsels we have already adverted, was appointed President of this Junta, composed of the most distinguished men in the kingdom. They completed their work in a few *months*; and presented to the King the plan of a Constitutional charter, almost exactly the same with that granted in 1826 by Don Pedro. John VI. was favourable to it. He considered it as an adaptation of the ancient fundamental laws, to present circumstances. While the Revolution was triumphant, the most reasonable Royalists regretted that no attempt had been made to avoid it by timely concession. In the first moment of escape, when the remembrance of danger was fresh, the remains of the same feelings disposed the Court to concede something. But after a short interval of quiet, the possessors of authority relapsed into the ancient and fatal error of their kind;—that of placing their security in maintaining that unbounded power, which had proved their ruin. A resistance to the reform of the Constitution which grew up in the interior of the Court, was fostered by foreign influence, and after a struggle of some months, prevented the promulgation of the charter.

In April 1824, events occurred at Lisbon, on which, for reasons already given, we shall touch as lightly as possible. They are indeed of such public notoriety, that they do not require a recital. It is well known that part of the garrison of Lisbon surrounded the King's palace, and hindered the access of his servants to him; that some of his Ministers were imprisoned; that the diplomatic Body, including the Papal Nuncio, the French Ambassador, and the Russian as well as English Minister, were the means of restoring him to some degree of

† O Padre Amaro, vi. 269.

liberty, which was however so imperfect and insecure, that, by the advice of the French Ambassador, the King of Portugal took refuge on board of an English ship of war in the Tagus, where he was at length able to assert his dignity and reestablish his authority. Over the part in these transactions, into which evil counsellors betrayed the inexperience of Don Miguel, it is at present peculiarly proper to throw a veil, in imitation of his father, who forgave these youthful faults as 'involuntary errors.'

This proof of the unsettled state of the general opinion and feeling respecting the government, suggested the necessity of a conciliatory measure, which might in some measure compensate for the defeat of the constitutional charter in the preceding year. The minister who, both in Europe and in America, had attempted to avert revolution by reform, was not wanting to his sovereign and this country at this crisis. But still counteracted by foreign influence, and opposed by a Portuguese Minister devoted to the adverse party, who was a personal favourite of the King, he could not again propose the charter, nor even obtain so good a substitute for it as he desired. But he had the merit of being always ready to do the best practicable. By his counsel, the King issued a proclamation on the 4th of June 1824, * for restoring the ancient constitution of the Portuguese Monarchy, with assurances that an assembly of the Cortes, or Three Estates of the Realm, should be speedily held with all their legal rights, and especially with the privilege of laying before the King, for his consideration, the heads (or chapters) of such measures as they might deem necessary for the public good, for the administration of justice, and for the redress of grievances, whether public or private. To that assembly was referred the consideration of the periodical meetings of succeeding Cortes, and 'the means' of progressively ameliorating the administration of the State.' The proclamation treats this reestablishment as being substantially the same with the constitutional charter drawn up by the Junta in the preceding year; and it is accordingly followed by a decree, dissolving that junta, as having performed its office. Though these representations were not scrupulously true, yet when we come to see what the rights of the Cortes were in ancient times, the language of the proclamation will not be found to deviate more widely into falsehood than is usual in the preamble of acts of state. Had the time for the convocaton of the first Cortes been fixed, it will soon appear that the restoration of the

* O Padre Amaro, viii. 216.—223.

ancient constitution of Portugal might, without much exaggeration, have been called the establishment of liberty. For this point the Marquis Palmella made a struggle. But the King thought that he had done enough, in granting such a pledge to the Constitutionalists, and was willing to soothe the Absolutists, by reserving to himself the choice of a time. On the next day he created a Junta, to prepare, 'without loss of time,' the regulations necessary 'for the convocation of the Cortes, and for the election of the members.' As a new proof of the growing conviction that a free constitution was necessary, and a solemn promise that it should be established, the declaration of the 4th of June is by no means inferior in force to the acts which have been previously cited. Nay, in that light, it may be considered as deriving additional strength, from those appearances of reserve and reluctance which distinguish it from the more ingenious, and really more politic declarations of 1823. But its grand defect was of a practical nature, and consisted in the opportunity which indefinite delay affords, for evading the performance of a promise.

Immediately after the counter revolution in 1823, John VI. sent a mission to Rio Janeiro, requiring the submission of his son and his Brazilian subjects. But whatever might be the wishes of Don Pedro, he had no longer the power to transfer the allegiance of a people who had tasted independence; who were full of the pride of their new acquisition; who valued it as their only security against the old monopoly, and who may well be excused for thinking it more advantageous to name at home, the officers of their own government, than to receive rulers and magistrates from the intrigues of courtiers at Lisbon. Don Pedro could not restore to Portugal her American empire; but he might easily lose Brazil in the attempt. A negociation was opened at London, in the year 1825, under the mediation of Austria and England; a choice which already proved that England had quietly and amicably, but decisively, withdrawn from the confederacy of absolute monarchs. The differences between the two branches of the House of Braganza were, it must be admitted, peculiarly untractable. Portugal was to surrender her sovereignty, or Brazil to resign her independence. In such a controversy, there is no middle term towards which the good offices of common friends may gradually lead both parties. Union, on equal terms, was equally objected to by both. The Portuguese of America were as averse from a sovereign at Lisbon, as those of Europe from a sovereign at Rio Janeiro. It was evident that no amicable issue of such a negociation was possible, which did not involve acquiescence in the separation; and the very act of undertaking the mediation, sufficiently

evinces that this event was contemplated by the mediating powers. The Portuguese minister in London, Count Villa Real, presented projects which seemed to contain every concession short of independence. But the Brazilian deputies who, though not admitted to the conference, had an unofficial intercourse with the British Ministers, declared, as might be expected, that nothing short of independence could be listened to. It was agreed, therefore, that Sir Charles Stuart, who was about to go to Rio Janeiro to negociate a treaty between England and Brazil, should take Lisbon on his way, and endeavour to dispose the Portuguese government to consent to a sacrifice which could no longer be avoided. He was formally permitted by his own Government to accept the office of Minister Plenipotentiary, from Portugal to Brazil, if it should be proposed to him at Lisbon. Certainly no man could be more fitted for this delicate mediation, both by his extraordinary knowledge of the ancient constitution of Portugal, and by the general confidence which he had gained while a minister of the Regency during the latter years of the war. He arrived at Lisbon about the end of March 1825, and, after a series of conferences with the Count de Porto Santo, minister for foreign affairs, which continued from the 5th of April to the 23d of May, and in the course of which two points were considered as equally understood, that John VI. should cede to Don Pedro the sovereignty of Brazil, and that Don Pedro should preserve his undisputed right as heir of Portugal, he set sail for Rio Janeiro, furnished with full powers, as well as instructions, and more especially with Royal Letters Patent* of John VI., to be delivered on the conclusion of an amicable arrangement, containing the following important and decisive clause.

'*And as the succession of the Imperial and Royal Crowns belongs to my beloved son Don Pedro*, I do, by these letters patent, cede and transfer to him the full exercise of sovereignty in the empire of Brazil, which is to be governed by him; nominating him Emperor of Brazil, and *Prince Royal of Portugal and the Algarves.*'

A treaty was concluded on the 29th of August 1825, by Sir Charles Stuart, recognising the independence and separation of Brazil, acknowledging the sovereignty of that country to be vested in Don Pedro; allowing the King of Portugal also to assume the Imperial title; binding the Emperor of Brazil to reject the offer of any Portuguese colony to be incorporated with his dominions; and containing some other stipulations usual in treaties of peace. This treaty was ratified at Lisbon,

* Carta Regia Patente, bearing date at the Palace of Bemposta, 13th May 1825.

on the 5th November 1825, by Letters Patent, from which, at the risk of some repetition, it is necessary to extract two clauses, of which the decisive importance will be shortly seen.

' * I have ceded and transferred to my beloved son Don Pedro de Alcantara, *heir and successor of these kingdoms*, all my rights over that country, recognising its independence with the title of empire. *We recognise our said son* Don Pedro de Alcantara, *Prince of Portugal and the Algarves*, as Emperor, and having the exercise of sovereignty in the whole empire.'

The part of this proceeding which is intended to preserve the right of succession to the Crown of Portugal for Don Pedro, is strictly conformable to diplomatic usage, and to the principles of the law of nations. Whatever relates to the cession of a claim is the proper subject of agreement between the parties, and is therefore inserted in the treaty. The King of Portugal, the former Sovereign of Brazil, cedes his rights or pretensions in *that* country to his son. He releases all his former subjects from their allegiance. He abandons those claims which alone could give him any colour or pretext for interfering in the internal affairs of that vast region. Nothing could have done this effectually, solemnly, and notoriously, but the express stipulation of a treaty. Had Don Pedro therefore been at the same time understood to renounce his right of succession to the Crown of Portugal, an explicit stipulation in the treaty to that effect would have been necessary; for *such a renunciation would have been the cession of a right.* Had it even been understood, that the recognition of his authority as an independent monarch *implied* the abdication of his rights as heir-apparent to the Portuguese Crown, it would have been consonant to the general tenor of the treaty, explicitly to recognise this abdication. The silence of the treaty is a proof that none of the parties to it considered these rights as taken away or impaired, by any previous or concomitant circumstance. Stipulations were necessary when the state of regal rights was to be altered; but they would be at least impertinent where it remained unchanged. Silence is in the latter case sufficient; since, where nothing is to be done, nothing needs be said. There is no stipulation in the treaty, by which Don Pedro acknowledges the sovereignty of his father in Portugal; because that sovereignty is left in the same condition in which it was before. For the very same reason the treaty has no article for the preservation of Don Pedro's right of succession to Portugal. Had Don Pedro required a stipulation in the treaty for the maintenance of these rights, he would have done an act which more tended to bring them into question, than to strengthen

* Gazeta de Lisbon, 15. November 1825.

them. As they were rights which John VI. could not take away, it was fit and wise to treat them also as rights which no act of his could bestow or confirm.

But though a provision for the preservation of these rights in the treaty was needless, and would have been altogether misplaced, there were occasions on which the recognition of them was fit, and, as a matter of abundant caution, expedient. These occasions are accordingly not passed over. The King of Portugal styles Don Pedro the heir of Portugal, both in the first letters patent, addressed to his Brazilian subjects, in which he recognises the independence of Brazil, and in the second, addressed to his Portuguese subjects, where he ratifies the treaty which definitively established that independence. Acknowledged to be the monarch, and for the time the lawgiver of Portugal, and necessarily in these acts, claiming the same authority in Brazil, he announces to the people of both countries that the right of his eldest son to inherit the Crown was, in November 1825, inviolate, unimpaired, unquestioned.

The ratifications are, besides, a portion of the treaty; and when they are exchanged, they become as much articles of agreement between the parties, as any part of it which bears that name. The recognition repeated in this ratification proceeded from John VI. and was accepted by Don Pedro. Nothing but express words could have taken away so important a right as that of succession to the Crown. In this case, there are express words which recognise it. Though it has been shown that silence would have been sufficient, the same conclusion would unanswerably follow, if the premises were far more scanty. The law of nations has no established form, a deviation from which is fatal to the validity of the transactions to which they are appropriated. It admits no merely technical objections to conventions formed under its authority, and is bound by no positive rules in the interpretation of them. Wherever the intention of contracting parties is plain, it is the sole interpreter of a contract, in cases of international law. Now, it is needless to say that, in the treaty of Rio Janeiro, taken with the preceding and following letters-patent, the *manifest intention* of King John VI. was not to impair, but to recognise the rights of his eldest son, to the inheritance of Portugal.

On the 10th of March 1826, John VI. died at Lisbon. On his deathbed, however, he made provision for the temporary administration of the Government. By a Royal Decree, of the 6th of March, he committed the government to his daughter, the Infanta Donna Isabella Maria, assisted by a Council during his illness, or, in the event of his death, till '*the legitimate heir and successor to the Crown should make other provision*

'*in this respect.*'* These words have no ambiguity. In every hereditary monarchy they must naturally, and almost necessarily, denote the eldest son of the King, when he leaves a son. It would, in such a case, require the strongest evidence to warrant the application of them to any other person. It is clear that the King must have had an individual in view, unless we adopt the most extravagant supposition that, as a dying bequest to his subjects, he meant to leave them a disputed succession and a civil war. Who should that individual be, but Don Pedro, his eldest son, whom, according to the ancient order of succession to the crown of Portugal, he had himself called '*heir and successor*,' on the 13th of May and 5th of November preceding. What need is there of argument to prove a point so clear? or rather, by what proposition more evident than the plain sense of the words themselves, could the natural interpretation of them be rendered more certain? Such, accordingly, was the conviction, and the correspondent conduct of all whose rights or interests were concerned. The Regency was immediately installed, and universally obeyed at home, as well as acknowledged, without hesitation or delay, by all the Powers of Europe. The Princess Regent acted in the name, and on the behalf of her brother, Don Pedro. Not a voice was raised in any corner of Europe against his hereditary right. It was impossible that the succession of any Prince to a throne could be more quiet and undisputed. The universal acquiescence in his perfect and unsuspected legitimacy is the more observable, because his father had, as it were, proclaimed him as the heir of Portugal in May and in November. All parties submitted, after ample notice and abundant time for consideration. Taking the character of some of them into account, we may be assured that they would not have been silent if they had not been satisfied that Don Pedro succeeded to his father, as lawfully as any former Prince of the House of Braganza had inherited the throne of Portugal.

The Regency, without delay, notified the demise of the late King to their new Sovereign: And here the difficulties of that Prince's situation began to show themselves. Though the treaty had not weakened his hereditary right to Portugal, yet the main object of it was to provide, not only for the independence of Brazil, but for its 'separation' from Portugal, which undoubtedly imported a separation of the Crowns. Possessing the Government of Brazil, and inheriting that of Portugal, he became bound by all the obligations of the treaty between the two States. Though he inherited the crown of Portugal by the laws of that country, yet he was disabled by

* Gazeta de Lisboa, 7. de Margo 1826.

treaty from *permanently* continuing to hold it with that of Brazil. But if, laying aside unprofitable subtleties, we consult only conscience and common sense, we shall soon discover that these rights and duties are not repugnant, but that, on the contrary, the legal right is the only means of performing the federal duty. The treaty did not expressly determine which of the two crowns Don Pedro was bound to renounce; it therefore left him to make an option between them;—For the implied obligations of a contract extend only to those acts of the parties which are necessary to the attainment of its professed object. If he chose, as he has chosen, to retain the Crown of Brazil, it cannot, by reasonable implication, require an *instantaneous* abdication of that of Portugal, because such a limitation of time is not necessary, and may be very injurious to the object. It leaves the choice of time, manner, and conditions to him, requiring only good faith, and interdicting nothing but fraudulent delay. He inherited both Crowns; but under an obligation to separate them; and he was bound so to exercise his prerogative in the choice of seasons and means, as to render the separation most conducive to the secure independence of both. Had he not (according to the principle of all hereditary monarchs) become King of Portugal at the instant of his father's demise, there would have been no person possessed of the legal and actual power in both countries necessary to carry the treaty of separation into effect. If the Portuguese had not acquiesced in his authority, they must have voluntarily chosen anarchy; for no one could have the power to discharge the duty imposed by treaty, or to provide for any of the important changes which it might occasion. The most remarkable example of this latter sort, was the order of succession. The separation of the two Crowns rendered it absolutely impossible to preserve that order in both monarchies; for both being hereditary, the legal order required that both Crowns should descend to the same person, the eldest son of Don Pedro—the very union which it was the main or sole purpose of the treaty to prevent. A breach in the order of succession became therefore inevitable, either in Portugal or Brazil. Necessity required the deviation. But the same necessity vested in Don Pedro, as a king and a father, the power of regulating, in this respect, the rights of his family; and the permanent policy of monarchies required that he should carry the deviation no farther than the necessity. The same difficulties, the same need of a discretionary power, and the same politic restraint on its exercise, existed in the establishment of a regent, if the Crown should devolve on a minor.

The state of the Royal Family in March 1826 was as follows:—

John VI., then 59.
Charlotte of Spain, 51.
Leopoldine of Austria, aged 25.
1 Don Pedro, aged 25.
2 Don Miguel, aged 24.
1 The Widow of a Spanish Prince resident in Spain.
2 Wife of a Spanish Prince resident in Spain.
3 Maria Isabella, 25, Princess Regent.
1 Don Sebastian.
1 Maria de Gloria.
2 Pauline.

It will be seen, from the above rough sketch, that as the nearer female inherits before the more distant male, Don Miguel had no right which was immediately involved in the arrangement to be adopted; and it is acknowledged, that the two daughters of John VI., married and domiciled in Spain, had lost their rights as members of the Royal Family. Neither the Queen, nor indeed any other person, had a legal title to the regency, which in Portugal, as in France and England, was a case omitted in the constitutional laws; and, as no Cortes had been assembled for a century, could only be provided for by the King, who, of necessity, was the temporary lawgiver. The only parties who could be directly affected by the allotment of the two Crowns, were the children of Don Pedro, the eldest of whom was in her sixth year. The more every minute part of this case is considered, the more obvious and indisputable will appear to be the necessity, that Don Pedro should retain the powers of a King of Portugal, until he had employed them for the quiet and safety of both kingdoms, as far as these might be endangered by the separation. He held, and holds that Crown, as a trustee for the execution of the treaty. To hold it after the trust is performed, would be usurpation; to renounce it before that period, would be treachery to the trust.

If the situation of Portugal and Brazil at the death of John be considered, independent of treaty, it is evident that an union of the crowns could not then be attempted, and that, whether the separation was regarded as an inevitable evil, or an indispensable good, in either case it must be adhered to. Both countries had just emerged from revolutions. The temper of the people in both was unquiet and distrustful. They were remote from each other; they had jarring interests and adverse prejudices. They had very lately been enemies in civil war. That they could no longer be permanently ruled by the same monarch, was shown to be the conviction of Don Pedro, by his whole previous conduct, and proved to be the opinion of his father, by his renunciation of Brazil. The impossibility of reuniting these countries was the principle and foundation of the treaty; and must be considered as recognised substantially by the mediating powers in the negociations of London. That Don Pedro should have chosen Brazil, must always have been foreseen, for his election was almost determined by his preceding conduct. He preferred Brazil, where he had been the founder of a State, to Portugal, where the most conspicuous measures of his life could be viewed with no more than reluctant acquiescence. The next question which arose was, whe-

ther the inevitable breach in the order of succession was to be made in Portugal or Brazil; or, in other words, of which of these two disjoined kingdoms the Infant Don Sebastian should be the heir-apparent. The father made the same choice for the eldest son as for himself. It was indeed natural that (where an option was necessary) he should reserve for the constitutional heir the dominions which he himself chose to rule, and the selection of this settlement of the Brazilian crown seemed to be the only sufficient pledge of his determination to abide by his own choice. As Don Sebastian preserved his right of succession in Brazil, *the principle of the least possible deviation from the legal order*, required that the Crown of Portugal should devolve on his sister Donna Maria, the next in succession of the Royal Family.

After this exposition of the rights and duties of Don Pedro, founded on the principles of public law, and on the obligations of treaty, and of the motives of policy which might have influenced him in the case where he was left free to follow the dictates of his own judgment, let us consider very shortly what a conscientious ruler would, in such case, deem necessary to secure to both portions of his subjects all the advantages of their new position. He would be desirous of softening the humiliation of one, of effacing the recent animosities between them, of reviving their ancient friendship, by preserving every tie which reminded them of former union and common descent. He would therefore, even if he were impartial, desire that they should continue under the same Royal Family which had for centuries ruled both. He would labour, as far as the case allowed, to strengthen the connexions of language, of traditions, of manners and religion, by the resemblance of laws and institutions. He would clearly see that his Brazilian subjects never could trust his fidelity to their limited monarchy, if he maintained an absolute government in Portugal; and that the Portuguese people would not long endure to be treated as slaves, while those whom they were not accustomed to regard as their superiors were thought worthy of the most popular constitution. However much a monarch were indifferent or adverse to liberty, these considerations would lose nothing of their political importance; for a single false step in this path might overthrow monarchy in Brazil, and either drive Portugal into a revolution, or seat a foreign army in her provinces, to prevent it. It is evident that popular institutions can alone preserve monarchy in Brazil from falling before the principles of republican America; and it will hardly be denied, that, though some have questioned the advantage of liberty, no people were ever

so mean spirited as not to be indignant at being thought unworthy of it, as a privilege. Viewing liberty with the same cold neutrality, a wise statesman would have thought it likely to give stability to a new government in Portugal, and to be received there as some consolation for loss of dominion. Portugal, like all the other countries between the Rhine and the Mediterranean, had been convulsed by conquest and revolution. Ambition and rapacity, fear and revenge, political fanaticism and religious bigotry—all the ungovernable passions which such scenes excite, still agitated the minds of those who had been actors or victims of them. Experience has proved, that no expedient can effectually allay these deep-seated disorders, but the institution of a government in which all interests and opinions are represented, which keeps up a perpetual negociation between them, which compels each in its turn to give up some part of its pretensions, and provides a safe field of contest in those cases where a treaty cannot be concluded. Of all stages in the progress of human society, the period which succeeds the troubles of civil and foreign war is that which most requires this remedy; for it is that in which the minds of most men are the most dissatisfied, the most active, and the most aspiring. The experiment has proved most eminently successful in the Netherlands, now beyond all doubt the best governed country of the Continent. It ought to be owned, that it has also in a great measure succeeded in France. Italy, and Spain!—Of these countries we shall now say nothing, but that, being occupied by foreign armies, they cannot be quoted as examples on the employment of an internal remedy, in a country which has been revolutionized. If any principle be now universally received in government, it seems to be, that the disorders of such a country must either be contained by foreign arms, or composed by a representative constitution.

But there were two circumstances which rendered the use of this remedy peculiarly advisable in Portugal. The first is, that it was so explicitly, repeatedly, and solemnly promised by John VI., not only in his liberal declarations of 1823, but, as will shortly be seen, in his declaration for the reestablishment of the ancient constitution, issued in 1824, before he had recovered from the disturbance and disquiet which were the natural effect of the scenes which passed at Lisbon in April and May of that year. It was offered in part for the express purpose of preventing a democratical revolution, and of quieting the disorder which an attempt of that nature had left behind. In Portugal it would have been a breach of faith, while in some countries it might only be an act of unwise policy to withhold it. In this light, it would have been peculiarly dan-

gerous to a *new* establishment, and must have increased the suspicions of the Brazilians of their monarch's sincerity, as well as the indignation of the Portuguese at exclusion from privileges enjoyed by their old vassals.

In the *second* place, the establishment of a free constitution in Portugal, afforded an opportunity of sealing a definitive treaty of peace between the most discordant parties, by opening (after a due period of probation) to the Prince whom the Ultra-Royalist faction have placed in their front, a prospect of being one day raised to a higher station, under the system of liberty, than he could have expected to reach if both Portugal and Brazil had continued in slavery.

It is unworthy of a statesman, or of a philosopher, to waste time in childishly regretting the faults of a Prince's personal character. The rulers of Portugal can neither create circumstances, nor form men according to their wishes. They must take men and things as they find them; and their wisdom will be shown, by turning both to the best account. The occasional occurrence of great personal faults in princes, is an inconvenience of hereditary monarchy, which a wise limitation of royal power may abate and mitigate. Elective governments are not altogether exempt from the same evils, besides being liable to others; and all comparison of the two systems is, in the present case, a mere exercise of ingenuity; for it is apparent, that liberty has at this time no chance of establishment in Portugal, in any other form than that of a limited monarchy. The situation of Don Miguel renders it possible to found the constitution on an union between him, as the representative of the Ultra Royalists, and a young Princess, whose rights will be incorporated with the establishment of liberty. Through her, the leader of one party must hold whatever authority it may one day prove safe to vest in him.

As soon as Don Pedro was informed of his father's death, he proceeded to the performance of the task which had devolved on him. He began, on the 29th of April, by granting a constitutional charter to Portugal. On the 26th, he confirmed the Regency appointed by his father, till the proclamation of the constitution. On the 2d of May he abdicated the Crown in favour of his daughter, Donna Maria; on condition, however, 'that the abdication shall not be valid, and 'the Princess shall not quit Brazil; until it be made officially 'known to him, that the constitution had been sworn to, ac-'cording to his orders; and that the espousals of the Princess 'with Don Miguel shall have been made, and *the marriage* '*concluded*—and this abdication and cession shall not take place,

' if either of these two conditions shall fail.' * On the 26th of April, letters-patent, or writs of summons, had issued, addressed to each of those who were to form the House of Peers, of which the Duke de Cadaval was named President, and the Patriarch Elect of Lisbon Vice-President. A decree was issued on the same day, commanding the Regency of Portugal to take the necessary measures for the immediate election of members of the other House, according to the tenor of the constitutional law. † When these laws and decrees were received at Lisbon, the Regency proceeded instantly to put them into execution; in consequence of which, the constitution was proclaimed, the Regency installed, the elections commenced, and the Cortes of Portugal were finally assembled at Lisbon on the 30th of October 1826.

But before we make any remarks on these institutions and arrangements, we are under the necessity of stopping for a moment to inquire, whether the Emperor of Brazil had, by the laws of Portugal, the power to regulate the affairs of that kingdom. Hitherto, as we have seen, no question had been raised on this subject. All parties within and without Portugal had treated his right of succession to his father in the throne of that kingdom as undisputed. But no sooner had he exercised that right, by the grant of a free constitution, than it was discovered by some Ultra Royalists, that he had forfeited the right itself; that his power over Portugal was an usurpation, and his constitutional law an absolute nullity! The newspapers of the Jesuitical party at Paris (the Quotidienne and the Drapean blanc) spread these doctrines over Europe; and a person of the name of *Laurentie*, who had a year or two before vindicated the massacre of St Bartholomew, which he called ' a salutary rigour,' embodied them in a pamphlet. ‡. The arguments did not, in themselves, deserve the compliment of refutation; but they had too much the appearance of being the manifesto of a party, the power of whose arms, at least, experience has taught us not to contemn. Don Miguel, whose name was perpetually in the mouth of these writers, continued at Vienna. The Spanish Government and its officers breathed menace and invective. Foreign agency manifested itself in Portugal; and some bodies of troops, both on the northern and southern frontier, were excited to a sedition for slavery. Under these circumstances, we deemed it to be our duty to prepare the only weapon in our power in defence of liberty, in the only country where she

* Diario Fluminense, 2 Maio 1826 † Ibid. 3 Maio.

‡ Considerations sur les Constitutions Democratiques, p. 117. Paris, 1826.

could maintain a struggle with a probability of success;—although we are well aware how little could be done by argument, where argument formed so very small a part of the force of our opponents. Though appearances have become calmer and more favourable, we do not yet consider ourselves as absolved from the duty which we had undertaken.

'All foreigners,' say the objectors, 'are, by the fundamental laws of Portugal, excluded from the succession to the Crown. This law was passed at the foundation of the monarchy, by the celebrated Cortes of Lamego, in 1143, under Alfonso, the first King of Portugal. It was confirmed, strengthened, and enlarged by the Cortes of 1641; and by it, on the last occasion, the King of Spain was declared an usurper, and the House of Braganza were raised to the throne. Unless this law be recognised, the Braganza Princes were usurpers, and Ferdinand VII. is legitimate King of Portugal, and has as just rights, and as effectual means of enforcing them in Brazil as in Mexico. But Don Pedro had, by the treaty which recognised him as Emperor of Brazil, become a foreign sovereign, and was therefore, at the death of his father, disqualified to inherit the Crown of Portugal.' All that can by any indulgence be called argument, in Laurentie and his fellow-labourers, is contained in these few words.

The fundamental laws thus invoked to shield absolute monarchy from reformation, are either the most ancient monuments of liberty in the south of Europe, or the acts of a revolution, in which the people of Portugal threw off a foreign yoke. The proceedings of the Cortes of Lamego afford so curious a specimen of the rude election by which the nation bestowed a crown on a victorious leader, that we venture to subjoin the simple, dramatic, and even picturesque narrative of the Chronicler, who has related those events in a diction so barbarous, as to be a pledge of its antiquity. *.

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* Cortes de Lamego.—Anno de 1143.

'Prima congregatio Regis Alfonsi, Henrici Comitis filii, in qua agitur de regni negotijs, & multis alijs rebus magni ponderis, & momenti.

'In nomine Sanctæ, & individuæ Trinitatis, Patris, Filii, & Spiritus Sancti, Trinitas inseparabilis, quæ nūquam separari potest. Ego Alfonsus Comitis Henrici, & Reginæ Tarasiæ filius, magnique Alfonsi Imperatoris Hispaniarum nepos, ac pietate divina ad Regium solium nuper sublimatus. Quoniam nos concessit deus quietari, & dedit victoriam de Mauris nostris inimicis, & propterea habemus aliquantam respirationem; ne forte nos tempus non habeamus postea, convocavimus omnes istos, Archiepiscopum Bracharens. Episcopum Portuens. Episcopum

The part of it which belongs to our present purpose may be shortly stated. A few years after the establishment of the Normans in England, Henry, a Burgundian Prince, who served under the King of Castile in his wars against the Moors, obtained from that Monarch the newly conquered territory between the rivers Douro and Minho as a fief. His son Alfonso,

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Coimbriēsem, Episcopum Lamecens · viros etiam nostræ curiæ infra positos, & procurantes bonam protem per suas civitates, per Coimbriam, per Vimaranes, per Lamecum, per Viseum, per Barcellos, per Portum, per Francosum, per Chaves, per Castrum Regis, per Bouzellas, per Parietes vetulas, per Senam, per Civithanam, per Alonte Alagiore, per Isgueiram, per Villa Regis, & per parte domini Regis Laurentius Venegas; & multitudo ibi erat de Monachis, & de Clericis, & congregati sumus Lamecum in Ecclesia Sanctæ Alariæ Almacave, seditque Rex in solio Regio, sine insignijs Regijs, & surrexit Laurentius Venegas procurator Regis, & dixit—

'Congregavit vos Rex Alfonsus, quem vos fecistis in Campo Auriquio, ut videatis bonas litteras domini Papæ, et dicatis si vultis quod sit ille Rex. Dixerunt omnes: Nos volumus quòd sit Rex: Et dixit procurator: Quomodo erit Rex: ipsi, aut filij ejus, aut ipse solus Rex? Et dixerunt omnes: Ipse, in quantum vivet, & filij ejus postea quam non vixerit. Et dixit procurator: Si ita vultis, date illi insigne. Et dixerunt omnes: Demus in dei nomine. Et surrexit Archiepiscopus Brachrarensis, & tulit de manibus Abbatis de Laurbano, coronam auream magnam, cum multis margaritis, quæ fuerat de Regibus Gottorum, & dederant Monasterio, & posuerunt illā Regi. Et dominus Rex cum spata nuda in manu sua, cum qua ivit in bello, dixit: Benedictus Deus qui me adjuvavit. Cum ista spata liberavi vos, & vici hostes nostros, & vos me fecistis Regem, & socium vestrum. Si quidem me fecistis, constituamus leges, per quas terra nostra sit in pace. Dixerunt omnes: volumus domine Rex, & placet nobis constituere leges, quas vobis bene visum fuerit, & nos sumus omnes cum filijs, filiabus, neptibus, & nepotibus, ad vestrum mandare. Vocavit citius dominus Rex Episcopos, viros nobiles, & procuratores, & dixerunt inter se: Faciamus in principio leges de hæreditate Regni; & fecerunt istas sequentes.

'Vivat dominus Rex Alfonsus, & habeat Regnum. Si habuerit filios varones, vivant, & habeant Regnum, ita ut non sit necesse facere illos de novo Reges. Ibunt de isto modo. Pater, si habuerit Regnum, cum fuerit mortuus, filius habeat, postea nepos, postea filius nepotis, & postea filios filiorum in sæcula sæculorum per semper.

'Si fuerit mortuus primus filius, vivente Rege patre, secundus erit Rex, si secundus, tertius, si tertius, quartus, & deinde omnes per istum modum.

'Si mortuus fuerit Rex sine filijs, si habeat fratrem sit Rex in vita ejus: & cum fuerit mortuus, non erit Rex filius ejus, si non fecerint eum Episcope, & procurantes, & nobiles curiæ Regis; si fecerint Regem, erit Rex, si non fecerint non erit Rex.'

'Dixit postea Laurentius Venegas, procurator domini Regis ad pro-

threw off the superiority of Castile, and, after defeating the Moors at the great battle of Campo Ouriquez, in 1139, was declared king by the Pope, and acknowledged in that character by an assembly of the principal persons of the community, held at Lamego, in 1143, composed of bishops, nobles of the court, and, as it should seem, of procurators of the

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curantes. Dicit Rex: si vultis quod intrent filias ejus in hæreditatibus regnandi, & si vultis facere leges de illas? Et posteaquàm altercaverunt per multas horas, dixerunt: Etiam filiæ domini Regis sunt de lumbis ejus, & volumus eas intrare in Regno, & quod fiant leges super istud. Et Episcopi & nobiles fecerunt leges, de isto modo.

' Si Rex Portugalliæ non habuerit masculum, & habuerit filiam, ista erit Regina, postquam Rex fuerit mortuus de isto modo: *Non accipiet virum nisi de Portugal*, nobilis, & talis non vocabitur Rex, nisi postquam habuerit de Regina filium varonem, & quando fuerit in congregatione maritus Reginæ, ibit in manu manca, & maritus non ponet in capite coronam Regni.

' Sit ista lex in sempeternum, quod prima filia Regis accipiat maritum de Portugalle, *ut non veniat Regnum ad estraneos, & si casaverit cum Principe estraneo*, non sit Regina; quia nunquam volumus nostrum Regnum ire for de Portugalensibus, qui nos, sua fortitudine, Reges fecerunt sine adjutorio alieno per suam fortitudinem, & cum sanguine suo.

' Istæ sunt leges de hæreditate Regni nostri; & legit eas Albertus Cancellarius domini Regis ad omnes, & dixerunt: Bonæ sunt, justæ sunt, volumus eas per nos, & per semen nostrum post nos.

' Et dixit procurator domini Regis. Dicit dominus Rex: Vultis facere leges de nobilitate, & justitia? & responderunt omnes: Placet nobis, sit ita in dei nomine, & fecerunt istas.

' Omnes de semine Regis, & de generationibus filiorum, & nepotum sint nobilissimi viri. *Qui non sunt de Mauris, & de infidelibus Judæis*, sed Portugalensis, qui liberaverint personam Regis, aut ejus pendonem, aut ejus filium, vel generum, in bello sint nobiles. Si aliquis comprehensus de infidelibus mortuus erit, propter quod non vult esse infidelis, sed stat per legem Christi, filij ejus sint nobiles. Qui in bello mataverit Regem inimicum, vel ejus filium, & gancaverit ejus pendonem, sit nobilis. Omnes qui sunt de *nostra curia*, & fuerunt de *antiquo nobiles, sint per semper nobiles.* Omnes illi qui fuerunt in lide magna de Campo Dauriquio, *sint tanquam nobiles*, & nominentur mei vassali per totas suas generationes.

' Nobiles si fugerint de lide, si percusserint cum spata si lancea mulierem, si non liberaverint Regem, aut filium ejus, aut pendonem pro suo posse in lide, si juraverint falsum testimonium, si non dixerint veritatem Regibus, si male falaverint de Regina, & filiabus ejus, si fuerint ad Mauros, si fustaverint de alienis, si blasfemaverint ad Jesum Christum, si voluerint matare Regem, non sint nobiles, neque illi, neque filios eorum per semper.

' Istæ sunt leges de nobilitate; & legit eas Cancellarius Regis Alber-

towns. The Crown, after much 'altercation' was made hereditary, first to males and then to females; but on condition that '*the female heir should always marry a man of Portugal, that* '*the kingdom may not fall to foreigners; and if she marries a foreign Prince, she shall not be Queen, because we will that our* '*kingdom shall go only to the Portuguese, who, by their bravery,* '*have made us King without foreign aid.*' On being asked whether the King should pay tribute to the King of Leon, they all rose up, and, with naked swords uplifted, answered, 'Our King 'is independent; our arms have delivered us; the King who 'consents to such things SHALL DIE.' The King, with his drawn sword in his hand, said, 'If any one consent to such, 'let him die. If he should be my son, let him not reign.'

The Cortes of 1641 renewed the laws of Lamego; determined that, according to these fundamental institutions, the Spanish Princes had been usurpers, and pronounced John, Duke of Braganza, who had already been seated on the throne by a revolt of the whole people, to be the rightful heir. This Prince, though he appears not to have had any pretensions as a male heir, yet seems to have been the representative of the eldest female who had not lost the right of succession by marriage to a foreigner, and, consequently, he was entitled to the Crown, according to the order of succession established at Lamego. On the 28th of January the Three Estates, namely, the commons or people, the nobility and the clergy, presented Chapters or Heads to the King, praying that effectual means might be taken to enforce the exclusion of foreigners from the Throne, according to the laws passed at Lamego. But as the Estates, according to the old constitution of Portugal, presented their chapters severally, and not jointly to the King, it was possible

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tus, & dixerunt: Bonæ sunt, justæ sunt, volumus eas per nos, & per semen nostrum post nos.

'Et dixit procurator Regis Laurentius Venegas; vultis quod dominus Rex vadat ad Cortes Regis de Leone, vel det tributum illi, aut alieni personæ for domini Papæ, qui illum Regem creavit? & omnes surrexerunt, & spatis nudis in altum dixerunt: Nos liberi sumus; Rex noster liber est, manus nostræ nos liberuerunt, *& dominus Rex qui talia consenserit moriatur*, & si Rex fuerit non regnet super nos. Et dominus Rex cum corona iterum surrexit, & similiter cum spata nuda dixit ad omnes: Vos scitis quãtas lides fecerim per vestram libertatem; testes estis, testis brachiũ meũ, & ista spata, si quis talia consenserit, moriatur; & si filius aut nepos meus fuerit, nõ regnet; & dixerunt omnes: Bonum verbum! *Morientur*; & *Rex si fuerit talis, quod consentiat dominium* alienum, non regnet. Et iterum Rex: Ita fiat.'

that they might differ; and they did so, in some respects, on this important occasion, not indeed as to the end, for which they were equally zealous, but as to the choice of the best means of securing its constant attainment.

The answer of the King to the Ecclesiastical estate is as follows—

'On this Chapter, for which I thank you, I have already answered to the Chapters of the States of the People and of the Nobles, in ordaining a *law to be made in conformity to that ordained by Don John IV., with the declarations and modifications which shall be most conducive to the conservation and common good of the kingdom.*'

Lawyers were accordingly appointed to draw up the law; and it is clear that the reserve of the King left him ample scope for the exercise of his own discretion, even if it had not been rendered necessary by the variation between the proposals of the three orders, respecting the means of execution. But, in order to give our opponents every advantage, as we literally adopt their version, so we shall suppose (for the sake of argument) the Royal assent to have been given to the Chapter of the Nobles without alteration, and in all its specific provisions; it being that on which the Absolutists have chosen to place their chief reliance. It stands thus in their editions—

'The State of the Nobility prays your Majesty to enact a law, ordaining that the succession to the kingdom may never fall to a foreign Prince, nor to his children, though they may be the next to the last in possession; and that, in case the King of Portugal should be called to the succession of another Crown, or of a greater empire, he be compelled to live always there; and if he has two or more male children, the eldest son shall assume the reins in the foreign country, and the second in Portugal, and the latter shall be the only recognised heir and legitimate successor; and, in case there should be only one child to inherit these two kingdoms, these said kingdoms shall be divided between the children of the latter, in the order and form above mentioned. In case there shall be daughters only, the eldest shall succeed in this kingdom, with the declaration that she marry here with a native of the country, chosen and named by the Three Estates assembled in Cortes. Should she marry without the concurrence of the States, she and her descendants shall be declared incapable, and be ousted of the succession; and the Three Estates shall be at liberty to choose a King from among the natives, if there be no male relation of the Royal Family to whom the succession should devolve.'

Now the question is, whether Pedro IV. as the monarch of Brazil, a country separated from Portugal by treaty, did not become a foreign Prince, in the sense intended by these ancient laws, and was not thereby disabled from inheriting the Crown of Portugal on the decease of John VI.? For if he had incurred

that disability before the death of his father, it must be owned that all his acts of sovereignty in the European dominions of his family were null.

I. This question is not to be decided by verbal chicane. The mischief provided against in these laws was twofold;—the supposed probability of mal-administration by the Succession of a foreigner, ignorant of the country and unattached to it; and the loss of domestic government, if it fell by inheritance to the sovereign of another, especially a greater country. The intention of the Lawgiver to guard against both these occurrences, affords the only sure means of ascertaining the meaning of his words. But the present case has not even the slightest tendency to expose the country to either. Pedro IV. is a native Portuguese, presumed to have as much of the knowledge and feelings belonging to that character as any of his predecessors. The danger to Portuguese independence arises from the inheritance of the Crown devolving, *in perpetuity, and without qualification*, to a foreign sovereign. Such was the evil actually experienced under Philip II. King of Spain, and his two successors; and the most cursory glance over the law of 1641, shows that the Cortes had that case in view. Had the present resembled it in the important quality of a claim to unconditional inheritance, the authority would have been strong. But, instead of being annexed to a foreign dominion, Pedro IV. takes it only for the express purpose of effectually and perpetually disannexing his other territories from it;—a purpose which he immediately proceeds to carry into execution, by establishing a different line of succession for the Crowns of both countries, and by an abdication, which is to take effect as soon as he has placed the new establishment in a state of security. The case provided against by the law is, that of permanent annexation to a foreign crown; the right exercised by Pedro IV. is, that of a guardian and administrator of the kingdom, during an operation which is necessary to secure it *against such annexation*. The whole transaction is conformable to the spirit of the two laws, and not repugnant to their letter.

II. That a *temporary administration* is perfectly consistent with these laws, is evident from a passage in that of 1641. 'If 'the King of Portugal, should be called to the succession of 'another Crown, and there should be only *one* child to inhe-'rit the two kingdoms, these said kingdoms shall be divided 'among the children of the latter'—meaning after his death, and if he should leave children. Here then is a case *of temporary administration* expressly provided for. The father is to rule *both* kingdoms, till there should be at least two children to render the division practicable. He becomes, for an uncertain,

and possibly long period, the provisional sovereign of both; merely because he is presumed to be the most proper regulator of territories, which are to be divided between his posterity. Now, the principle of such an express exception is, by the rules of fair construction, applicable to every truly and evidently parallel case. But there is precisely the same reason for the tutelary power of Pedro IV., as there would be for that of a father, in the event contemplated by the law of 1641.

III. The effect of the treaty of Rio Janeiro cannot be inconsistent with this temporary union. Even on the principle of our opponents, it must exist for a shorter or longer time. The treaty did not deprive Pedro of his option between Portugal and Brazil. He must have possessed both Crowns, when he was called upon to determine which of them he should lay down. But if it be acknowledged, that a short but actual union is necessary, in order to effect the abdication, how can it be pretended that a longer union may not be not equally justifiable, for the honest purpose of quiet and amicable separation?

IV. The treaty of Rio de Janeiro would have been *self-destructive*, if it had taken from him the power of sovereignty in Portugal immediately on the death of his father. For in that case no authority would exist capable of carrying the treaty into execution. It must have been left to civil war to determine who was to govern the kingdom; while, if we adopt the principle of Pedro's hereditary succession by law, together with his obligation by treaty to separate the kingdoms, the whole is consistent with itself, and every measure is quietly and regularly carried into effect.

V. To these considerations we must add the recognition of Pedro, '*as heir and successor*' in the ratification. Either John VI. had power to decide this question, or he had not. If he had not, the treaty is null; for it is impossible to deny that the recognition is really a condition granted to Brazil, which is a security for its independence, and of which the breach would annul the whole contract. In that case, Portugal and Brazil are not legally separated: Pedro IV. cannot be called a foreign Prince, and no law forbids him to reside in the American provinces of the Portuguese dominions. In that case, exercising all the power of his immediate predecessors, his authority in Portugal becomes absolute;—he may punish the absolutists as rebels, according to their own principles; and it will be for them to show, that his rights, as supreme lawgiver, can be bounded by laws called fundamental. But, on much more sober grounds, can it be doubted, that in a country where the monarch had exercised the whole legislative power for more than a century, his

authoritative interpretation of the ancient laws, especially if it is part of a compact with another state, must be conclusive? By repeatedly declaring in the introduction to the treaty, and in the ratification of it, that Pedro IV. was 'heir and successor' of Portugal, and that he was not divested of that character by the treaty, which recognised him as Sovereign of Brazil, John VI. did most deliberately and solemnly determine, that his eldest son was *not* 'a foreign Prince' in the sense in which these words are used by the ancient laws.

Such, too, seems to have been the sense of all parties, even of those the most bitterly averse to Pedro IV., and most deeply interested in disputing his succession, till that Monarch granted a constitutional charter to the people of Portugal. What then is this constitution? Let us very briefly state its principal parts.

But, before the statement of these particulars, it is proper to observe, that John VI. by his decree for the re-establishment of the ancient constitution of Portugal, had really abolished the absolute monarchy, and in its stead established a government, which, with all its inconveniences and defects, was founded on principles of liberty. For, let it not be supposed, that the ancient constitution of Portugal had become forgotten or unknown by disuse for centuries, like those legendary systems, under cover of which any novelty may be called a restoration. It was perfectly well known; it was long practised; and never legally abrogated: And indeed the same may be affirmed with equal truth, of the ancient institutions of the other inhabitants of the Peninsula, who were among the oldest of free nations, but who have so fallen from their high estate, as to be now publicly represented as delighting in their chains and glorying in their shame. In Portugal, however, the usurpation of absolute power was not much older than a century. We have already seen, that the Cortes of Lamego, the founders of the Monarchy, proclaimed the rights of the nation in a spirit as generous, and in a Latinity not much more barbarous, than the authors of Magna Charta about seventy years later. It is not a little remarkable, that these decrees, denouncing the punishment of death against a King who subjects his country to foreigners, should, after the lapse of some centuries, be invoked by writers who have revived the divine right of Kings, and by the remains of a confederacy formed for the avowed purpose of supporting Kings against their subjects by foreign force.

This ancient Convocation of the Estates was followed by a regular succession of assemblies of the same nature. In the thirteenth century, the general Cortes were six times assembled;

in the fourteenth century, twenty-six times; in the fifteenth century, forty-five times; in the sixteenth century, before the Spanish usurpation in 1580 only seven times; during that usurpation, from 1580 to 1641 but thrice to recognise the King or his heir apparent; and nine times, from the restoration in 1641 to the end of the seventeenth century, when the Kings of Portugal ceased to consult the representatives of the various orders of their people. * Besides this enumeration of near a hundred convocations, about thirty others are mentioned of more doubtful completeness, reality, or legitimacy. By the Cortes were exercised the right of passing laws and imposing taxes. In the *Codigo Philippino*, a collection of Portuguese Spar ordinances made under the Spanish domination, the consent of the Cortes is recited in the preamble of every law in the collection, as necessary to their authority. Whatever subordinate or temporary legislation was sometimes assumed by the King, it was a received principle that the Royal *Alvara* could not supersede a law passed by the Cortes; and the Chancellor had a right to refuse to register any Royal act which was to be in force for more than a year, which was at variance with this principle. His registration † was necessary to its validity. The important power of granting supplies was, without dispute, vested in the Cortes from the earliest period of authentic history, to the suspension of the constitution during the eighteenth century. The acts of the Cortes of 1385, at the election and proclamation of John I., bear the most ample testimony to their power over the purse. These acts, which were contemporary with the reign of Richard II. in England, after declaring that the people ought to participate in the affairs which pertain to them, and especially in what touches them so nearly as the imposition of taxes, proceed to repeal all the taxes then existing, as illegally imposed by the despotic power of the late King Ferdinand; and conclude, by pledging the Cortes to defray the public expenses by voluntary aids. This declaration has always been justly considered by the Portuguese nation as their Magna Charta. At the restoration of the House of Braganza, John IV. declared all the taxes to be illegal, and left it to the States to provide for the defence of the country. They not only granted a tenth to the King for that purpose, but also provided for the appropriation of the funds to the purposes for which they were voted, in a manner considerably sterner than ours, by appointing a Junta or Committee of the Three Estates to superintend the expenditure. ‡ The law for the regulation of the tenth, in

* Memorias de Litteratura Portuguesa, Lisboa, 1792. II. 46—128.
† Id. 52—53. ‡ Mem. &c. 109.

the reign of John IV., on the 9th of March 1654, affords the clearest proof of the undisputed right of the Cortes to regulate the application, as well as to determine the amount of the supplies. It recites the grant of the tenth by the Cortes, and the appointment of a Junta or deputation of their number to superintend its strict and exclusive appropriation to the expenses of war. No appropriation act passed in England since the Revolution, is stronger evidence of the right, or a better example of its rigorous exercise. The deputation appears accordingly to have actually collected and disbursed the money. †

It is peculiarly deserving of remark, that the great powers vested in this deputation of the Three Estates, afforded the most plausible pretext for allowing the general assembly of the Cortes to fall into disuse; for it was said that such a deputation might always be presumed to speak the sentiments of the whole body—So that a provision the most jealously contrived for the maintenance of liberty, at length contributed to facilitate the establishment of absolute power.

In the Cortes of 1668, the State of the people granted a subsidy for three years, and another sum for the fortifications of the frontiers; acts of limitation and appropriation which necessarily imply the freest and most entire authority in taxation. In 1679, *the Cortes dispensed a Princess of Portugal about to marry the Duke of Savoy, from the operation of the laws of Lamego, reserving her right of succession, notwithstanding her marriage to a foreign Prince.* John V., whose reign lasted from 1706 to 1750, appears to have been the first who assumed the rights of legislation and taxation, without the advice and consent of the Cortes. In other words, he was the first absolute monarch of Portugal. That he was able to consummate and consolidate this usurpation, is a decisive proof that the Portuguese constitution was too feeble to maintain itself against the Crown. Experience demonstrated that it must be newly modified, in order to be secure. But a recurrence from absolute monarchy to that constitution was, no doubt, practically a great revolution. The only question then was, whether that change was to be made real and beneficial, by so adapting it to the situation of the times, as to secure the observance of its principles. The difference between the ordinance of 1824, and the constitution of 1826, is, that the latter will probably bestow that liberty which the former had proved incapable of guarding.

By the Constitution of 1826, the person of the King of Portugal is irresponsible and inviolable. Without his Royal as-

† O Padre Amaro, ii. 463.

sent, no bill passed by both Houses of the Cortes, becomes a law. To him belongs the right of making war and peace, of conducting negociations, and concluding treaties, of appointing all civil and military offices, of changing all but Judges, and of nominating to bishoprics and other ecclesiastical dignities and benefices. He has the power of naming the Peers without limitation of number; of convoking, proroguing, and dissolving the Cortes; and of pardoning the whole, or remitting any part of the punishment of criminals.

The House of Peers is at present composed of one Patriarch, four Archbishops, thirteen Bishops, two Dukes, twenty-six Marquises, and forty-two Counts or Viscounts—or eighteen spiritual, and seventy temporal Peers. The income of the temporal Peers is from 10,000*l.* to 2000*l.* per annum. The landed property of the Crown, with that of the spiritual and temporal Peers, is estimated at one half of the land of the Kingdom. The first nomination of Peers has been limited to that part of the nobility who had the honours and dignities of what was called in Portugal a Grandee; but it is intended, and indeed it will be absolutely necessary, to extend the Peerage to some of the provincial nobility, and to others who are qualified for it by property and merit. The present list contains all the illustrious and historical names of Portugal. By the Constitution this House has an equal share of legislation with the other, and is a court for the trial of certain specified offences.

The Crown, by its Minister, appears, as in France, to have the exclusive right of originating the plan of a law.

With the Chamber of Deputies must originate money bills, and the votes of an army; and they have a right to impeach public servants, beside their equal share of legislative power. This Chamber is formed by a double election—the primary or parochial assemblies, at which no man can vote who has not an income of 25*l.* per annum, choosing the members of provincial or electoral assemblies; and these last, of which every member must have an income of 50*l.* per annum, choosing the deputies, whose qualification is 100*l.* per annum. Some notion of the station indicated by these incomes may be formed, from observing, that no one can vote at the election of a deputy, whose income is not about a hundredth part of the average income of the Peers of the realm. To this consideration it must, however, be added, that the average wealth of the present Peerage of Portugal, from the circumstances of its nomination, bears a larger proportion to that of the country than can be expected in any long established peerage, where many fall from affluence, and some are ennobled without fortune. It is singular enough that the system of double election proposed by Mr Hume, who, of

all speculators since Hobbes, is the least favourable to popular governments, should have been adopted in all the new constitutions of the last forty years; and it is perhaps still more singular, as well as more observable as a proof of the uncertainty of political reasoning, that this system is embraced with equal eagerness by the two opposite parties;—one of whom delight in it as enabling them, without confusion, to bestow the right of suffrage on the many; while the other deem it the most effectual means of subjecting the exercise of that right, to those intrigues which are successfully conducted only by the few.

The provisions of this Constitution which establish Judges during good behaviour, trial by Jury, exemption from arbitrary imprisonment, and religious liberty, are still more important than those which regulate the authority of kings, and of national assemblies; which exist principally to ensure a pure administration of justice, a perfect freedom of conscience, with the inviolable security of the property, and above all, of the persons of men. To these we must add the abolition of torture and of all cruel punishments, together with the solemn engagement to prepare a civil code, which shall not be made unequal by delay and expense; and a criminal code, which will derive efficacy from its conformity to the feelings of humane men.

With those who may condemn this Constitution as being too regal and aristocratical, we have at present no controversy. They can maintain their cause by no other force than that of argument; and they cannot hope, in the present circumstances of Europe, to realize their favourite speculations. But it is really hard to believe, that any man who tolerates a limited monarchy, can desire more power for the Crown, than is bestowed on it by the Portuguese Constitution. They may be challenged to name a Royal prerogative, not in its nature despotic, which it does not confer; and every man acquainted with the practice of such a government must discover, that the seed is sown in it of as large a crop of influence as the soil will bear. The importance of the higher nobility and clergy is raised by a separate House of Peers, to which the magistrates and the more opulent country gentlemen will be gradually called. The lawyers and merchants, who will probably form a large part of the deputies, will acquire a consequence from sitting in the same house with many country gentlemen, which, in the present state of property, opinions and manners in Portugal, no other circumstance could immediately bestow on them, or on the Chamber of which they may be leading members. These country gentlemen themselves will have more personal importance than in a house where they would be overshadowed by the

Grandees. It is not so clear, as it may seem at first sight, that the clergy themselves will be losers by this Constitution. It is true that they lose their separate branch, but is by no means certain that they will not derive more defensive force from the influence of eighteen Prelates, in a powerful House of Peers, than if their interests were intrusted to the protection of a Chamber composed solely of ecclesiastics, whose privileges it would be invidious, and might become hazardous to exercise. At all events, the undistinguishing admirers of antiquity will do well to remember, that in those ages when the Clergy formed a separate house, they were the only men of knowledge in a country, and that, when the session of a legislature did not continue above a week, the attendance of a great body of them did not impose the necessity of much additional non-residence. The Portuguese Ecclesiastics will show the utmost folly if they suffer themselves to be made the tools of the enemies of a constitution, which has treated the character, the rights, the dignity and the wealth of their Church with the most scrupulous regard.

The Infant Don Miguel has now sworn to observe and maintain the constitution. In the act of his espousals, he acknowledges the sovereignty of the young Queen, and describes himself as only her first subject. The mutinies of the Portuguese soldiers have ceased; but the conduct of the Court of Madrid still continues to keep up agitation and alarm; for no change was ever effected which did not excite discontent and turbulence enough to serve the purposes of a neighbour straining every nerve to vex and disturb a country. The submission of Don Miguel to his brother and sovereign, are, we trust, sincere. He will observe his oath to maintain the constitution, and cheerfully take his place as the first subject of a limited monarchy. The station to which he is destined, and the influence which must long, and may always belong to it, form together a more attractive object of ambition, than any which he could otherwise have hoped peaceably and lawfully to attain. No man of common prudence, whatever may be his political opinions, will advise the young Prince to put such desirable prospects to hazard. He will be told by all such counsellors of every party, that he must now adapt himself to occurrences, which he may learn to consider as fortunate; that loyalty to his brother and his country would now be his clearest interest, if they were not his highest duty; that he must forget all his enmities, renounce all his prejudices, and even sacrifice some of his partialities; and that he must leave full time to a great part of the people of Portugal to recover from those prepossessions and repugnances which they may have contracted. Eagerness, impatience and precipitation, are more dangerous in

his situation than in that of almost any other personage now conspicuous in Europe. He ought, in policy, not to desire to be at the head of the administration of affairs, till he is generally believed to have sacrificed his own prejudices, and conquered those of others. Exemplary acquiescence in the policy of the Royal Founder of the Constitution, is the only road to that national belief in his sincerity, which alone can render his administration easy or secure. What length of time ought to be allowed for prejudice to subside, for good-will to be regained, and for sincerity to be tried, is a question which of right it belongs to the King and Cortes of Portugal to determine. To make that period too short for the full attainments of all these objects, may prove an irreparable error, most injurious to him whose passion is unwisely indulged. A delay in the gratification of ambition is a small evil to the person whose enjoyment is postponed, especially if it visibly conduces to establish and consolidate a legal power which he will long possess, and an influence which it will be his own fault if he should ever lose.

We wish here to be indulged in a very short digression, of which the object is, to warn the Cortes that they have now an admirable opportunity of interesting liberal and humane men in their favour, and especially of obtaining the good opinion of a powerful body in Great Britain, perhaps not otherwise very likely to be favourable to them. By the honest, entire, and immediate abolition of the Slave Trade, by showing a sincere intention to adopt measures, however gradual and cautious, for Emancipation in their remaining colonies, they will earn 'golden opinions of all sorts of people,' and their principles will be most honourably contrasted, not only with the measures of the absolute monarchy, but with the policy of the Cortes of 1820. The abolition of the Trade never can be accomplished without a reciprocal right of search; and we earnestly hope that Portugal will on this point follow the excellent example of the Netherlands, and put to shame the Government of the United States of America. On the subject of Emancipation, it is impossible that the admirable conduct of the Republics of Spanish America (which ought to have shamed both England and North America out of their supineness) should be without a powerful influence on Brazil; and unless the Portuguese Government take emancipating measures (with the slowness of which, if they be honest, we shall not quarrel) in their African colonies, it is altogether impossible to abolish the exportation of slaves from those ancient seats of the Slave Trade. This is a subject on which Portugal has a character to gain; and we are thoroughly convinced, that there is no one circumstance on which the good opinion of Europe will more depend, than on the

policy of the Cortes respecting it. Let the Portuguese recollect that when Napoleon, during the Hundred Days, was desirous of general good opinion, *his first measure* was the abolition of the Slave Trade. His sagacity has never been questioned; and he never was suspected of philanthropic visions. What he thought likely to make him popular in England and through Europe, cannot be a bad means for attaining the end.

The adversaries of the Portuguese Constitution on the Continent, have chosen to represent it as the fruit of English intrigue. The French Ultra-Royalists, indeed, on this, and on every other occasion, now write against England in a style which seems to be borrowed from that used by the National Convention thirty years ago. In this country, also, the grant of a Constitution has been ascribed to the liberal principles of the foreign Secretary of State. If we however be rightly informed, it ought not to be imputed to him, either as a merit or a fault. It was indeed (as appears from the foregoing deduction) the natural result of previous measures, exactly agreeing with those of 1823, and differing from those of 1824, only in providing better securities for the observance of the same principles. The political necessity for its adoption, evidently arose out of the internal situation both of Portugal and Brazil, as well as from the circumstances of the new government required by their separation. It is not probable that an English minister should have incurred the responsibility of suggesting such important measures of internal reform: And the very anxiety now shown to spread such rumours, is sufficient to prove, that, if they had sprung from a foreign source, their unpopularity might have rendered them insecure. If they had not been of native growth, they would have wanted the strongest presumption of being required by the circumstances, and suited to the character of the people.

At the same time, we are willing to acknowledge, that we doubt whether the advisers of Pedro IV. would so confidently have proposed the grant of a Constitution, in the administration of former Secretaries for Foreign Affairs in England. A revolution in the avowed principles of the foreign policy of the only Ally of Portugal, could not be indifferent to the government of that kingdom. To the merit which belongs to this change, we are always ready to pay our unwonted, and perhaps unwelcome, but sincere tribute of approbation. As, however, the only small importance which can be ascribed to that tribute, depends on its being considerate and conscientious, as well as disinterested, we must exclude from it those transactions concerning which we have no sufficient means of knowledge, and at the head of them the negociations to prevent the

invasion and occupation of Spain. The obstacles, both abroad and at home, which hindered the British minister from using a more decisive language on that occasion, are not yet so thoroughly known as to enable us to form a sound judgment on his policy. The discussion of these measures now, would be at once too late for practical effect, and too early for history. They are irrevocable; and we are not yet impartial, nor perhaps sufficiently informed.

In the year 1824, England was withdrawn, without the risk of war, from her tacit accesion to the Holy Alliance; and by a policy equally arduous and meritorious, she retired to her natural station without a shock. The recognition of the Republics of Spanish America, was as important in openly braving the extravagant exaggerations of legitimacy, as in rescuing the New World from the members or vassals of the European Confederacy. France at length followed the example, after having first endeavoured to propitiate the pride of Spain, by recognising the Negro Republic erected on the ruins of her own authority in Hayti. Under these circumstances, the death of the Emperor Alexander virtually dissolved the Holy Alliance. Soon after followed the demise of John VI., and the Establishment of which it became the duty of Pedro IV. to be the founder.

The remaining influence of the Holy Alliance was more than sufficient to agitate Portugal, and might probably have overthrown her Government, if it had not been promptly and boldly withstood by her Ally. The situation of more than one Continental Government rendered our vigour more seasonable than it might have been before. The principal Ministers of France were men of moderate character and pacific disposition, whose main fault was that of many men of that description—the inclination to make all their concessions to their nearest opponents, to be violent at a distance in order to be quiet at home. Hence their unhappy submission to that faction of Ultra-Royalists and Ultra-Catholics, who think that no Crown can be safe without despotism, and no Church secure without persecution. But the apprehensions in other quarters had at least ceased. They no longer were compelled to cross the Ebro to prevent the crossing of the Rhine. They were at liberty to return to the ancient maxims of French policy, which, however much they may prescribe a watchful jealousy of England, are assuredly not favourable to the interference of the great military powers in the South and West of Europe. They must perceive the impossibity of long continuing the present state of Spain; the peril to which that Government would expose itself by war against Portugal; and the tremendous means of hostility which England might employ, if the danger of her Ally should drive

her to the exercise of the extreme rights of war. They might even desire to see the Government of Spain reduced to the necessity of acting with some remote approach to the most obvious dictates of common sense; of which it is now evident that nothing but necessity will ever bring it within sight. In this state of things, the interest of France and that of England coincided in many important respects. If an attempt was made to convince the French Ministers of that coincidence, it was the dictate of a policy as wise as it was generous; and we heartily wish that we had more ground for sanguine hopes of its success. But there can be no doubt that the dispositions of the French Ministers, as well as the dangers of the Spanish Government, and the apprehension of general war, rendered the spirited measures of the English Minister productive of real advantage. He who, in the midst of the national distress, and in the face of that frightfully growing discontent in Ireland, which his colleagues seemed determined to perpetuate, has dared to speak in that decisive tone which can alone secure permanent tranquillity, is deserving of great approbation.

But though the boldness and promptitude merit commendation, the measures themselves were only acts of duty: For England was bound to defend Portugal; and she could not disregard the obligation, without proclaiming that she was unable to discharge her obligations, and to hazard a contest for the existence of an Ally. Perhaps there is not, in the whole history of public law, any example of so long and uninterrupted a series of treaties of alliance and guarantee between two states, as those which bind England to Portugal. On the revolt of that kingdom against Spain, Great Britain was one of the first states which recognised her independence, by a treaty concluded in 1642, between Charles I. then struggling against popular commotions, and the first Prince of the House of Braganza, within a year after the popular revolution which seated him on the Portuguese Throne. * It was a treaty of alliance, which has remained in force for a hundred and eighty-four years: For the privileges granted by it to British merchants in Portugal, have been constantly exercised by them during all that time, and are enjoyed by them in virtue of it to this day. It was renewed, and somewhat enlarged, in a treaty with Cromwell, in July 1654; † which was itself confirmed by the treaty of 1661, between Charles II. and Alfonzo VI., for the marriage of the former Prince with Catharine of Braganza. But this new treaty (Art. 15, 16, 17, and 18,) superadds a de-

* Dumont, Corps Diplomat. VI. 238. † Id. VI. Pars 2. 182.

fensive alliance, fixes the aid to be given, and declares (Art. 16), that Great Britain will succour Portugal ‘ on all occasions, when ‘ the country is attacked.’ By a secret Article, Charles II. in consideration of the cession of Tangier and Bombay, binds himself ‘ to defend the colonies and conquests of Portugal a- ‘ gainst all enemies, present or future.’ On the 16th of May 1703, two treaties were concluded at Lisbon; the first, between the Emperor, Great Britain, and the States-General, on the one part, and the King of Portugal, on the other, which was offensive and temporary, being intended only for the War of the Spanish Succession; * the second, between Great Britain and the States-General, on the one side, and the King of Portugal on the other, which was defensive and permanent, being to secure Portugal against the future dangers to which she laid herself open, by the part which she then took against the House of Bourbon. † After fixing the military and naval aid to be granted to Portugal, it declares, in the 14th Article, that ‘ the ‘ league shall be perpetual.’ The Convention of the same year, commonly called the Methven Treaty, is entirely commercial, and consists only of three Articles, by which it is stipulated, that, in consideration of the free admission of English woollens into Portugal, Portuguese wines shall be admitted into England, on payment of a duty which shall be one-third less than that levied on the wines of France. At Utrecht, Portugal made peace with France in 1713, and with Spain in 1715, and, on both occasions, under a guarantee unusually explicit and solemn from Great Britain; as if designing to mark out the ally on whom she relied for preservation, at the moment of the commencemet of that new political system which brought the Bourbon empire to her frontiers. ‡ On the accession of George I., he executed a separate act of guarantee § of the Portuguese treaty with Spain, by which he bound himself to take all necessary and effectual measures to prevent an infraction of the treaty, which was a guarantee of the territory of Portugal against Spain. As the prior treaties were expressly confirmed in all those which succeeded, every part of them not self-evidently temporary, was kept alive by repeated and positive stipulations. In 1807, a convention, providing for the expected emigration of the Royal Family, was concluded, of which the greater part was, from its nature, occasional, but by which,

* Dumont, Corps Diplomat. VIII. 127.

† This second treaty is not mentioned by Dumont, and nothing but the title and date are stated by Chalmers. The contents are given in the text, from private information.

‡ Dumont, VIII. 342, &c.

§ 3d May 1715.

in the 6th Article, England guarantees Portugal to the lawful heir of the House of Braganza, and promises never to recognize any other Ruler of that kingdom. By the Treaty of Friendship and Alliance of Rio Janeiro, on February 1810, it is declared, by the first Article, 'That the two Powers 'have agreed on an alliance for defence and *reciprocal guaran-* 'tee against every hostile attack, conformably to the treaties 'already subsisting *between* them, the stipulations of which shall 'remain in full force, and are renewed by the present treaty in 'their fullest and most extensive interpretation.' * It confirms, on the part of Great Britain, and repeats *verbatim*, the engagement of that Power in the Convention of London, on the 22d of October 1807, to acknowledge no Sovereign of Portugal but the Heir of the House of Braganza. However the more positive articles of this treaty may have been varied by subsequent stipulations, its authority is entire and inviolable, as a solemn acknowledgment by both parties of the obligations which they had contracted by a long series of treaties; all of which they declare to be still in full force. The insertion of the important and well-defined term 'Guarantee,' in the treaty of Rio Janeiro, and the consequences which, on the principles of public law, follow from such insertion, cannot escape the observation of the most commonly informed reader. But this is not all. The treaty of Vienna, of the 22d January 1815, between Great Britain and Portugal, contains the following Article. †

'The treaty of alliance at Rio Janeiro, of the 19th February 1810, 'being founded on temporary circumstances, which have happily ceased 'to exist, ‡ the said treaty is hereby declared to be of no effect; WITH-'OUT PREJUDICE, HOWEVER, TO THE ANCIENT TREATIES OF AL-'LIANCE, FRIENDSHIP AND GUARANTEE, WHICH HAVE SO LONG 'AND SO HAPPILY SUBSISTED BETWEEN THE TWO CROWNS, AND 'WHICH ARE HEREBY RENEWED BY THE HIGH CONTRACTING PAR-'TIES, AND ACKNOWLEDGED TO BE OF FULL FORCE AND EFFECT.'

Such is the acknowledgement made by England, very recently, in the face of Europe, and in a treaty laid before Parliament, without exciting a murmur against that acknowledgement, that she has been engaged by treaty for a period which, by one construction, amounted to a century and a half, and, according to the narrowest interpretation, to more than a century to *guarantee* Portugal against attack. To say nothing of other stipulations, the ancient friendship was matured into an al-

* Recueil de Marten's, Supp. V. 245.

† Parliamentary Papers, 1816. Marten's Supp. VI. 96, &c.

‡ The exclusion of the House of Braganza from Europe.

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THE

EDINBURGH REVIEW,

MARCH, 1827.

No. XC.

ART. I. *Œuvres complétes de* MACHIAVEL, *traduites par* J. V. PERIER. Paris, 1825.

THOSE who have attended to the practice of our literary tribunal, are well aware that, by means of certain legal fictions similar to those of Westminster Hall, we are frequently enabled to take cognizance of cases lying beyond the sphere of our original jurisdiction. We need hardly say, therefore, that, in the present instance, M. Périer is merely a Richard Roe—that his name is used for the sole purpose of bringing Machiavelli into court—and that he will not be mentioned in any subsequent stage of the proceedings.

We doubt whether any name in literary history be so generally odious as that of the man whose character and writings we now propose to consider. The terms in which he is commonly described, would seem to import that he was the Tempter, the Evil Principle, the discoverer of ambition and revenge, the original inventor of perjury; that, before the publication of his fatal *Prince*, there had never been a hypocrite, a tyrant, or a traitor, a simulated virtue or a convenient crime. One writer gravely assures us, that Maurice of Saxony learned all his fraudulent policy from that execrable volume. Another remarks, that, since it was translated into Turkish, the Sultans have been more addicted than formerly to the custom of strangling their brothers. Our own foolish Lord Lyttelton charges the poor Florentine with the manifold treasons of the House of Guise, and the massacre of St Bartholomew. Several authors have hinted that the Gunpowder Plot is to be primarily attributed to his doctrines, and seem to think that his effigy ought to be substituted for that of Guy Faux, in those

processions by which the ingenuous youth of England annually commemorate the preservation of the Three Estates. The Church of Rome has pronounced his works accursed things. Nor have our own countrymen been backward in testifying their opinion of his merits. Out of his surname they have coined an epithet for a knave—and out of his christian name a synonyme for the Devil. *

It is indeed scarcely possible for any person, not well acquainted with the history and literature of Italy, to read, without horror and amazement, the celebrated treatise which has brought so much obloquy on the name of Machiavelli. Such a display of wickedness, naked, yet not ashamed, such cool, judicious, scientific atrocity, seem rather to belong to a fiend than to the most depraved of men. Principles which the most hardened ruffian would scarcely hint to his most trusted accomplice, or avow, without the disguise of some palliating sophism, even to his own mind, are professed without the slightest circumlocution, and assumed as the fundamental axioms of all political science.

It is not strange that ordinary readers should regard the author of such a book as the most depraved and shameless of human beings. Wise men, however, have always been inclined to look with great suspicion on the angels and demons of the multitude: and in the present instance, several circumstances have led even superficial observers to question the justice of the vulgar decision. It is notorious that Machiavelli was, through life, a zealous republican. In the same year in which he composed his manual of King-craft, he suffered imprisonment and torture in the cause of public liberty. It seems inconceivable that the martyr of freedom should have designedly acted as the apostle of tyranny. Several eminent writers have, therefore, endeavoured to detect, in this unfortunate performance, some concealed meaning, more consistent with the character and conduct of the author than that which appears at the first glance.

One hypothesis is, that Machiavelli intended to practise on the young Lorenzo de Medici, a fraud similar to that which Sunderland is said to have employed against our James the Second,—that he urged his pupil to violent and perfidious

---

* Nick Machiavel had ne'er a trick,
Tho' he gave his name to our old Nick.
Hudibras, Part III. Canto I.

But, we believe, there is a schism on this subject among the Antiquarians.

measures, as the surest means of accelerating the moment of deliverance and revenge. Another supposition, which Lord Bacon seems to countenance, is, that the treatise was merely a piece of grave irony, intended to warn nations against the arts of ambitious men. It would be easy to show that neither of these solutions is consistent with many passages in the *Prince* itself. But the most decisive refutation is that which is furnished by the other works of Machiavelli. In all the writings which he gave to the public, and in all those which the research of editors has, in the course of three centuries, discovered—in his Comedies, designed for the entertainment of the multitude—in his Comments on Livy, intended for the perusal of the most enthusiastic patriots of Florence—in his History, inscribed to one of the most amiable and estimable of the Popes—in his Public Despatches—in his Private Memoranda, the same obliquity of moral principle for which the *Prince* is so severely censured is more or less discernible. We doubt whether it would be possible to find, in all the many volumes of his compositions, a single expression indicating that dissimulation and treachery had ever struck him as discreditable.

After this, it may seem ridiculous to say, that we are acquainted with few writings which exhibit so much elevation of sentiment, so pure and warm a zeal for the public good, or so just a view of the duties and rights of citizens, as those of Machiavelli. Yet so it is. And even from the *Prince* itself, we could select many passages in support of this remark. To a reader of our age and country, this inconsistency is, at first, perfectly bewildering. The whole man seems to be an enigma—a grotesque assemblage of incongruous qualities—selfishness and generosity, cruelty and benevolence, craft and simplicity, abject villany and romantic heroism. One sentence is such as a veteran diplomatist would scarcely write in cipher for the direction of his most confidential spy; the next seems to be extracted from a theme composed by an ardent schoolboy on the death of Leonidas. An act of dexterous perfidy, and an act of patriotic self-devotion, call forth the same kind and the same degree of respectful admiration. The moral sensibility of the writer seems at once to be morbidly obtuse and morbidly acute. Two characters altogether dissimilar are united in him. They are not merely joined, but interwoven. They are the warp and the woof of his mind; and their combination, like that of the variegated threads in shot silk, gives to the whole texture a glancing and ever-changing appearance. The explanation might have been easy, if he had been a very weak or a very affected man. But he was evidently neither the one nor

the other. His works prove, beyond all contradiction, that his understanding was strong, his taste pure, and his sense of the ridiculous exquisitely keen.

This is strange—and yet the strangest is behind. There is no reason whatever to think, that those amongst whom he lived saw any thing shocking or incongruous in his writings. Abundant proofs remain of the high estimation in which both his works and his person were held by the most respectable among his contemporaries. Clement the Seventh patronized the publication of those very books which the Council of Trent, in the following generation, pronounced unfit for the perusal of Christians. Some members of the democratical party censured the Secretary for dedicating the *Prince* to a patron who bore the unpopular name of Medici. But to those immoral doctrines which have since called forth such severe reprehensions, no exception appears to have been taken. The cry against them was first raised beyond the Alps—and seems to have been heard with amazement in Italy. The earliest assailant, as far as we are aware, was a countryman of our own, Cardinal Pole. The author of the Anti-Machiavelli was a French Protestant.

It is, therefore, in the state of moral feeling among the Italians of those times, that we must seek for the real explanation of what seems most mysterious in the life and writings of this remarkable man. As this is a subject which suggests many interesting considerations, both political and metaphysical, we shall make no apology for discussing it at some length.

During the gloomy and disastrous centuries which followed the downfal of the Roman Empire, Italy had preserved, in a far greater degree than any other part of Western Europe, the traces of ancient civilization. The night which descended upon her was the night of an Arctic summer:—the dawn began to reappear before the last reflection of the preceding sunset had faded from the horizon. It was in the time of the French Merovingians, and of the Saxon Heptarchy, that ignorance and ferocity seemed to have done their worst. Yet even then the Neapolitan provinces, recognising the authority of the Eastern Empire, preserved something of Eastern knowledge and refinement. Rome, protected by the sacred character of its Pontiffs, enjoyed at least comparative security and repose. Even in those regions where the sanguinary Lombards had fixed their monarchy, there was incomparably more of wealth, of information, of physical comfort, and of social order, than could be found in Gaul, Britain, or Germany.

That which most distinguished Italy from the neighbouring

countries, was the importance which the population of the towns, from a very early period, began to acquire. Some cities founded in wild and remote situations, by fugitives who had escaped from the rage of the barbarians, preserved their freedom by their obscurity, till they became able to preserve it by their power. Others seem to have retained, under all the changing dynasties of invaders, under Odoacer and Theodoric, Narses and Alboin, the municipal institutions which had been conferred on them by the liberal policy of the Great Republic. In provinces which the central government was too feeble either to protect or to oppress, these institutions first acquired stability and vigour. The citizens, defended by their walls, and governed by their own magistrates and their own by-laws, enjoyed a considerable share of republican independence. Thus a strong democratic spirit was called into action. The Carlovingian sovereigns were too imbecile to subdue it. The generous policy of Otho encouraged it. It might perhaps have been suppressed by a close coalition between the Church and the Empire. It was fostered and invigorated by their disputes. In the twelfth century it attained its full vigour, and, after a long and doubtful conflict, triumphed over the abilities and courage of the Swabian Princes.

The assistance of the Ecclesiastical Power had greatly contributed to the success of the Guelfs. That success would, however, have been a doubtful good, if its only effect had been to substitute a moral for a political servitude, to exalt the Popes at the expense of the Cæsars. Happily the public mind of Italy had long contained the seeds of free opinions, which were now rapidly developed by the genial influence of free institutions. The people of that country had observed the whole machinery of the church, its saints and its miracles, its lofty pretensions and its splendid ceremonial, its worthless blessings and its harmless curses, too long and too closely to be duped. They stood behind the scenes on which others were gazing with childish awe and interest. They witnessed the arrangement of the pullies, and the manufacture of the thunders. They saw the natural faces, and heard the natural voices of the actors. Distant nations looked on the Pope as the vicegerent of the Almighty, the Oracle of the All-wise, the umpire from whose decisions, in the disputes either of theologians or of kings, no Christian ought to appeal. The Italians were acquainted with all the follies of his youth, and with all the dishonest arts by which he had attained power. They knew how often he had employed the keys of the church to release himself from the most sacred engagements, and its wealth to pam-

per his mistresses and nephews. The doctrines and rites of the established religion they treated with decent reverence. But though they still called themselves Catholics, they had ceased to be Papists. Those spiritual arms which carried terror into the palaces and camps of the proudest sovereigns, excited only their contempt. When Alexander commanded our Henry the Second to submit to the lash before the tomb of a rebellious subject, he was himself an exile. The Romans, apprehending that he entertained designs against their liberties, had driven him from their city; and, though he solemnly promised to confine himself for the future to his spiritual functions, they still refused to readmit him.

In every other part of Europe, a large and powerful privileged class trampled on the people, and defied the government. But, in the most flourishing parts of Italy, the feudal nobles were reduced to comparative insignificance. In some districts they took shelter under the protection of the powerful commonwealths which they were unable to oppose, and gradually sunk into the mass of burghers. In others they possessed great influence; but it was an influence widely different from that which was exercised by the chieftains of the Transalpine kingdoms. They were not petty princes, but eminent citizens. Instead of strengthening their fastnesses among the mountains, they embellished their palaces in the market-place. The state of society in the Neapolitan dominions, and in some parts of the Ecclesiastical State, more nearly resembled that which existed in the great monarchies of Europe. But the governments of Lombardy and Tuscany, through all their revolutions, preserved a different character. A people, when assembled in a town, is far more formidable to its rulers than when dispersed over a wide extent of country. The most arbitrary of the Cæsars found it necessary to feed and divert the inhabitants of their unwieldy capital at the expense of the provinces. The citizens of Madrid have more than once besieged their sovereign in his own palace, and extorted from him the most humiliating concessions. The Sultans have often been compelled to propitiate the furious rabble of Constantinople with the head of an unpopular Vizier. From the same cause there was a certain tinge of democracy in the monarchies and aristocracies of Northern Italy.

Thus liberty, partially indeed and transiently, revisited Italy; and with liberty came commerce and empire, science and taste, all the comforts and all the ornaments of life. The Crusades, from which the inhabitants of other countries gained nothing but relics and wounds, brought the rising commonwealths of

the Adriatic and Tyrrhene seas a large increase of wealth, dominion and knowledge. Their moral and their geographical position enabled them to profit alike by the barbarism of the West, and by the civilization of the East. Their ships covered every sea. Their factories rose on every shore. Their money-changers set their tables in every city. Manufactures flourished. Banks were established. The operations of the commercial machine were facilitated by many useful and beautiful inventions. We doubt whether any country of Europe, our own perhaps excepted, have at the present time reached so high a point of wealth and civilization as some parts of Italy had attained four hundred years ago. Historians rarely descend to those details from which alone the real state of a community can be collected. Hence posterity is too often deceived by the vague hyperboles of poets and rhetoricians, who mistake the splendour of a court for the happiness of a people. Fortunately, John Villani has given us an ample and precise account of the state of Florence in the earlier part of the fourteenth century. The revenue of the Republic amounted to three hundred thousand florins, a sum which, allowing for the depreciation of the precious metals, was at least equivalent to six hundred thousand pounds sterling; a larger sum than England and Ireland, two centuries ago, yielded annually to Elizabeth—a larger sum than, according to any computation which we have seen, the Grand Duke of Tuscany now derives from a territory of much greater extent. The manufacture of wool alone employed two hundred factories and thirty thousand workmen. The cloth annually produced sold, at an average, for twelve hundred thousand florins; a sum fairly equal, in exchangeable value, to two millions and a half of our money. Four hundred thousand florins were annually coined. Eighty banks conducted the commercial operations, not of Florence only, but of all Europe. The transactions of these establishments were sometimes of a magnitude which may surprise even the contemporaries of the Barings and the Rothschilds. Two houses advanced to Edward the Third of England upwards of three hundred thousand marks, at a time when the mark contained more silver than fifty shillings of the present day, and when the value of silver was more than quadruple of what it now is. The city and its environs contained a hundred and seventy thousand inhabitants. In the various schools about ten thousand children were taught to read; twelve hundred studied arithmetic; six hundred received a learned education. The progress of elegant literature and of the fine arts was proportioned to that of the public prosperity. Under the despotic

successors of Augustus, all the fields of the intellect had been turned into arid wastes, still marked out by formal boundaries, still retaining the traces of old cultivation, but yielding neither flowers nor fruit. The deluge of barbarism came. It swept away all the landmarks. It obliterated all the signs of former tillage. But it fertilized while it devastated. When it receded, the wilderness was as the garden of God, rejoicing on every side, laughing, clapping its hands, pouring forth, in spontaneous abundance, every thing brilliant, or fragrant, or nourishing. A new language, characterized by simple sweetness and simple energy, had attained its perfection. No tongue ever furnished more gorgeous and vivid tints to poetry; nor was it long before a poet appeared, who knew how to employ them. Early in the fourteenth century came forth the Divine Comedy, beyond comparison the greatest work of imagination which had appeared since the poems of Homer. The following generation produced indeed no second Dante: but it was eminently distinguished by general intellectual activity. The study of the Latin writers had never been wholly neglected in Italy. But Petrarch introduced a more profound, liberal, and elegant scholarship; and communicated to his countrymen that enthusiasm for the literature, the history, and the antiquities of Rome, which divided his own heart with a frigid mistress and a more frigid Muse. Boccacio turned their attention to the more sublime and graceful models of Greece.

From this time, the admiration of learning and genius became almost an idolatry among the people of Italy. Kings and republics, Cardinals and Doges, vied with each other in honouring and flattering Petrarch. Embassies from rival states solicited the honour of his instructions. His coronation agitated the Court of Naples and the people of Rome as much as the most important political transaction could have done. To collect books and antiques, to found professorships, to patronize men of learning, became almost universal fashions among the great. The spirit of literary research allied itself to that of commercial enterprise. Every place to which the merchant princes of Florence extended their gigantic traffic, from the bazaars of the Tigris to the monasteries of the Clyde, was ransacked for medals and manuscripts. Architecture, painting and sculpture, were munificently encouraged. Indeed it would be difficult to name an Italian of eminence, during the period of which we speak, who, whatever may have been his general character, did not at least affect a love of letters and of the arts.

Knowledge and public prosperity continued to advance to-

gether. Both attained their meridian in the age of Lorenzo the Magnificent. We cannot refrain from quoting the splendid passage, in which the Tuscan Thucydides describes the state of Italy at that period :—'Ridotta tutta in somma pace e 'tranquillità, coltivata non meno ne' luoghi più montuosi e più 'sterili che nelle pianure e regioni più fertili, nè sottoposta 'ad altro imperio che de' suoi medesimi, non solo era abbon-'dantissima d'abitatori e di ricchezze; ma illustrata somma-'mente dalla magnificenza di molti principi, dallo splendore 'di molte nobilissime e bellissime città, dalla sedia e maestà 'della religione, fioriva d' uomini prestantissimi nell' amminis-'trazione delle cose pubbliche, e d'ingegni molto nobili in tutte 'le scienze, ed in qualunque arte preclara ed industriosa.'* When we peruse this just and splendid description, we can scarcely persuade ourselves that we are reading of times in which the annals of England and France present us only with a frightful spectacle of poverty, barbarity, and ignorance. From the oppressions of illiterate masters, and the sufferings of a brutalized peasantry, it is delightful to turn to the opulent and enlightened States of Italy—to the vast and magnificent cities, the ports, the arsenals, the villas, the museums, the libraries, the marts filled with every article of comfort or luxury, the manufactories swarming with artisans, the Apennines covered with rich cultivation up to their very summits, the Po wafting the harvests of Lombardy to the granaries of Venice, and carrying back the silks of Bengal and the furs of Siberia to the palaces of Milan. With peculiar pleasure, every cultivated mind must repose on the fair, the happy, the glorious Florence—on the halls which rung with the mirth of Pulci—the cell where twinkled the midnight lamp of Politian—the statues on which the young eye of Michael Angelo glared with the frenzy of a kindred inspiration—the gardens in which Lorenzo meditated some sparkling song for the May-day dance of the Etrurian virgins. Alas, for the beautiful city! Alas, for the wit and the learning, the genius and the love!

'Le donne, e cavalier, gli affanni, gli agi,
Che né'nvogliav' amore e cortesia,
La dove i cuor' son fatti si malvagi.' †

A time was at hand, when all the seven vials of the Apocalypse were to be poured forth and shaken out over those pleasant countries—a time of slaughter, famine, beggary, infamy, slavery, despair!

In the Italian States, as in many natural bodies, untimely

* Guicciardini, lib. i. † Dante Purgatorio, xiv.

decrepitude was the penalty of precocious maturity. Their early greatness, and their early decline, are principally to be attributed to the same cause—the preponderance which the towns acquired in the political system.

In a community of hunters or of shepherds, every man easily and necessarily becomes a soldier. His ordinary avocations are perfectly compatible with all the duties of military service. However remote may be the expedition on which he is bound, he finds it easy to transport with him the stock from which he derives his subsistence. The whole people is an army; the whole year a march. Such was the state of society which facilitated the gigantic conquests of Attila and Timour.

But a people which subsists by the cultivation of the earth is in a very different situation. The husbandman is bound to the soil on which he labours. A long campaign would be ruinous to him. Still his pursuits are such as give to his frame both the active and the passive strength necessary to a soldier. Nor do they, at least in the infancy of agricultural science, demand his uninterrupted attention. At particular times of the year he is almost wholly unemployed, and can, without injury to himself, afford the time necessary for a short expedition. Thus the legions of Rome were supplied during its earlier wars. The season during which the farms did not require the presence of the cultivators sufficed for a short inroad and a battle. These operations, too frequently interrupted to produce decisive results, yet served to keep up among the people a degree of discipline and courage which rendered them, not only secure, but formidable. The archers and billmen of the middle ages, who, with provisions for forty days at their backs, left the fields for the camp, were troops of the same description.

But, when commerce and manufactures begin to flourish, a great change takes place. The sedentary habits of the desk and the loom render the exertions and hardships of war insupportable. The occupations of traders and artisans require their constant presence and attention. In such a community there is little superfluous time; but there is generally much superfluous money. Some members of the society are, therefore, hired to relieve the rest from a task inconsistent with their habits and engagements.

The history of Greece is, in this, as in many other respects, the best commentary on the history of Italy. Five hundred years before the Christian era, the citizens of the republics round the Ægean Sea formed perhaps the finest militia that ever existed. As wealth and refinement advanced, the system underwent a gradual alteration. The Ionian States were the

first in which commerce and the arts were cultivated—and the first in which the ancient discipline decayed. Within eighty years after the battle of Platæa, mercenary troops were everywhere plying for battles and sieges. In the time of Demosthenes, it was scarcely possible to persuade or compel the Athenians to enlist for foreign service. The laws of Lycurgus prohibited trade and manufactures. The Spartans, therefore, continued to form a national force long after their neighbours had begun to hire soldiers. But their military spirit declined with their singular institutions. In the second century, Greece contained only one nation of warriors, the savage highlanders of Ætolia, who were at least ten generations behind their countrymen in civilization and intelligence.

All the causes which produced these effects among the Greeks, acted still more strongly on the modern Italians. Instead of a power like Sparta, in its nature warlike, they had amongst them an ecclesiastical state, in its nature pacific. Where there are numerous slaves, every freeman is induced by the strongest motives to familiarize himself with the use of arms. The commonwealths of Italy did not, like those of Greece, swarm with thousands of these household enemies. Lastly, the mode in which military operations were conducted during the prosperous times of Italy, was peculiarly unfavourable to the formation of an efficient militia. Men covered with iron from head to foot, armed with ponderous lances, and mounted on horses of the largest breed, were considered as composing the strength of an army. The infantry was regarded as comparatively worthless, and was neglected till it became really so. These tactics maintained their ground for centuries in most parts of Europe. That foot soldiers could withstand the charge of heavy cavalry was thought utterly impossible, till, towards the close of the fifteenth century, the rude mountaineers of Switzerland dissolved the spell, and astounded the most experienced generals, by receiving the dreaded shock on an impenetrable forest of pikes.

The use of the Grecian spear, the Roman sword, or the modern bayonet, might be acquired with comparative ease. But nothing short of the daily exercise of years could train the man at arms to support his ponderous panoply, and manage his unwieldy weapon. Throughout Europe this most important branch of war became a separate profession. Beyond the Alps, indeed, though a profession, it was not generally a trade. It was the duty and the amusement of a large class of country gentlemen. It was the service by which they held their lands, and the diversion by which, in the absence of mental

resources, they beguiled their leisure. But in the Northern States of Italy, as we have already remarked, the growing power of the cities, where it had not exterminated, this order of men had completely changed their habits. Here, therefore, the practice of employing mercenaries became universal, at a time when it was almost unknown in other countries.

When war becomes the trade of a separate class, the least dangerous course left to a government is to form that class into a standing army. It is scarcely possible, that men can pass their lives in the service of a single state, without feeling some interest in its greatness. Its victories are their victories. Its defeats are their defeats. The contract loses something of its mercantile character. The services of the soldier are considered as the effects of patriotic zeal, his pay as the tribute of national gratitude. To betray the power which employs him, to be even remiss in its service, are in his eyes the most atrocious and degrading of crimes.

When the princes and commonwealths of Italy began to use hired troops, their wisest course would have been to form separate military establishments. Unhappily this was not done. The mercenary warriors of the Peninsula, instead of being attached to the service of different powers, were regarded as the common property of all. The connexion between the state and its defenders was reduced to the most simple and naked traffic. The adventurer brought his horse, his weapons, his strength, and his experience, into the market. Whether the King of Naples or the Duke of Milan, the Pope or the Signory of Florence, struck the bargain, was to him a matter of perfect indifference. He was for the highest wages and the longest term. When the campaign for which he had contracted was finished, there was neither law nor punctilio to prevent him from instantly turning his arms against his late masters. The soldier was altogether disjoined from the citizen and from the subject.

The natural consequences followed. Left to the conduct of men who neither loved those whom they defended nor hated those whom they opposed—who were often bound by stronger ties to the army against which they fought than the state which they served—who lost by the termination of the conflict, and gained by its prolongation, war completely changed its character. Every man came into the field of battle impressed with the knowledge that, in a few days, he might be taking the pay of the power against which he was then employed, and fighting by the side of his enemies against his associates. The strongest interest and the strongest feelings concurred to miti-

gate the hostilily of those who had lately been brethren in arms, and who might soon be brethren in arms once more. Their common profession was a bond of union not to be forgotten even when they were engaged in the service of contending parties. Hence it was that operations, languid and indecisive beyond any recorded in history, marches and countermarches, pillaging expeditions and blockades, bloodless capitulations and equally bloodless combats, make up the military history of Italy during the course of nearly two centuries. Mighty armies fight from sunrise to sunset. A great victory is won. Thousands of prisoners are taken; and hardly a life is lost! A pitched battle seems to have been really less dangerous than an ordinary civil tumult.

Courage was now no longer necessary even to the military character. Men grew old in camps, and acquired the highest renown by their warlike achievements, without being once required to face serious danger. The political consequences are too well known. The richest and most enlightened part of the world was left, undefended, to the assaults of every barbarous invader—to the brutality of Switzerland, the insolence of France, and the fierce rapacity of Arragon. The moral effects which followed from this state of things, were still more remarkable.

Among the rude nations which lay beyond the Alps, valour was absolutely indispensable. Without it, none could be eminent; few could be secure. Cowardice was, therefore, naturally considered as the foulest reproach. Among the polished Italians, enriched by commerce, governed by law, and passionately attached to literature, every thing was done by superiority of intelligence. Their very wars, more pacific than the peace of their neighbours, required rather civil than military qualifications. Hence, while courage was the point of honour in other countries, ingenuity became the point of honour in Italy.

From these principles were deduced, by processes strictly analogous, two opposite systems of fashionable morality.—Through the greater part of Europe, the vices which peculiarly belong to timid dispositions, and which are the natural defence of weakness, fraud and hypocrisy, have always been most disreputable. On the other hand, the excesses of haughty and daring spirits have been treated with indulgence, and even with respect. The Italians regarded with corresponding lenity those crimes which require self-command, address, quick observation, fertile invention, and profound knowledge of human nature.

Such a prince as our Henry the Fifth would have been the idol of the North. The follies of his youth, the selfish and desolating ambition of his manhood, the Lollards roasted at slow fires, the prisoners massacred on the field of battle, the expiring lease of priestcraft renewed for another century, the dreadful legacy of a causeless and hopeless war, bequeathed to a people who had no interest in its event, everything is forgotten, but the victory of Agincourt! Francis Sforza, on the other hand, was the model of the Italian hero. He made his employers and his rivals alike his tools. He first overpowered his open enemies by the help of faithless allies; he then armed himself against his allies with the spoils taken from his enemies. By his incomparable dexterity, he raised himself from the precarious and dependent situation of a military adventurer to the first throne of Italy. To such a man much was forgiven—hollow friendship, ungenerous enmity, violated faith. Such are the opposite errors which men commit, when their morality is not a science, but a taste; when they abandon eternal principles for accidental associations.

We have illustrated our meaning by an instance taken from history. We will select another from fiction. Othello murders his wife; he gives orders for the murder of his lieutenant; he ends by murdering himself. Yet he never loses the esteem and affection of a Northern reader—his intrepid and ardent spirit redeeming every thing. The unsuspecting confidence with which he listens to his adviser, the agony with which he shrinks from the thought of shame, the tempest of passion with which he commits his crimes, and the haughty fearlessness with which he avows them, give an extraordinary interest to his character. Iago, on the contrary, is the object of universal loathing. Many are inclined to suspect that Shakespeare has been seduced into an exaggeration unusual with him, and has drawn a monster who has no archetype in human nature. Now we suspect, that an Italian audience, in the fifteenth century, would have felt very differently. Othello would have inspired nothing but detestation and contempt. The folly with which he trusts to the friendly professions of a man whose promotion he had obstructed—the credulity with which he takes unsupported assertions, and trivial circumstances, for unanswerable proofs, —the violence with which he silences the exculpation till the exculpation can only aggravate his misery, would have excited the abhorrence and disgust of the spectators. The conduct of Iago they would assuredly have condemned; but they would have condemned it as we condemn that of his victim. Something of interest and respect would have mingled with their

disapprobation. The readiness of his wit, the clearness of his judgment, the skill with which he penetrates the dispositions of others and conceals his own, would have insured to him a certain portion of their esteem.

So wide was the difference between the Italians and their neighbours. A similar difference existed between the Greeks of the second century before Christ, and their masters the Romans. The conquerors, brave and resolute, faithful to their engagements, and strongly influenced by religious feelings, were, at the same time, ignorant, arbitrary, and cruel. With the vanquished people were deposited all the art, the science, and the literature of the Western world. In poetry, in philosophy, in painting, in architecture, in sculpture, they had no rivals. Their manners were polished, their perceptions acute, their invention ready; they were tolerant, affable, humane. But of courage and sincerity they were almost utterly destitute. The rude warriors who had subdued them, consoled themselves for their intellectual inferiority, by remarking that knowledge and taste seemed only to make men atheists, cowards, and slaves. The distinction long continued to be strongly marked, and furnished an admirable subject for the fierce sarcasms of Juvenal.

The citizen of an Italian commonwealth was the Greek of the time of Juvenal, and the Greek of the time of Pericles, joined in one. Like the former, he was timid and pliable, artful and unscrupulous. But, like the latter, he had a country. Its independence and prosperity were dear to him. If his character were degraded by some mean crimes, it was, on the other hand, ennobled by public spirit and by an honourable ambition.

A vice sanctioned by the general opinion is merely a vice. The evil terminates in itself. A vice condemned by the general opinion produces a pernicious effect on the whole character. The former is a local malady, the latter a constitutional taint. When the reputation of the offender is lost, he too often flings the remains of his virtue after it in despair. The Highland gentleman who, a century ago, lived by taking black mail from his neighbours, committed the same crime for which Wild was accompanied to Tyburn by the huzzas of two hundred thousand people. But there can be no doubt that he was a much less depraved man than Wild. The deed for which Mrs Brownrigg was hanged sinks into nothing, when compared with the conduct of the Roman who treated the public to a hundred pair of gladiators. Yet we should probably wrong such a Roman if we supposed that his disposition was so cruel as that of Mrs Brownrigg. In our own country, a woman forfeits her

place in society, by what, in a man, is too commonly considered as an honourable distinction, and, at worst, as a venial error. The consequence is notorious. The moral principle of a woman is frequently more impaired by a single lapse from virtue, than that of a man by twenty years of intrigue. Classical antiquity would furnish us with instances stronger, if possible, than those to which we have referred.

We must apply this principle to the case before us. Habits of dissimulation and falsehood, no doubt, mark a man of our age and country as utterly worthless and abandoned. But it by no means follows that a similar judgment would be just in the case of an Italian of the middle ages. On the contrary, we frequently find those faults which we are accustomed to consider as certain indications of a mind altogether depraved, in company with great and good qualities, with generosity, with benevolence, with disinterestedness. From such a state of society, Palamedes, in the admirable dialogue of Hume, might have drawn illustrations of his theory as striking as any of those with which Fourli furnished him. These are not, we well know, the lessons which historians are generally most careful to teach, or readers most willing to learn. But they are not therefore useless. How Philip disposed his troops at Chæronea, where Hannibal crossed the Alps, whether Mary blew up Darnley, or Siquier shot Charles the Twelfth, and ten thousand other questions of the same description, are in themselves unimportant. The inquiry may amuse us, but the decision leaves us no wiser. He alone reads history aright, who, observing how powerfully circumstances influence the feelings and opinions of men, how often vices pass into virtues, and paradoxes into axioms, learns to distinguish what is accidental and transitory in human nature, from what is essential and immutable.

In this respect no history suggests more important reflections than that of the Tuscan and Lombard commonwealths. The character of the Italian statesman seems, at first sight, a collection of contradictions, a phantom as monstrous as the portress of hell in Milton, half divinity, half snake, majestic and beautiful above, grovelling and poisonous below. We see a man, whose thoughts and words have no connexion with each other; who never hesitates at an oath when he wishes to seduce, who never wants a pretext when he is inclined to betray. His cruelties spring, not from the heat of blood, or the insanity of uncontrolled power, but from deep and cool meditation. His passions, like well trained troops, are impetuous by rule, and in their most headstrong fury never forget the discipline to which they have been accustomed. His whole soul is occupied with

vast and complicated schemes of ambition. Yet his aspect and language exhibit nothing but philosophic moderation. Hatred and revenge eat into his heart;—Yet every look is a cordial smile, every gesture a familiar caress. He never excites the suspicion of his adversary by petty provocations. His purpose is disclosed only when it is accomplished. His face is unruffled, his speech is courteous, till vigilance is laid asleep, till a vital point is exposed, till a sure aim is taken; and then he strikes—for the first and last time. Military courage, the boast of the sottish German, the frivolous and prating Frenchman, the romantic and arrogant Spaniard, he neither possesses nor values. He shuns danger—not because he is insensible to shame, but because, in the society in which he lives, timidity has ceased to be shameful. To do an injury openly is, in his estimation, as wicked as to do it secretly—and far less profitable. With him the most honourable means are—the surest, the speediest, and the darkest. He cannot comprehend how a man should scruple to deceive him whom he does not scruple to destroy. He would think it madness to declare open hostilities against a rival whom he might stab in a friendly embrace, or poison in a consecrated wafer.

Yet this man, black with the vices which *we* consider as most loathsome—traitor, hypocrite, coward, assassin—was by no means destitute even of those virtues which we generally consider as indicating superior elevation of character. In civil courage, in perseverance, in presence of mind, those barbarous warriors, who were foremost in the battle or the breach, were far his inferiors. Even the dangers which he avoided, with a caution almost pusillanimous, never confused his perceptions, never paralysed his inventive faculties, never wrung out one secret from his ready tongue and his inscrutable brow. Though a dangerous enemy, and a still more dangerous accomplice, he was a just and beneficent ruler. With so much unfairness in his policy, there was an extraordinary degree of fairness in his intellect. Indifferent to truth in the transactions of life, he was honestly devoted to the pursuit of truth in the researches of speculation. Wanton cruelty was not in his nature. On the contrary, where no political object was at stake, his disposition was soft and humane. The susceptibility of his nerves, and the activity of his imagination, inclined him to sympathize with the feelings of others, and to delight in the charities and courtesies of social life. Perpetually descending to actions which might seem to mark a mind diseased through all its faculties, he had nevertheless an exquisite sensibility, both for the natural and the moral sublime, for every graceful and every

lofty conception. Habits of petty intrigue and dissimulation might have rendered him incapable of great general views; but that the expanding effect of his philosophical studies counteracted the narrowing tendency. He had the keenest enjoyment of wit, eloquence, and poetry. The fine arts profited alike by the severity of his judgment, and the liberality of his patronage. The portraits of some of the remarkable Italians of those times, are perfectly in harmony with this description. Ample and majestic foreheads; brows strong and dark, but not frowning; eyes of which the calm full gaze, while it expresses nothing, seems to discern every thing; cheeks pale with thought and sedentary habits; lips formed with feminine delicacy, but compressed with more than masculine decision—mark out men at once enterprising and apprehensive; men equally skilled in detecting the purposes of others, and in concealing their own; men who must have been formidable enemies and unsafe allies; but men, at the same time, whose tempers were mild and equable, and who possessed an amplitude and subtlety of mind which would have rendered them eminent either in active or in contemplative life, and fitted them either to govern or to instruct mankind.

Every age and every nation has certain characteristic vices, which prevail almost universally, which scarcely any person scruples to avow, and which even rigid moralists but faintly censure. Succeeding generations change the fashion of their morals, with their hats and their coaches; take some other kind of wickedness under their patronage, and wonder at the depravity of their ancestors. Nor is this all. Posterity, that high court of appeal, which is never tired of eulogizing its own justice and discernment, acts, on such occasions, like a Roman dictator after a general mutiny: Finding the delinquents too numerous to be all punished, it selects some of them at hazard, to bear the whole penalty of an offence in which they are not more deeply implicated than those who escape. Whether decimation be a convenient mode of military execution, we know not; but we solemnly protest against the introduction of such a principle into the philosophy of history.

In the present instance, the lot has fallen on Machiavelli; a man whose public conduct was upright and honourable, whose views of morality, where they differed from those of the persons around him, seemed to have differed for the better, and whose only fault was, that, having adopted some of the maxims then generally received, he arranged them more luminously, and expressed them more forcibly, than any other writer.

Having now, we hope, in some degree cleared the personal

character of Machiavelli, we come to the consideration of his works. As a poet, he is not entitled to a very high place. The Decennali are merely abstracts of the history of his own times in rhyme. The style and versification are sedulously modelled on those of Dante. But the manner of Dante, like that of every other great original poet, was suited only to his own genius, and to his own subject. The distorted and rugged diction which gives to his unearthly imagery a yet more unearthly character, and seems to proceed from a man labouring to express that which is inexpressible, is at once mean and extravagant, when misemployed by an imitator. The moral poems are in every point superior. That on Fortune, in particular, and that on Opportunity, exhibit both justness of thought and fertility of fancy. The Golden Ass has nothing but the name, in common with the Romance of Apuleius—a book which, in spite of its irregular plan and its detestable style, is among the most fascinating in the Latin language, and in which the merits of Le Sage and Radcliffe, Bunyan and Crébillon, are singularly united. The Poem of Machiavelli, which is evidently unfinished, is carefully copied from the earlier Cantos of the Inferno. The writer loses himself in a wood. He is terrified by monsters, and relieved by a beautiful damsel. His protectress conducts him to a large menagerie of emblematical beasts, whose peculiarities are described at length. The manner as well as the plan of the Divine Comedy is carefully imitated. Whole lines are transferred from it. But they no longer produce their wonted effect. Virgil advises the husbandman who removes a plant from one spot to another to mark its bearings on the cork, and to place it in the same position with regard to the different points of the heaven in which it formerly stood. A similar care is necessary in poetical transplantation. Where it is neglected, we perpetually see the flowers of language, which have bloomed on one soil, wither on another. Yet the Golden Ass is not altogether destitute of merit. There is considerable ingenuity in the allegory, and some vivid colouring in the descriptions.

The Comedies deserve more attention. The Mandragola, in particular, is superior to the best of Goldoni, and inferior only to the best of Molière. It is the work of a man who, if he had devoted himself to the drama, would probably have attained the highest eminence, and produced a permanent and salutary effect on the national taste. This we infer, not so much from the degree, as from the kind of its excellence. There are compositions which indicate still greater talent, and which are perused with still greater delight, from which we

should have drawn very different conclusions. Books quite worthless are quite harmless. The sure sign of the general decline of an art is the frequent occurence, not of deformity, but of misplaced beauty. In general, tragedy is corrupted by eloquence, and comedy by wit.

The real object of the drama is the exhibition of the human character. This, we conceive, is no arbitrary canon, originating in local and temporary associations, like those which regulate the number of acts in a play, or of syllables in a line. It is the very essence of a species of composition, in which every idea is coloured by passing through the medium of an imagined mind. To this fundamental law every other regulation is subordinate. The situations which most signally develop character form the best plot. The mother tongue of the passions is the best style.

This principle, rightly understood, does not debar the poet from any grace of composition. There is no style in which some man may not, under some circumstances, express himself. There is therefore no style which the drama rejects, none which it does not occasionally require. It is in the discernment of place, of time, and of person, that the inferior artists fail. The brilliant rhodomontade of Mercutio, the elaborate declamation of Antony, are, where Shakspeare has placed them, natural and pleasing. But Dryden would have made Mercutio challenge Tybalt, in hyperboles as fanciful as those in which he describes the chariot of Mab. Corneille would have represented Antony as scolding and coaxing Cleopatra with all the measured rhetoric of a funeral oration.

No writers have injured the Comedy of England so deeply as Congreve and Sheridan. Both were men of splendid wit and polished taste. Unhappily they made all their characters in their own likeness. Their works bear the same relation to the legitimate drama which a transparency bears to a painting: no delicate touches:—no hues imperceptibly fading into each other:—the whole is lighted up with an universal glare. Outlines and tints are forgotten in the common blaze which illuminates all. The flowers and fruits of the intellect abound; but it is the abundance of a jungle, not of a garden—unwholesome, bewildering, unprofitable from its very plenty, rank from its very fragrance. Every fop, every boor, every valet, is a man of wit. The very butts and dupes, Tattle, Urkwould, Puff, Acres, outshine the whole Hôtel de Rambouillet. To prove the whole system of this school absurd, it is only necessary to apply the test which dissolved the enchanted Florimel—to place the true by the false Thalia, to contrast the most cele-

brated characters which have been drawn by the writers of whom we speak, with the Bastard in King John or the Nurse in Romeo and Juliet. It was not surely from want of wit that Shakspeare adopted so different a manner. Benedick and Beatrice throw Mirabel and Millamant into the shade. All the good sayings of the facetious hours of Absolute and Surface might have been clipped from the single character of Falstaff without being missed. It would have been easy for that fertile mind to have given Bardolph and Shallow as much wit as Prince Hal, and to have made Dogberry and Verges retort on each other in sparkling epigrams. But he knew, to use his own admirable language, that such indiscriminate prodigality was '*from* the purpose of playing, whose end, both 'at the first and now, was, and is, to hold, as it were, the 'mirror up to Nature.'

This digression will enable our readers to understand what we mean when we say that, in the Mandragola, Machiavelli has proved that he completely understood the nature of the dramatic art, and possessed talents which would have enabled him to excel in it. By the correct and vigorous delineation of human nature, it produces interest without a pleasing or skilful plot, and laughter without the least ambition of wit. The lover, not a very delicate or generous lover, and his adviser the parasite, are drawn with spirit. The hypocritical confessor is an admirable portrait. He is, if we mistake not, the original of Father Dominic, the best comic character of Dryden. But old Nicias is the glory of the piece. We cannot call to mind any thing that resembles him. The follies which Molière ridicules are those of affectation, not those of fatuity. Coxcombs and pedants, not simpletons, are his game. Shakspeare has indeed a vast assortment of fools; but the precise species of which we speak, is not, if we remember right, to be found there. Shallow is a fool. But his animal spirits supply, to a certain degree, the place of cleverness. His talk is to that of Sir John what soda-water is to champagne. It has the effervescence, though not the body or the flavour. Slender and Sir Andrew Aguecheek are fools, troubled with an uneasy consciousness of their folly, which, in the latter, produces a most edifying meekness and docility, and in the former, awkwardness, obstinacy, and confusion. Cloten is an arrogant fool, Osric a foppish fool, Ajax a savage fool; but Nicias is, as Thersites says of Patroclus, a fool positive. His mind is occupied by no strong feeling; it takes every character, and retains none; its aspect is diversified, not by passions, but by faint and transitory semblances of passion, a mock joy, a mock fear, a mock love, a mock pride, which chase each

other like shadows over its surface, and vanish as soon as they appear. He is just idiot enough to be an object, not of pity or horror, but of ridicule. He bears some resemblance to poor Calandrino, whose mishaps, as recounted by Boccacio, have made all Europe merry for more than four centuries. He perhaps resembles still more closely Simon de Villa, to whom Bruno and Buffalmacco promised the love of the Countess Civillari. * Nicias is, like Simon, of a learned profession; and the dignity with which he wears the doctoral fur, renders his absurdities infinitely more grotesque. The old Tuscan is the very language for such a being. Its peculiar simplicity gives even to the most forcible reasoning and the most brilliant wit an infantine air, generally delightful, but to a foreign reader sometimes a little ludicrous. Heroes and statesmen seem to lisp when they use it. It becomes Nicias incomparably, and renders all his silliness infinitely more silly.

We may add, that the verses with which the Mandragola is interspersed, appear to us to be the most spirited and correct of all that Machiavelli has written in metre. He seems to have entertained the same opinion; for he has introduced some of them in other places. The contemporaries of the author were not blind to the merits of this striking piece. It was acted at Florence with the greatest success. Leo the Tenth was among its admirers, and by his order it was represented at Rome. †

The Clizia is an imitation of the Casina of Plautus, which is itself an imitation of the lost κληρουμένοι of Diphilus. Plautus was, unquestionably, one of the best Latin writers. His works are copies; but they have in an extraordinary degree the air of originals. We infinitely prefer the slovenly exuberance of his fancy, and the clumsy vigour of his diction, to the artfully disguised poverty and elegant languor of Terence. But the Casina is by no means one of his best plays; nor is it one which offers great facilities to an imitator. The story is as alien from modern habits of life, as the manner in which it is developed from the modern fashion of composition. The lover remains in the country, and the heroine is locked up in her chamber during the whole action, leaving their fate to be decided by a foolish father, a cunning mother, and two knavish servants. Machia-

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* Decameron, Giorn. viii. Nov. 9.

† Nothing can be more evident than that Paulus Jovius designates the Mandragola under the name of the Nicias. We should not have noticed what is so perfectly obvious, were it not that this natural and palpable misnomer has led the sagacious and industrious Bayle into a gross error.

velli has executed his task with judgment and taste. He has accommodated the plot to a different state of society, and has very dexterously connected it with the history of his own times. The relation of the trick put on the doting old lover is exquisitely humorous. It is far superior to the corresponding passage in the Latin comedy, and scarcely yields to the account which Falstaff gives of his ducking.

Two other comedies without titles, the one in prose, the other in verse, appear among the works of Machiavelli. The former is very short, lively enough, but of no great value. The latter we can scarcely believe to be genuine. Neither its merits nor its defects remind us of the reputed author. It was first printed in 1796, from a manuscript discovered in the celebrated library of the Strozzi. Its genuineness, if we have been rightly informed, is established solely by the comparison of hands. Our suspicions are strengthened by the circumstance, that the same manuscript contained a description of the plague of 1527, which has also, in consequence, been added to the works of Machiavelli. Of this last composition, the strongest external evidence would scarcely induce us to believe him guilty. Nothing was ever written more detestable, in matter and manner. The narrations, the reflections, the jokes, the lamentations, are all the very worst of their respective kinds, at once trite and affected,—threadbare tinsel from the Rag-fairs, and Monmouth-streets of literature. A foolish schoolboy might perhaps write it, and, after he had written it, think it much finer than the incomparable introduction of the Decameron. But that a shrewd statesman, whose earliest works are characterized by manliness of thought and language, should, at nearly sixty years of age, descend to such puerility, is utterly inconceivable.

The little Novel of Belphegor is pleasantly conceived, and pleasantly told. But the extravagance of the satire in some measure injures its effect. Machiavelli was unhappily married; and his wish to avenge his own cause and that of his brethren in misfortune, carried him beyond even the license of fiction. Jonson seems to have combined some hints taken from this tale, with others from Boccacio, in the plot of *The Devil is an Ass*—a play which, though not the most highly finished of his compositions, is perhaps that which exhibits the strongest proofs of genius.

The political correspondence of Machiavelli, first published in 1767, is unquestionably genuine, and highly valuable. The unhappy circumstances in which his country was placed during the greater part of his public life, gave extraordinary encouragement to diplomatic talents. From the moment that

Charles the Eighth descended from the Alps, the whole character of Italian politics was changed. The governments of the Peninsula ceased to form an independent system. Drawn from their old orbit by the attraction of the larger bodies which now approached them, they became mere satellites of France and Spain. All their disputes, internal and external, were decided by foreign influence. The contests of opposite factions were carried on, not as formerly in the Senate-House, or in the market-place, but in the antichambers of Louis and Ferdinand. Under these circumstances, the prosperity of the Italian States depended far more on the ability of their foreign agents, than on the conduct of those who were intrusted with the domestic administration. The ambassador had to discharge functions far more delicate than transmitting orders of knighthood, introducing tourists, or presenting his brethren with the homage of his high consideration. He was an advocate to whose management the dearest interests of his clients were intrusted, a spy clothed with an inviolable character. Instead of consulting the dignity of those whom he represented by a reserved manner and an ambiguous style, he was to plunge into all the intrigues of the court at which he resided, to discover and flatter every weakness of the prince who governed his employers, of the favourite who governed the prince, and of the lacquey who governed the favourite. He was to compliment the mistress and bribe the confessor, to panegyrize or supplicate, to laugh or weep, to accommodate himself to every caprice, to lull every suspicion, to treasure every hint, to be every thing, to observe every thing, to endure every thing. High as the art of political intrigue had been carried in Italy, these were times which required it all.

On these arduous errands a Machiavelli was frequently employed. He was sent to treat with the King of the Romans and with the Duke of Valentinois. He was twice ambassador at the Court of Rome, and thrice at that of France. In these missions, and in several others of inferior importance, he acquitted himself with great dexterity. His despatches form one of the most amusing and instructive collections extant. We meet with none of the mysterious jargon so common in modern state-papers, the flash-language of political robbers and sharpers. The narratives are clear and agreeably written; the remarks on men and things clever and judicious. The conversations are reported in a spirited and characteristic manner. We find ourselves introduced into the presence of the men who, during twenty eventful years, swayed the destinies of Europe. Their wit and their folly, their fretfulness

and their merriment are exposed to us. We are admitted to overhear their chat, and to watch their familiar gestures. It is interesting and curious to recognise, in circumstances which elude the notice of historians, the feeble violence and shallow cunning of Louis the Twelfth; the bustling insignificance of Maximilian, cursed with an impotent pruriency for renown, rash yet timid, obstinate yet fickle, always in a hurry, yet always too late;—the fierce and haughty energy which gave dignity to the eccentricities of Julius;—the soft and graceful manners which masked the insatiable ambition and the implacable hatred of Borgia.

We have mentioned Borgia. It is impossible not to pause for a moment on the name of a man in whom the political morality of Italy was so strongly personified, partially blended with the sterner lineaments of the Spanish character. On two important occasions Machiavelli was admitted to his society; once, at the moment when his splendid villany achieved its most signal triumph, when he caught in one snare and crushed at one blow all his most formidable rivals; and again when, exhausted by disease and overwhelmed by misfortunes which no human prudence could have averted, he was the prisoner of the deadliest enemy of his house. These interviews between the greatest speculative and the greatest practical statesman of the age, are fully described in the correspondence, and form perhaps the most interesting part of it. From some passages in the *Prince*, and perhaps also from some indistinct traditions, several writers have supposed a connexion between those remarkable men much closer than ever existed. The Envoy has even been accused of prompting the crimes of the artful and merciless tyrant. But from the official documents it is clear that their intercourse, though ostensibly amicable, was in reality hostile. It cannot be doubted, however, that the imagination of Machiavelli was strongly impressed and his speculations on government coloured, by the observations which he made on the singular character, and equally singular fortunes, of a man who, under such disadvantages, had achieved such exploits; who, when sensuality, varied through innumerable forms, could no longer stimulate his sated mind, found a more powerful and durable excitement in the intense thirst of empire and revenge;—who emerged from the sloth and luxury of the Roman purple, the first prince and general of the age;—who, trained in an unwarlike profession, formed a gallant army out of the dregs of an unwarlike people;—who, after acquiring sovereignty by destroying his enemies, acquired popularity by destroying his tools;—who had begun to employ for the most

salutary ends the power which he had attained by the most atrocious means; who tolerated within the sphere of his iron despotism no plunderer or oppressor but himself;—and who fell at last amidst the mingled curses and regrets of a people of whom his genius had been the wonder, and might have been the salvation. Some of those crimes of Borgia which to us appear the most odious, would not, from causes which we have already considered, have struck an Italian of the fifteenth century with equal horror. Patriotic feeling also might induce Machiavelli to look with some indulgence and regret on the memory of the only leader who could have defended the independence of Italy against the confederate spoilers of Cambray.

On this subject Machiavelli felt most strongly. Indeed the expulsion of the foreign tyrants, and the restoration of that golden age which had preceded the irruption of Charles the Eighth, were projects which, at that time, fascinated all the master-spirits of Italy. The magnificent vision delighted the great but ill regulated mind of Julius. It divided with manuscripts and sauces, painters and falcons, the attention of the frivolous Leo. It prompted the generous treason of Morone. It imparted a transient energy to the feeble mind and body of the last Sforza. It excited for one moment an honest ambition in the false heart of Pescara. Ferocity and insolence were not among the vices of the national character. To the discriminating cruelties of politicians, committed for great ends on select victims, the moral code of the Italians was too indulgent. But though they might have recourse to barbarity as an expedient, they did not require it as a stimulant. They turned with loathing from the atrocity of the strangers who seemed to love blood for its own sake, who, not content with subjugating, were impatient to destroy; who found a fiendish pleasure in razing magnificent cities, cutting the throats of enemies who cried for quarter, or suffocating an unarmed people by thousands in the caverns to which they had fled for safety. Such were the scenes which daily excited the terror and disgust of a people, amongst whom, till lately, the worst that a soldier had to fear in a pitched battle was the loss of his horse, and the expense of his ransom. The swinish intemperance of Switzerland, the wolfish avarice of Spain, the gross licentiousness of the French, indulged in violation of hospitality, of decency, of love itself, the wanton inhumanity which was common to all the invaders, had rendered them objects of deadly hatred to the inhabitants of the Peninsula. * The wealth which

* The opening stanzas of the Fourteenth Canto of the Orlando Furioso, give a frightful picture of the state of Italy in those times. Yet,

had been accumulated during centuries of prosperity and repose, was rapidly melting away. The intellectual superiority of the oppressed people only rendered them more keenly sensible of their political degradation. Literature and taste, indeed, still disguised with a flush of hectic loveliness and brilliancy the ravages of an incurable decay. The iron had not yet entered into the soul. The time was not yet come when eloquence was to be gagged, and reason to be hoodwinked—when the harp of the poet was to be hung on the willows of Arno, and the right hand of the painter to forget its cunning. Yet a discerning eye might even then have seen that genius and learning would not long survive the state of things from which they had sprung—that the great men whose talents gave lustre to that melancholy period had been formed under the influence of happier days, and would leave no successors behind them. The times which shine with the greatest splendour in literary history are not always those to which the human mind is most indebted. Of this we may be convinced, by comparing the generation which follows them, with that which preceded them. The first fruits which are reaped under a bad system, often spring from seed sown under a good one. Thus it was, in some measure, with the Augustan age. Thus it was with the age of Raphael and Ariosto, of Aldus and Vida.

Machiavelli deeply regretted the misfortunes of his country, and clearly discerned the cause and the remedy. It was the military system of the Italian people which had extinguished their valour and discipline, and rendered their wealth an easy prey to every foreign plunderer. The Secretary projected a scheme, alike honourable to his heart and to his intellect, for abolishing the use of mercenary troops, and organizing a national militia.

The exertions which he made to effect this great object ought alone to rescue his name from obloquy. Though his situation and his habits were pacific, he studied with intense assiduity the theory of war. He made himself master of all its details. The Florentine government entered into his views. A council of war was appointed. Levies were decreed. The indefatigable minister flew from place to place in order to superintend the execution of his design. The times were, in some respects, favourable to the experiment. The system of

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strange to say, Ariosto is speaking of the conduct of those who called themselves Allies.

military tactics had undergone a great revolution. The cavalry was no longer considered as forming the strength of an army. The hours which a citizen could spare from his ordinary employments, though by no means sufficient to familiarize him with the exercise of a man-at-arms, might render him an useful foot-soldier. The dread of a foreign yoke, of plunder, massacre, and conflagration, might have conquered that repugnance to military pursuits, which both the industry and the idleness of great towns commonly generate. For a time the scheme promised well. The new troops acquitted themselves respectably in the field. Machiavelli looked with parental rapture on the success of his plan; and began to hope that the arms of Italy might once more be formidable to the barbarians of the Tagus and the Rhine. But the tide of misfortune came on before the barriers which should have withstood it were prepared. For a time, indeed, Florence might be considered as peculiarly fortunate. Famine and sword and pestilence had devastated the fertile plains and stately cities of the Po. All the curses denounced of old against Tyre seemed to have fallen on Venice. Her merchants, already stood afar off, lamenting for their great city. The time seemed near when the sea-weed should overgrow her silent Rialto, and the fisherman wash his nets in her deserted arsenal. Naples had been four times conquered and reconquered, by tyrants equally indifferent to its welfare, and equally greedy for its spoils. Florence, as yet, had only to endure degradation and extortion, to submit to the mandates of foreign powers, to buy over and over again, at an enormous price, what was already justly her own—to return thanks for being wronged, and to ask pardon for being in the right. She was at length deprived of the blessings even of this infamous and servile repose. Her military and political institutions were swept away together. The Medici returned, in the train of foreign invaders, from their long exile. The policy of Machiavelli was abandoned; and his public services were requited with poverty, imprisonment, and torture.

The fallen statesman still clung to his project with unabated ardour. With the view of vindicating it from some popular objections, and of refuting some prevailing errors on the subject of military science, he wrote his seven books on the Art of War. This excellent work is in the form of a dialogue. The opinions of the writer are put into the mouth of Fabrizio Colonna, a powerful nobleman of the Ecclesiastical State, and an officer of distinguished merit in the service of the King of Spain. He visits Florence on his way from Lombardy to his own domains. He is invited to meet some friends at the house

of Cosimo Rucellai, an amiable and accomplished young man, whose early death Machiavelli feelingly deplores. After partaking of an elegant entertainment, they retire from the heat into the most shady recesses of the garden. Fabrizio is struck by the sight of some uncommon plants. His host informs him that, though rare in modern days, they are frequently mentioned by the classical authors, and that his grandfather, like many other Italians, amused himself with practising the ancient methods of gardening. Fabrizio expresses his regret that those who, in later times, affected the manners of the old Romans, should select for imitation their most trifling pursuits. This leads to a conversation on the decline of military discipline, and on the best means of restoring it. The institution of the Florentine militia is ably defended; and several improvements are suggested in the details.

The Swiss and the Spaniards were, at that time, regarded as the best soldiers in Europe. The Swiss battalion consisted of pikemen, and bore a close resemblance to the Greek phalanx. The Spaniards, like the soldiers of Rome, were armed with the sword and the shield. The victories of Flaminius and Æmilius over the Macedonian kings seem to prove the superiority of the weapons used by the legions. The same experiment had been recently tried with the same result at the battle of Ravenna, one of those tremendous days into which human folly and wickedness compress the whole devastation of a famine or a plague. In that memorable conflict, the infantry of Arragon, the old companions of Gonsalvo, deserted by all their allies, hewed a passage through the thickest of the imperial pikes, and effected an unbroken retreat, in the face of the gend-armerie of De Foix, and the renowned artillery of Esté. Fabrizio, or rather Machiavelli, proposes to combine the two systems, to arm the foremost lines with the pike, for the purpose of repulsing cavalry, and those in the rear with the sword, as being a weapon better adapted for every purpose. Throughout the work, the author expresses the highest admiration of the military science of the ancient Romans, and the greatest contempt for the maxims which had been in vogue amongst the Italian commanders of the preceding generation. He prefers infantry to cavalry, and fortified camps to fortified towns. He is inclined to subsitute rapid movements, and decisive engagements for the languid and dilatory operations of his countrymen. He attaches very little importance to the invention of gunpowder. Indeed he seems to think that it ought scarcely to produce any change in the mode of arming or of disposing troops. The general testimony of historians, it must be allowed, seems to prove,

that the ill-constructed and ill-served artillery of those times, though useful in a siege, was of little value on the field of battle.

Of the tactics of Machiavelli we will not venture to give an opinion: But we are certain that his book is most able and interesting. As a commentary on the history of his times, it is invaluable. The ingenuity, the grace, and the perspicuity of the style, and the eloquence and animation of particular passages, must give pleasure even to readers who take no interest in the subject.

The *Prince* and the Discourses on Livy were written after the fall of the Republican Government. The former was dedicated to the young Lorenzo de Medici. This circumstance seems to have disgusted the contemporaries of the writer far more than the doctrines which have rendered the name of the work odious in later times. It was considered as an indication of political apostasy. The fact however seems to have been, that Machiavelli, despairing of *the liberty* of Florence, was inclined to support any government which might preserve her *independence*. The interval which separated a democracy and a despotism, Soderini and Lorenzo, seemed to vanish when compared with the difference between the former and the present state of Italy, between the security, the opulence, and the repose which it had enjoyed under its native rulers, and the misery in which it had been plunged since the fatal year in which the first foreign tyrant had descended from the Alps. The noble and pathetic exhortation with which the *Prince* concludes, shows how strongly the writer felt upon this subject.

The *Prince* traces the progress of an ambitious Man, the Discourses the progress of an ambitious People. The same principles on which, in the former work, the elevation of an individual is explained, are applied, in the latter, to the longer duration and more complex interests of a society. To a modern statesman the form of the Discourses may appear to be puerile. In truth Livy is not a historian on whom much reliance can be placed, even in cases where he must have possessed considerable means of information. And his first Decade, to which Machiavelli has confined himself, is scarcely entitled to more credit than our Chronicle of British Kings who reigned before the Roman invasion. But his commentator is indebted to him for little more than a few texts which he might as easily have extracted from the Vulgate or the Decameron. The whole train of thought is original.

On the peculiar immorality which has rendered the *Prince* unpopular, and which is almost equally discernible in the Dis-

courses, we have already given our opinion at length. We have attempted to show that it belonged rather to the age than to the man, that it was a partial taint, and by no means implied general depravity. We cannot however deny that it is a great blemish, and that it considerably diminishes the pleasure which, in other respects, those works must afford to every intelligent mind.

It is, indeed, impossible to conceive a more healthful and vigorous constitution of the understanding than that which these works indicate. The qualities of the active and the contemplative statesman appear to have been blended, in the mind of the writer, into a rare and exquisite harmony. His skill in the details of business had not been acquired at the expense of his general powers. It had not rendered his mind less comprehensive; but it had served to correct his speculations, and to impart to them that vivid and practical character which so widely distinguishes them from the vague theories of most political philosophers.

Every man who has seen the world knows that nothing is so useless as a general maxim. If it be very moral and very true, it may serve for a copy to a charity-boy. If, like those of Rochefoucault, it be sparkling and whimsical, it may make an excellent motto for an essay. But few, indeed, of the many wise apophthegms which have been uttered, from the time of the Seven Sages of Greece to that of Poor Richard, have prevented a single foolish action. We give the highest and the most peculiar praise to the precepts of Machiavelli, when we say that they may frequently be of real use in regulating conduct—not so much because they are more just, or more profound, than those which might be culled from other authors, as because they can be more readily applied to the problems of real life.

There are errors in these works. But they are errors which a writer, situated like Machiavelli, could scarcely avoid. They arise, for the most part, from a single defect which appears to us to pervade his whole system. In his political scheme, the means had been more deeply considered than the ends. The great principle, that societies and laws exist only for the purpose of increasing the sum of private happiness, is not recognised with sufficient clearness. The good of the body, distinct from the good of the members, and sometimes hardly compatible with it, seems to be the object which he proposes to himself. Of all political fallacies, this has had the widest and the most mischievous operation. The state of society in the little commonwealths of Greece, the close connexion and mutual dependence of the citizens, and the severity of the laws of war,

tended to encourage an opinion which, under such circumstances, could hardly be called erroneous. The interests of every individual were inseparably bound up with those of the state. An invasion destroyed his corn-fields and vineyards, drove him from his home, and compelled him to encounter all the hardships of a military life. A peace restored him to security and comfort. A victory doubled the number of his slaves. A defeat perhaps made him a slave himself. When Pericles, in the Peloponnesian war, told the Athenians that, if their country triumphed, their private losses would speedily be repaired; but that, if their arms failed of success, every individual amongst them would probably be ruined, *—he spoke no more than the truth. He spoke to men whom the tribute of vanquished cities supplied with food and clothing, with the luxury of the bath and the amusements of the theatre, on whom the greatness of their country conferred rank, and before whom the members of less prosperous communities trembled;—and to men who, in case of a change in the public fortunes, would, at least, be deprived of every comfort, and every distinction which they enjoyed. To be butchered on the smoking ruins of their city—to be dragged in chains to a slave-market—to see one child torn from them to dig in the quarries of Sicily, and another to guard the harams of Persepolis:—those were the frequent and probable consequences of national calamities. Hence, among the Greeks, patriotism became a governing principle, or rather an ungovernable passion. Both their legislators and their philosophers took it for granted, that, in providing for the strength and greatness of the state, they sufficiently provided for the happiness of the people. The writers of the Roman empire lived under despots, into whose dominion a hundred nations were melted down, and whose gardens would have covered the little commonwealths of Phlius and Platæa. Yet they continued to employ the same language, and to cant about the duty of sacrificing every thing to a country to which they owed nothing.

Causes similar to those which had influenced the disposition of the Greeks, operated powerfully on the less vigorous and daring character of the Italians. They, too, were members of small communities. Every man was deeply interested in the welfare of the society to which he belonged,—a partaker in its wealth and its poverty, in its glory and its shame. In the age of Machiavelli, this was peculiarly the case. Public events had produced an immense sum of money to private citizens.

* Thucydides, ii. 62.

The Northern invaders had brought want to their boards, infamy to their beds, fire to their roofs, and the knife to their throats. It was natural that a man who lived in times like these, should overrate the importance of those measures by which a nation is rendered formidable to its neighbours, and undervalue those which make it prosperous within itself.

Nothing is more remarkable, in the political treatises of Machiavelli, than the fairness of mind which they indicate. It appears where the author is in the wrong, almost as strongly as where he is in the right. He never advances a false opinion because it is new or splendid, because he can clothe it in a happy phrase, or defend it by an ingenious sophism. His errors are at once explained, by a reference to the circumstances in which he was placed. They evidently were not sought out; they lay in his way, and could scarcely be avoided. Such mistakes must necessarily be committed by early speculators in every science.

In this respect, it is amusing to compare the *Prince* and the *Discourses* with the Spirit of Laws. Montesquieu enjoys, perhaps, a wider celebrity than any political writer of modern Europe. Something he doubtless owes to his merit, but much more to his fortune. He had the good luck of a valentine. He caught the eye of the French nation, at the moment when it was waking from the long sleep of political and religious bigotry; and, in consequence, he became a favourite. The English, at that time, considered a Frenchman who talked about constitutional checks and fundamental laws, as a prodigy not less astonishing than the learned pig or the musical infant. Specious but shallow, studious of effect, indifferent to truth, eager to build a system, but careless of collecting those materials out of which alone a sound and durable system can be built, he constructed theories as rapidly, and as slightly, as card-houses,—no sooner projected than completed—no sooner completed than blown away—no sooner blown away than forgotten. Machiavelli errs only because his experience, acquired in a very peculiar state of society, could not always enable him to calculate the effect of institutions differing from those of which he had observed the operation. Montesquieu errs, because he has a fine thing to say, and is resolved to say it. If the phenomena which lie before him will not suit his purpose, all history must be ransacked. If nothing established by authentic testimony can be raked or chipped to suit his Procrustean hypothesis, he puts up with some monstrous fable about Siam, or Bantam, or Japan, told by writers compared with whom

Lucian and Gulliver were veracious—liars by a double right, as travellers and as Jesuits.

Propriety of thought, and propriety of diction, are commonly found together. Obscurity and affectation are the two greatest faults of style. Obscurity of expression generally springs from confusion of ideas; and the same wish to dazzle, at any cost, which produces affectation in the manner of a writer, is likely to produce sophistry in his reasonings. The judicious and candid mind of Machiavelli shows itself in his luminous, manly, and polished language. The style of Montesquieu, on the other hand, indicates in every page a lively and ingenious, but an unsound mind. Every trick of expression, from the mysterious conciseness of an oracle to the flippancy of a Parisian coxcomb, is employed to disguise the fallacy of some positions, and the triteness of others. Absurdities are brightened into epigrams;—truisms are darkened into enigmas. It is with difficulty that the strongest eye can sustain the glare with which some parts are illuminated, or penetrate the shade in which others are concealed.

The political works of Machiavelli derive a peculiar interest from the mournful earnestness which he manifests whenever he touches on topics connected with the calamities of his native land. It is difficult to conceive any situation more painful than that of a great man, condemned to watch the lingering agony of an exhausted country, to tend it during the alternate fits of stupefaction and raving which precede its dissolution, to see the symptoms of vitality disappear one by one, till nothing is left but coldness, darkness, and corruption. To this joyless and thankless duty was Machiavelli called. In the energetic language of the prophet, he was 'mad for the sight of his eyes which he saw'—disunion in the council, effeminacy in the camp, liberty extinguished, commerce decaying, national honour sullied, an enlightened and flourishing people given over to the ferocity of ignorant savages. Though his opinions had not escaped the contagion of that political immorality which was common among his countrymen, his natural disposition seems to have been rather stern and impetuous than pliant and artful. When the misery and degradation of Florence, and the foul outrage which he had himself sustained raised his mind, the smooth craft of his profession and his nation is exchanged for the honest bitterness of scorn and anger. He speaks like one sick of the calamitous times and abject people among whom his lot is cast. He pines for the strength and glory of ancient Rome, for the fasces of Brutus and the sword of Scipio, the gravity of

the curule chair, and the bloody pomp of the triumphal sacrifice. He seems to be transported back to the days when eight hundred thousand Italian warriors sprung to arms at the rumour of a Gallic invasion. He breathes all the spirit of those intrepid and haughty patricians, who forgot the dearest ties of nature in the claims of public duty, who looked with disdain on the elephants and on the gold of Pyrrhus, and listened with unaltered composure to the tremendous tidings of Cannæ. Like an ancient temple deformed by the barbarous architecture of a later age, his character acquires an interest from the very circumstances which debase it. The original proportions are rendered more striking by the contrast which they present to the mean and incongruous additions.

The influence of the sentiments which we have described, was not apparent in his writings alone. His enthusiasm, barred from the career which it would have selected for itself, seems to have found a vent in desperate levity. He enjoyed a vindictive pleasure in outraging the opinions of a society which he despised. He became careless of those decencies which were expected from a man so highly distinguished in the literary and political world. The sarcastic bitterness of his conversation, disgusted those who were more inclined to accuse his licentiousness than their own degeneracy, and who were unable to conceive the strength of those emotions which are concealed by the jests of the wretched, and by the follies of the wise.

The historical works of Machiavelli still remain to be considered. The life of Castruccio Castracani will occupy us for a very short time, and would scarcely have demanded our notice, had it not attracted a much greater share of public attention than it deserves. Few books, indeed, could be more interesting than a careful and judicious account, from such a pen, of the illustrious Prince of Lucca, the most eminent of those Italian chiefs, who, like Pisistratus and Gelon, acquired a power felt rather than seen, and resting, not on law or on prescription, but on the public favour and on their great personal qualities. Such a work would exhibit to us the real nature of that species of sovereignty, so singular and so often misunderstood, which the Greeks denominated *tyranny*, and which, modified in some degree by the feudal system, reappeared in the commonwealths of Lombardy and Tuscany. But this little composition of Machiavelli is in no sense a history. It has no pretensions to fidelity. It is a trifle, and not a very successful trifle. It is scarcely more authentic than the novel of Belphegor, and is very much duller.

The last great work of this illustrious man was the History of his native city. It was written by the command of the Pope, who, as chief of the house of Medici, was at that time sovereign of Florence. The characters of Cosmo, of Piero, and of Lorenzo, are, however, treated with a freedom and impartiality equally honourable to the writer and to the patron. The miseries and humiliations of dependence, the bread which is more bitter than every other food, the stairs which are more painful than every other ascent, * had not broken the spirit of Machiavelli. The most corrupting post in a corrupting profession, had not depraved the generous heart of Clement.

The History does not appear to be the fruit of much industry or research. It is unquestionably inaccurate. But it is elegant, lively, and picturesque, beyond any other in the Italian language. The reader, we believe, carries away from it a more vivid and a more faithful impression of the national character and manners than from more correct accounts. The truth is, that the book belongs rather to ancient than to modern literature. It is in the style, not of Davila and Clarendon, but of Herodotus and Tacitus: and the classical histories may almost be called romances founded in fact. The relation is, no doubt, in all its principal points, strictly true. But the numerous little incidents which heighten the interest, the words, the gestures, the looks, are evidently furnished by the imagination of the author. The fashion of later times is different. A more exact narrative is given by the writer. It may be doubted whether more exact notions are conveyed to the reader. The best portraits are those in which there is a slight mixture of caricature; and we are not aware, that the best histories are not those in which a little of the exaggeration of fictitious narrative is judiciously employed. Something is lost in accuracy; but much is gained in effect. The fainter lines are neglected; but the great characteristic features are imprinted on the mind for ever.

The History terminates with the death of Lorenzo de Medici. Machiavelli had, it seems, intended to continue it to a later period. But his death prevented the execution of his design; and the melancholy task of recording the desolation and shame of Italy devolved on Guicciardini.

Machiavelli lived long enough to see the commencement of the last struggle for Florentine liberty. Soon after his death, monarchy was finally established,—not such a monarchy as that

* Dante Paradiso, Canto xvii.

of which Cosmo had laid the foundations deep in the constitution and feelings of his countrymen, and which Lorenzo had embellished with the trophies of every science and every art; but a loathsome tyranny, proud and mean, cruel and feeble, bigotted and lascivious. The character of Machiavelli was hateful to the new masters of Italy; and those parts of his theory which were in strict accordance with their own daily practice, afforded a pretext for blackening his memory. His works were misrepresented by the learned, misconstrued by the ignorant, censured by the church, abused, with all the rancour of simulated virtue, by the minions of a base despotism, and the priests of a baser superstition. The name of the man whose genius had illuminated all the dark places of policy, and to whose patriotic wisdom an oppressed people had owed their last chance of emancipation and revenge, passed into a proverb of infamy. For more than two hundred years his bones lay undistinguished. At length, an English nobleman paid the last honours to the greatest statesman of Florence. In the Church of Santa Croce, a monument was erected to his memory, which is contemplated with reverence by all who can distinguish the virtues of a great mind through the corruptions of a degenerate age;—and which will be approached with still deeper homage when the object to which his public life was devoted shall be attained,—when the foreign yoke shall be broken, when a second Proccita shall avenge the wrongs of Naples, when a happier Rienzi shall restore the good estate of Rome, when the streets of Florence and Bologna shall again resound with their ancient war cry—*Popolo; popolo; muoiano i tiranni!*

Art. II. *A Description of Active and Extinct Volcanoes, with Remarks on their Origin, their Chemical Phenomena, and the Character of their Products, as determined by the Condition of the Earth during the period of their Formation. Being the Substance of some Lectures delivered before the University of Oxford, with much additional Matter.* By Charles Daubeny, M. D. F. R. S. &c. 1 vol. 8vo. London, 1826.

Geology is the youngest of the physical sciences; and has been but lately put into proper training. Long after the principles of inductive reasoning had been successfully

applied to other branches of knowledge, the most fanciful speculations, resembling rather the fantastic creations of a poetical imagination than the sober deductions of philosophy, were gravely brought forth as theories of the formation of the earth. Until the time of Saussure and of Hutton, few of those who attempted to describe the appearances of the earth's surface, or to reason upon them, appear to have had a just conception of the manner in which geological observations ought to be conducted, of the legitimate end of all such inquiries, or of those limits which man, being no other than '*Naturæ minister et interpres*,' can never pass, without the certainty of being lost in the regions of fancy and conjecture. But the precision which has been introduced into the researches of geologists since that period, and chiefly within the last twenty years, has rescued them from the reproach so justly cast upon their predecessors, of being little better than visionary theorists, and bids fair to bring geology nearer to the rank of an exact science, than there seemed at one time any reason to expect. Much light has been thrown upon the theory of the formation of stony bodies, by experiments in our laboratories, microscopic as they must be considered, when contrasted with the operations of nature. By the careful examination which has been instituted into the phenomena of volcanoes; by the investigation of the nature of those countries which now are, or have been the seat of volcanic action; and finally, by the application of the observations so made to the appearances exhibited by the non-volcanic unstratified rocks, both as regards their mineralogical structure, and their relations to the strata with which they are associated, more has been done to dispel the obscurity and difficulties which involved some of the fundamental questions of geology, than by any other class of observations. There is, perhaps, no department of this science which possesses a greater degree of interest; and there are certainly few occasions when an ordinary spectator can so largely participate in the pleasure which a geologist derives from his researches. The spectacle of a vast mountain, like Etna, covering an area of a hundred and eighty miles circumference, and rising 'in solitary 'grandeur' to the height of above 10,000 feet, vomiting forth smoke and flame, and showers of ashes and ignited fragments of rocks, and pouring down its sides rivers of molten stone, some thousand feet in width, is perhaps one of the most sublime and impressive that can be imagined. But if he who has the good fortune to witness a volcanic eruption, besides possessing a mind capable of receiving those deep impressions

which such a scene must leave on every intelligent spectator, has directed his attention to geological inquiries, the effect upon him must far exceed what would be produced upon an ordinary observer, and its full force can be known to those only who, like himself, have cultivated this most alluring field of philosophical speculation.

The author of the work of which we now propose to lay a brief account before our readers, is by far the most accurate and scientific inquirer into the whole range of volcanic phenomena, who has yet laid the result of his labours before the public. Besides much original information derived from his own observations, in the several volcanic districts which he visited, he has collected what was most valuable and worthy of preservation from preceding authors. We consider his work as one of the most useful contributions to geological science that has yet appeared; and it is another addition to the many important donations which geologists have had to acknowledge, of late years, from the University of Oxford. The names of Professor Buckland, and of the Reverend William Conybeare, have long been distinguished among the most eminent geologists of the present day; and we are confident that those learned persons will not think that we do them injustice, by placing Dr Daubeny in the same rank with themselves. In bearing our humble testimony to the value of their labours as men of science, and associating their names with that of the renowned University to which they belong, we cannot omit to notice, and especially in reference to the work now before us, how much classical learning may be made to embellish and diffuse a charm over even the driest details of scientific investigation.

Dr Daubeny, who is now a Fellow of Magdalen College, and Professor of Chemistry at Oxford, appears to have passed the winter of 1816–17 at Edinburgh, and during that time to have attended the lectures of our eminent professor of Natural History, Mr Jameson. The opinions which he heard delivered in the lecture-room, and the discussions that took place among the geologists whom he saw at that time, upon the then so much disputed origin of the trap-rocks, appear to have impressed him very strongly with the conviction, that an appeal to the phenomena of existing volcanoes was most likely to throw light upon the particular structure and relations of these rocks, as well as to explain many of the changes which the surface of the earth has undergone.

'I recollect so long ago as the year 1816, when I was pursuing my

studies at Edinburgh, being led by something like this train of thought, to meditate the excursions that I have since accomplished, in the hope of supplying in some measure this gap in our geological knowledge. It is true, that at the time I made this resolution, I was far from viewing the question as I do at present, or from being persuaded, as I now am, that volcanic and trap rocks are, for the most part, at least, analogous formations, calculated mutually to reflect light upon each other; on the contrary, I was then rather a convert to the views of Professor Jameson, whose opinions on all subjects connected with geology, were received among his pupils with that respect, to which his acknowledged accuracy and extent of practical information justly entitled them.

'Still, with all my deference for the Professor's judgment, I never rose from the inquiry without a conviction that something was yet wanting to complete the chain of his proofs, and that, in order to determine whether trap rocks were really of igneous origin or not, the most effectual method would be, to compare them in all their details with products universally acknowledged to be volcanic.

'I felt that for this purpose a mere examination of hand specimens was not sufficient, the very spots themselves should be visited, and the circumstances of geological position, as well as the nature of the rocks associated, carefully compared with what we see in the trap districts, which have excited so much attention and dispute.' p. 4.

He appears to have been further induced to prepare himself for an examination of those countries, from the prospect he had of obtaining an appointment, 'which would have entailed the 'necessity of a five year's residence abroad;' meaning, we presume, the Radcliffe Travelling Fellowship; one of those munificent endowments, which we greatly envy, though we certainly do not in the most remote degree grudge, the English Universities the possession of, for the promotion of science and learning, in the institutions of our own country. Although disappointed in his expectations, by an accident, Dr Daubeny did not desist from the preparations he was making for the task he afterwards undertook, and so ably accomplished.

The work is divided into four parts; the first of which describes the extinct volcanoes of France and Germany; the second, the volcanic districts of Hungary, Italy, Sicily, and the Lipari Islands, all which countries were visited by the author. In the third part, he has given a description, from other authors, of the Volcanoes of Iceland, and other parts of Europe, which he did not visit, as well as of those which exist on the continents and islands of the other three divisions of the globe. The last part is devoted to the consideration of the general inferences which may be deduced from Volcanic Phenomena. We doubt whether the valuable materials contained in the

work are arranged in the most lucid order; and are disposed to suggest to the consideration of the learned author, when the book comes to a second edition, whether they might not be advantageously recast. We are of opinion, that nearly the whole of the last part should be placed at the beginning, rather than at the end of the volume; that he should then proceed to a description of the volcanoes that are now in action, or have been so within human record, in all parts of the world; that he should next take up the subject of extinct volcanoes; and conclude with that part in which he treats of the connexion that may be traced between existing volcanoes and the old rock formations. It would be useful also to prefix an account of the chief substances that are found constituting volcanic rocks. As this work will be read chiefly by those who have made some advancement in geological studies, there is no objection to the arrangement we have proposed, on the score of its treating of the theory of volcanic action, before the evidence on which it is founded is brought forward. Some general view of what is intended to be proved, renders the evidence more intelligible and attractive. We shall in some degree adopt this arrangement in the account we propose to give of the contents of the work, but must refer our readers to the book itself for the descriptions of the volcanic districts of different countries, contained in the three first parts, as we shall not have space to do more than allude to them very cursorily.

In considering the phenomena of volcanoes, one of the first questions we ask ourselves is, to what cause can that heat be ascribed, which is capable of producing such powerful effects; which, in some situations, has continued without intermission, as in the case of Stromboli, for more than two thousand years; in others, after pouring forth matter sufficient to cover the surface of a vast region, so entirely disappears for centuries, that the mouth of the fiery furnace is covered with verdure and lofty trees; and again, after this long interval of repose, bursts forth afresh, with all its former violence? The action of volcanoes is ascribed, by the earlier writers on Geology, to the inflammation of beds of coal, sulphur, and other inflammable matters which are found near the surface of the earth, and which have been set fire to by some spontaneous inflammation, similar to what takes place upon mixing sulphur and iron filings, moistening them, and burying them under ground in a mass. And this hypothesis of volcanoes being fed by beds of coal and masses of petroleum, inflamed by some substances, or combination of substances, spontaneously combus-

tible, has been maintained even by so able and so late a writer as Breislak. But it is obvious no accumulation of such inflammable materials as are here supposed, would be adequate to the effects; and the products of those coal-mines which have been accidentally set on fire, and have continued burning for centuries, bear no analogy whatever to those that are met with in volcanoes. Besides, the great masses of inflammable materials are confined to the secondary and superficial strata; and none of the products ejected by volcanoes bear any resemblance to those strata; but, on the contrary, from their intimate alliance with the primary rocks, prove that the seat of volcanic action must be situated amongst them, and most probably at a great depth.

A more plausible theory has been suggested by the discovery of the metallic nature of the bases of the earths and alkalies, and the avidity with which these combine with oxygen, producing in that combination a high temperature accompanied by vivid inflamation. It is supposed that if these materials exist in sufficient quantity in the interior of the earth, and if water be admitted to them, from what we know of the violence of the action in our minute experiments, a heat would be produced quite equal to all the effects which are exhibited in volcanic eruptions. Nor is it a very improbable supposition that there may be local accumulations, or even partial productions of these pure unoxydized bases, since we know that nearly the whole of the external crust of the earth is composed of them in union with oxygen, and which is capable of being separated from them. This is the hypothesis which Dr Daubeny considers most consistent, not only with the phenomena which precede and accompany volcanic eruptions, but with the nature of the substances which they eject, and he supports this view with a body of evidence, which bears no marks of having been sought out to support a preconceived theory; he appears to have conducted the inquiry with all the fairness of a mind anxious only for the discovery of truth. The conditions necessary for this hypothesis are, that the metallic bases should be situated 'at a depth sufficiently great to have precluded the access of 'air, which would have long ago imparted to them the very 'principle, to the absorption of which the volcanic action is 'attributed;' and, *secondly*, that water should have access to them.

'Hence the rocks, which appear to proceed from the focus of a volcano, ought to be derived rather from granitic and other of the older formations, than from those of modern date; and the gases evolved dur-

ing the process ought to consist, in part at least, of those which we know to be given out, when water is made to act upon the alkaline and earthy bases.' p. 359.

The whole range of volcanic products, whether found in recent volcanoes or in those that are properly termed extinct, are composed of materials intimately allied with the constituent parts of the primary rocks. Felspar and mica, but especially the former, under a great variety of modifications, may be said to form more than nine-tenths of the whole; and the unaltered masses that are thrown out belong, if not exclusively, in an equally great proportion to the same class. After a detailed examination of the nature of lavas and other solid products of volcanoes, Dr Daubeny makes the following remarks:—

'Now, although the preceding enumeration indicates such a variety with regard to the position of volcanic formations, as may seem at first sight to baffle all general conclusions, yet, when we consider, that in the majority of instances, the rocks have been referred either to the primitive or transition series, and that, in the remaining ones, the latter were at a depth far less considerable than that at which we shall afterwards find reason to conclude the volcanic force itself to reside, I think it may not unfairly be presumed, that volcanoes have universally broken out amongst the older formations, or those most near to the nucleus, whatever it may be, of the globe.

'It is obvious, indeed, that, in those cases in which volcanoes have appeared in the midst of primitive rocks, we cannot presume the seat of action to reside amongst those of a later date, but that the reverse does not hold good; so that if we only admit that any certain position is to be assigned to these *products*, a single case of their occurrence in the midst of older formations would overturn every inference, to be derived from their being observed to emanate from strata of a more recent date.

'This presumption is farther strengthened, by considering the nature of the substances, found in the midst of lavas, which preserve any traces of their original characters, or the loose masses of unaltered rocks, that are occasionally thrown out.

'Amongst the former, I have never seen or heard described any substance that bore the slightest resemblance to the constituents of secondary strata, but have often observed imbedded portions which present the appearance of altered granitic rocks.' p. 385.

'We have thus arrived at the conclusion, that the characters of volcanic products in general are such as lead to a fair presumption, that they are derived from some of the older rock formations, a fact fully confirmed by a consideration of the phenomena attendant on an eruption, the general tenor of which plainly denotes, that the focus of the action is situated at a depth at least as great as that to which granite extends.

'I do not lay any stress on the remarks of Stukeley, who calculates from the compass of country over which earthquakes have been felt, that

the force must in some instances be 200 miles beneath the surface, because we have reason to believe, that the vibrations may be propagated laterally far beyond the immediate influence of the impelling force; but I would argue from the immense mass of materials ejected by Vesuvius or Etna, without exhausting itself, or causing any diminution in its own dimensions; from the prodigious height to which the trachytic nucleus of a volcano is raised, as at Teneriffe, and in Equinoxial America; and, lastly, from the immense violence of the eruptions, which would shiver to atoms any superficial covering of rock, that the elastic vapours must be disengaged at a depth at least as great as that to which the crust of the earth can be supposed to extend.' p. 389.

Another and a very conclusive proof that the materials acted upon by volcanic agency are situated at a great depth, is the enormous quantity of matter which has been ejected, so great that, had they been situated near the surface, the mountain must long since have disappeared. It has been calculated that the matter thrown out by Vesuvius at different times far exceeds the bulk of the mountain, and yet the latter has undergone no diminution. This was remarked even by the ancients; and Seneca, after starting the difficulty, solves it by remarking, that the fire of the volcano *in ipso monte non alimentum habet, sed viam.*

With regard to the second condition necessary for this hypothesis, namely, the accessibility of water to the metallic bases, the evidence which Dr Daubeny has adduced, may certainly be considered as highly favourable to the view he has taken. It seems to be a general rule, subject only to very slight and doubtful exceptions, that all groups of volcanic mountains are in the neighbourhood of large masses of salt water. Of one hundred and sixty-three active volcanoes enumerated by Arago, all, or nearly all, are situated within a short distance of the sea; and even those in South America occur in a range of mountains, the extremities of which are close to the sea, whereas not a single active volcano is to be found in the interior of any of our continents.

'It may indeed be objected, that this remark does not extend to the class of extinguished volcanoes, which have no such disposition, but are scattered indiscriminately over the central region of France, Silesia, Bohemia, Hungary, Transylvania, in parts, in short, the most remote from the access of the present ocean. But it will appear in the course of this Lecture, that at the period when these volcanos were in activity, the greater part were near the sea, if not underneath it, and that the rest were exposed to the access of water, derived from the lakes, which had been left in the low situations when the mass of the ocean had retired. Instead therefore of these being brought forward as exceptions to the

generality of the rule laid down, the cessation of the action, now that the water has left their neighbourhood, seems to furnish a confirmation of it.' p. 369.

It remains now to be shown in what manner he supposes that the water found access to the inflammable bases; and we shall not in this instance abridge, but give the author's ingenious views in his own words.

'But as our hypothesis merely implies the presence of *water* as subservient to the volcanic operations, it may yet be asked, why the existence of volcanoes should be confined to the neighbourhood of the sea, whilst this fluid is so generally present on the face of our continents. If the crust of the earth, it may be said, is so traversed by cracks and fissures beneath the bed of the ocean, as to allow of water penetrating to a great depth below its surface, the same will hold good with respect to the land; and any of our fresh water lakes or rivers might therefore supply materials sufficient to feed the fires of a volcano.

'But it may be replied, that in point of fact the fissures that penetrate the crust of the earth are too small, and too superficial, to allow of the descent of any considerable body of water to its nucleus, and that the same would probably be the case with respect to those underneath the bed of the ocean, were not the force of gravity assisted by the powerful influence of pressure derived from the vast column of superincumbent fluid. Owing to this, the water at the bottom of the ocean would be injected into the remotest pores and crevices of the subjacent rock, as quicksilver is made to pass into the finest vessels by a powerful syringe, and the enormous strain exerted laterally would have a tendency to enlarge and extend the fissures much beyond their original dimensions.

'This joined to the fact, that the water at the bottom of the sea has a much smaller mass of rock to get through, before it reaches the inflammable materials upon which it exerts its action, may account for the occurrence of volcanoes in its vicinity, without imagining that the salt it contains contributes in any degree to the effect.

'Mons. Gay Lussac, in a short Essay which he has published on this subject, has remarked, that it should seem according to this hypothesis, that the eruption ought to take place through the same aperture by which the water entered, rather than by a new one, and that jets of lava, as well as of gases, and scoriæ, ought therefore to take place at the bottom of the ocean, rather than on the adjacent coast.

'But this illustrious chemist has surely forgotten, that as the specific gravity of lava can hardly be considered more than three times that of water, the pressure of an ocean only two miles in depth would counterbalance that of a column of lava sufficiently high to reach to the summit of Vesuvius. When the volcanic action therefore took place, either at a great distance from land, or where the incumbent strata opposed a resistance too great to be overcome, the case supposed by Gay Lussac would actually occur, and the products of the eruption would be thrown out by

the very aperture which admitted the water; but where, as is more commonly the case, the pressure of so vast a body of liquid proved superior to the resistance of the rock above, joined to the weight of the lava itself, the phenomena would manifest themselves at the nearest point of the coast which yielded to the force applied.

'It must be added likewise, that the original aperture would be obstructed by the operations of the volcano itself, first by the rise of the gases disengaged by the decomposition of the water; secondly, by the expansion in the rocks immediately surrounding the place in which the action resided; and, thirdly, by the injection of melted lava into the minutest crevices of the rock.

'Granting therefore the existence of the inflammable substances themselves at the spots in which the volcanic action resides, it is not difficult to account for their being set on fire in consequence of the water so constantly present.' p. 369.

The next step, in examining the soundness of this hypothesis, is to inquire, whether, granting the existence of the metallic bases, and that the water of the sea could obtain access to them, the phenomena attending eruptions are such as must necessarily follow from those admissions. From the decomposition of the sea-water, there would be produced, besides the stony bodies that would be created by the union of the oxygen with metallic bases of the earths, a great evolution of hydrogen and muriatic acid gases, the appearance of the mineral alkali, either pure or in some new combination, and aqueous vapour. Now all these products, under some form or other, appear in every eruption. An enormous quantity of aqueous vapour is exhaled, which being condensed by the cold in the regions of the atmosphere beyond the reach of the volcano's heat, falls down again in the form of rain, and when it mixes with the clouds of ashes, it forms that compound which has been sometimes mistaken for an actual eruption of mud from the crater. It was such a compound as this that overwhelmed Herculaneum, and it is found to consolidate very speedily into a hard compact substance. Muriatic acid gas is given out in large quantities, both free and in combination; and although pure hydrogen is said not to have yet been detected among the gaseous products of volcanoes, it is evolved in very large quantities in combination with sulphur. Other causes are enumerated by Dr Daubeny why pure hydrogen should not be given out. The mineral alkali has been detected in considerable quantity in lavas; but it is not necessary for the truth of the hypothesis that the whole of this substance should be thrown out, if the quantity contained in the ejected solid matter should

not be equal to all that existed in the sea-water that is supposed to have been decomposed.

The frequency of earthquakes in volcanic countries, and, when they occur in countries remote from volcanic fires, the coincidence of their occurrence with distant volcanic eruptions, strongly indicate that they derive their origin from the same cause. It is a remarkable circumstance also, that the shocks of earthquakes are most severe in non-volcanic countries, volcanoes appearing to give vent to that elastic force which does such extensive ravage when it is pent up. After Etna and Vesuvius have been for some time in a quiescent state, an eruption is always preceded by earthquakes, which cease as soon as the opening has been made in the mountain. Now, these are consequences which might be expected to result from the sudden disengagement of gaseous and aqueous vapours, under great pressure. A shock so slight as that produced by the head of a pin being struck against one of the ends of a long beam, is distinctly transmitted to the other end; and many experiments have shown, that vibrating motions may be propagated along the substance of solid bodies to an immense extent. We may thus form some idea what an enormous undulation would be produced in the solid crust of the earth by such a force as is here supposed to be in action. Earthquakes, like volcanoes, although felt in the centre of large continents, seem to produce their most frightful effects in countries not very far removed from the ocean, of which we have remarkable instances in the cases of Lisbon and the city of Caraccas. Whether earthquakes do all depend upon volcanic action or not, they are so constant a concomitant of eruptions, that they may be fairly adduced as evidence of the extent and power of the force by which eruptions are produced.

After this interesting and ingenious dissertation, of which we have given an outline, on the probable source of volcanic action, Dr Daubeny next proceeds to examine 'the relation 'between the products of acknowledged volcanoes, and cer-'tain of the older Rock-formations,' one of the great objects, we have seen, which he had in view, in setting about these investigations, and certainly one of the most important purposes to which the examination of volcanic countries may be made subservient. By older rock-formations, he of course alludes to the unstratified rocks only, those which, under a great variety of forms, may all be classed in the two great divisions of Granite and Trap.

Among all the changes that have taken place in the opinions

of geologists, none has been more marked than that upon the question of the igneous or aqueous origin of the trap rocks. The disciples of Neptune, many of whom asserted their belief with an ardour which could hardly have been exceeded had they been contending for a vital principle of religious faith, have nearly all abjured their errors, and have ranged themselves under the banners of Pluto.

'Some allowance,' says Dr Daubeny, 'ought to be made for Werner, when we consider the advanced period of life to which he had attained, before the evidence in favour of the igneous origin of trap rocks had arrived at that degree of conclusiveness which would have justified a decided opinion on the subject. It was his misfortune indeed in some measure to have outlived his system, and to have remained stationary at the very time when geology was making its greatest progress; whence it has happened, that his services have been as much depreciated latterly, as they had been overrated before.' p. 427.

The rest of the note, which is too long for insertion here, is a just defence of the services rendered to geology by the meritorious and industrious, but certainly not very philosophical, Professor of Freyberg.

Although the change of opinion has also been considerable in favour of the igneous origin of granite, it has been by no means so decided as in the case of the trap rocks, as the evidence is not yet so complete; but the best informed geologists are leaning more and more every day to that view. Dr Macculloch in this country, and Von Buch on the Continent, have brought forward the strongest evidence in support of the igneous origin of granite; the former of whom, in a Memoir on the unstratified rocks, lately published in the Quarterly Journal of Science, has stated it as his opinion, that, in mineral composition, a gradual and insensible passage may be traced from the best characterized specimen of primitive granite, to the newest basalt that has flowed over the surface of the chalk; and that all the unstratified rocks, however differently modified in regard to the proportions of their constituent parts, and to the period of their protrusion among the strata, have had one common origin, the interior of the earth.

In drawing this comparison betwixt the older rock formamations and volcanic products, Dr Daubeny points out the difference of texture, and the causes of that difference, arising from the circumstances of greater or less pressure under which he supposes each to have been produced, together with the numerous analogies and points of resemblance, as they are presented in the form of beds or dykes.

'After these remarks, which have for their object the nature and origin of volcanic rocks themselves, we are naturally led to inquire, what relation they may be supposed to bear to the other constituents of our globe.

'It remains yet to be seen, up to what point we are justified in extending the operation of the same cause to the explanation of the phenomena of our globe, whether, for example, there is sufficient reason from analogy to conclude, that the basalts and porphyries of older formation have resulted from a modification of the same process, or whether we can discover in them such differences of character, as imply something more than a mere alteration in circumstance, and baffle all attempts to refer them to a common origin.

'So far as relates to the phenomena exhibited by the rocks themselves, the shifting and disturbance they occasion in the surrounding strata, the hardening of the parts in contact, and the conversion of coal into coke by driving off the bituminous matter, I should despair of adding any thing to the luminous remarks of Professor Playfair; but it may not be altogether uninteresting to inquire, whether the direct inferences, to which he has been led, are borne out by the analogies subsisting between these formations, and the products of actual volcanoes.

'Now it is obvious in the first place, that no small degree of probability is attached to the igneous theory, when we discover every where among the oldest formations, rocks, whose mineralogical characters at least bear a manifest resemblance to those which belong to recent and undisputed lavas.' p. 393.

The same materials which enter into the composition of lavas, whether they are the produce of recent or of extinct volcanoes, form also the constituent parts of the different varieties of the trap rocks; and the identity of composition was long ago pointed out by Dr Kennedy, in his analyses of basalt and lava. The conclusion to which Dr Daubeny has arrived, after opportunities of observation both varied and extensive, is further confirmed by the opinion of Dr Macculloch, who has paid so much attention to the trap rocks, that his testimony is perhaps entitled to more weight in all that relates to their history, than that of any other geologist. In the valuable Memoir to which we have already alluded, he thus expresses himself. 'That 'the trap rocks have had their origin in the interior of the 'earth, is proved by the masses that lie beneath or among the 'strata, by the depth and magnitude of their veins, and by 'the marks of force which accompany their juxtaposition to 'the strata. If any further doubt could exist, it would be re-'moved by the phenomena of volcanoes. The substances 'which these produce are not only strictly analogous in all 'their essential characters to some of the trap rocks, but often

'undistinguishable, while the variations which do appear, admit of an easy explanation, from circumstances easily defined. These rocks, having passed through the strata, flow over them in certain cases, while, in many others, there is reason to suppose, from the effects following the earthquakes that accompany them, that they have intruded among the strata beneath the surface, so as to have produced those well known permanent elevations of the land, found in volcanic countries.' We would willingly pursue this curious and interesting topic a little farther, but must hasten to other parts of the work, referring our readers to the ingenious view the author takes of the causes that have so modified the action of the heat, as to produce the difference of texture which is observable between the trap rocks of older formation, and the lavas of recent eruptions; concluding with a quotation, which, although from another part of the volume, bears strongly upon the points we have been considering.

'The structure of the Island of Great Canary is very similar to that of Palma—the same heaving up of the strata round a central point, the same deep and abrupt Barancos, the same description of crater exhibiting the successive outcrops of the adjoining beds.

'The order of superposition in the latter is such as to illustrate apparently the gradation that often occurs in the character of volcanic products, and perhaps the manner in which they have been derived by successive changes from the fundamental granite. Lowest of all, Von Buch descried the primitive rocks; then masses of trachyte; afterwards an aggregate consisting of angular fragments of the latter rock, forming either a conglomerate or a tuff, which alternate with one another several successive times; still higher an augite rock (dolerite) with felspar, interstratified with beds of rolled masses of the same composition, but of a cellular structure; then an amygdaloid; and last of all basalt.' p. 256.

We shall now briefly notice the observations of our author in his examination of those countries in the South of Italy, and in the neighbouring islands, which are at present, or have been, within the period of human record, the seat of active volcanoes. The neighbourhood of Rome, although not strictly coming under the description of a recent volcanic country, may be considered as the extreme northern limit of that district in Italy. Breislak, who had given the most detailed and scientific account of the Campagna di Roma at the date of his work, (1800), and of which we gave a short analysis in an early volume, represented Rome as built upon the site of an ancient volcano. But Dr Daubeny has shown, that the assertion, of the Capitol having been erected on the tottering edge of a crater, 'however well suited it may be to point an antithesis, or to

'illustrate the vanity of human pretensions, rests on too slen-'der grounds to deserve a place in a scientific treatise.' The soil of Rome is composed of an alternation of sandy or calcareous beds, with a kind of aggregated mass, known by the term *tuff* or *tufo*, containing fragments of scoriform, as well as compact lava, often rolled, and accompanied likewise with pebbles of the Apennine limestone, that display evident marks of attrition. This tuff is found in two different states, sometimes of a hardness sufficient for a building stone, for which purpose it was employed by the ancient Romans, at other times a mere friable aggregate of lapilli. The principal bed with which the tuff alternates, is that calcareous deposite known by the name of *Travertino*, which has furnished the material for most of the edifices of ancient as well as of modern Rome; a substance which seems to have been deposited from water so highly impregnated with carbonic acid as to hold a large quantity of calcareous matter in solution. The recent epoch of its formation in the geological series of tertiary deposites, is proved from the fresh water shells it contains. How far back we must go in fixing the period to which the geologist applies the term *recent*, will be judged of by the existence of masses of Travertino on the very summits of the Seven Hills, proving that, at the time of its formation, the site of Rome must have been covered with water to the depth of at least 140 feet.

Vesuvius and the surrounding country appear to have been examined by our author with minute attention. He gives a sketch of the more remarkable eruptions, from the earliest on record, that in which the elder Pliny lost his life, and which is so well known by the beautiful description of it in the letters of his nephew. Dr Daubeny had not an opportunity of examining the phenomena that accompany a great eruption; but he justly observes, that, for the purposes of a geologist, it is far less instructive than those minor disturbances which reveal circumstances very often overlooked amidst the terror and confusion of the more violent commotions. It is here that he lays before his readers some of the most conclusive parts of the evidence from which he has formed his opinions as to the source of volcanic action, and the relations that subsist between lava and the trap rocks. He carefully examined the ejected masses, which are of great variety, particularly those of Somma, and which are found to contain more than one-third of all the various mineral species that are known. Breislak estimates the number of craters of which indications exist in the neighbourhood of Naples, to amount to no less than twenty-seven; but Dr Daubeny is of opi-

nion, that many of those appearances, which Breislak set down as craters, are the effect of diluvial action upon that aggregated soft and yielding mass, called tuff, which nearly covers the face of the country, and which he conceives to have been deposited at a period antecedent to the excavation of those valleys which now diversify its surface.

'But even if we limit the craters that existed in the Phlegrean fields to those of which present appearances leave no doubt, their number will be sufficient to give us a frightful picture of the condition of the country at an early period of history, and serve to account for the fables of the Poets, who imagined the entrance to the Infernal Shades to lie among these recesses.

'It was not then, as at present, a single mountain which sent forth flames and melted matters at certain intervals, and secured a comparative immunity to the rest of the district; but there was a constant exhalation of noxious vapours from a variety of orifices, attended with earthquakes, and other phenomena, which bespeak the operation of volcanic agency over a widely extended surface.

'If then the early settlers in Sicily were so alarmed at the eruptions of Mount Etna, as to fly to some other part of the island, and if, in modern times, among the Canaries, the inhabitants of Lanzerote were compelled to migrate on account of the ravages made upon their possessions during a succession of years by subterranean fire, it is not unnatural that the picture which Homer had received of the Phlegrean fields should have been so terrific, as to have led him to describe them as placed at the utmost limits of the habitable world, unenlightened either by the rising or setting sun, with groves consecrated to Proserpine, rivers with streams of fire, and enveloped in an eternal gloom. These ideas would be confirmed, if we imagine that the Cimmerians, who first peopled the country, lived in those caverns and hollows of the rock which now exist, and were thus, by the very nature of their habitation, shut out from the light of day.

'Such a picture, indeed, accords very little with the ideas suggested by the luxuriance of modern Campania; but it must be recollected, that at the time when Homer wrote, that luxuriance had not yet been developed by cultivation, that the recent occurrence of the eruptions had probably devoted many parts to a temporary sterility, and that others were overshadowed with thick and gloomy forests.' p. 177.

Remote as is the period, beyond the faintest trace of human tradition, to which we are thus carried, in imagining the time when these convulsions took place which strewed the country with volcanic scoriæ, it is but as yesterday, when considered as a part of that succession of changes which the surface of the earth has undergone, as one of those epochs in the history of our globe which the progress of geology has enabled us to trace; for the beds of ashes on the Capitoline Hill, and the lava of Ischia repose upon accumulations of organic remains, that

belong to the latest among the marine deposites of the tertiary strata.

In the Lipari Islands, Dr Daubeny observed some remarkable instances of veins of lava penetrating beds of tuff, bearing a very close resemblance to those dykes of basalt, which have been described by Dr Macculloch as intersecting sandstone strata in the Hebrides; and they are particularly deserving of notice, as they serve to explain those deceptive appearances which veins of trap often assume, when, by a continuous parallelism for a considerable distance, they seem to form regular alternating strata. From the Lipari Islands, our author passed over into Sicily, of which he has given an interesting description, particularly of that great blue clay formation, which occupies so large a portion of the interior of the island. We must curtail the remarks which the singular appearances in that formation suggest, in order to make room for the following extracts, in which Dr Daubeny describes the vast extent of the volcanic matter which Etna has poured forth, and brings forward some striking evidence to prove the high antiquity of that volcano.

'In the structure of this mountain, every thing wears alike the character of vastness. The products of the eruptions of Vesuvius may be said almost to sink into insignificance, when compared with these coulées, some of which are four or five miles in breadth, 15 in length, and from 50 to 100 feet in thickness; and the changes made on the coast by them is so considerable, that the natural boundaries between the sea and land seem almost to depend upon the movements of the volcano.

'The height, too, of Etna is so great, that the lava frequently finds less resistance in piercing the flanks of the mountain than in rising to its summit, and has in this manner formed a number of minor cones, many of which possess their respective craters, and have given rise to considerable streams of lava. Hence an ancient poet has very happily termed this volcano the Parent of Sicilian Mountains, an expression strictly applicable to the relation which it bears to the hills in its immediate neighbourhood, all of which have been formed by successive ejections of matter from its interior. The grandest and most original feature, indeed, in the physiognomy of Etna, is the zone of subordinate volcanic hills with which it is encompassed, and which look like a court of subaltern princes waiting upon their sovereign.' p. 203.

'The silence of Homer on the subject of the eruptions of Etna is indeed often quoted in proof of the more modern date of this volcano; but to such *negative* evidence we have to oppose the *positive* statement of Diodorus Siculus, who notices an eruption long anterior to the age of this poet, as he says that the Sicani, who, with the exception of the fabulous Cyclops, and Lestrigons, were the first inhabitants of the island,

and who were admitted on all sides to have possessed it considerably before the Trojan war, deserted the neighbourhood of Mount Etna in consequence of the terror caused by the eruptions of the Volcano. This is confirmed by Dionysius Halicarnassus, who states that the Siculi, who passed over from Magna Græcia about eighty years before the Trojan war, first took possession of that part of the island which had been deserted by the Sicanians, so that it is probable that the mountain was at that period tolerably tranquil; and, supposing no eruption to have taken place from that time till the age of Homer, it is by no means unlikely, that, in a barbarous age, the tradition of events so remote may have been in great measure effaced, and thus have never reached the ears of the Greek poet.

'The earliest historian by whom the volcano has been noticed is Thucydides, who says, that, up to the date of the Peloponnesian war, which commenced in the year 431 B. C. three eruptions had taken place from Mount Etna, since Sicily was peopled by the Greeks. It is probably to one of these that Pindar has alluded in his 1st Pythian Ode, written according to Heyné in consequence of the victory obtained by Hiero in the year 470 B. C. It may be remarked that this poet particularly speaks of the streams of lava, which, if we may judge from Vesuvius, are less usual concomitants of the first eruptions of a volcano.

Τᾶς ἐρεύγονται μὲν ἀπλά-
Του πυρὸς ἀγνόταται
Ἐκ μυχῶν παγαί ποταμοὶ
Δ' ἀμέραισιν μὲν προχέοντι ῥόον καπνῷ
Αἴθων'.

'Diodorus Siculus mentions an eruption subsequent to the above, namely, in the 96th Olymp. or 396 years B. C. which stopped the Carthaginian army in their march against Syracuse. The stream may be seen on the eastern slope of the mountain near Giarre, extending over a breadth of more than two miles, and having a length of twenty-four from the summit of the mountain to its final termination in the sea. The spot in question is called the Bosco di Aci; it contains many large trees, and has a partial coating of vegetable mould, and it is seen that this torrent covered lavas of an older date which existed on the spot.' p. 209.

As we wish to take notice of some of the observations which Dr Daubeny made on the extinct volcanoes of Europe, we are under the necessity of passing very hastily over the details which he has brought together respecting the recent volcanoes of other parts of the world, where they frequently occur on a scale of magnificence that makes even Etna appear diminutive. The extracts which he has given from the Memoirs published by Von Buch, since his examination of the Canary Islands, are very valuable, as conveying the opinions of that celebrated naturalist upon this great branch of geological inquiry. In describing the volcanoes which exist on so vast a

scale in the islands of the Indian Ocean, which lie between New Holland and the coasts of China, Dr Daubeny relates a circumstance, on the authority of the late Sir Stamford Raffles, which gives us some idea of the prodigious force of volcanic action, and of the distance at which its effects may be felt. During an eruption of Tomboro, in the island of Sumbawa, tremulous motions were felt over the whole of the Molucca Islands, over Java, a considerable portion of Celebes, Sumatra, and Borneo, including a circumference of a thousand miles from its centre; and in Java, at the distance of three hundred miles, the sky was overcast at mid-day with clouds of ashes, which fell to the depth of several inches in the fields; 'and amid this darkness, explo-'sions were heard at intervals, like the report of artillery, or 'the noise of distant thunder.'

The following speculations on the destruction of the cities of Sodom and Gomorrah will be read with interest by most of our readers, as they place that remarkable event in the Mosaic History in a point of view in which very few have probably hitherto considered it.

'The destruction of the five cities on the borders of the Lake Asphaltitis or Dead Sea, can be attributed, I conceive, to nothing else than a volcanic eruption, judging both from the description given by Moses of the manner in which it took place, and from the present aspect of the country itself.

'I presume it is unnecessary to urge, that the reason assigned in Holy Writ for the destruction of the cities alluded to, does not exclude the operation of natural causes in bringing it about, and that there can be no greater impropriety in supposing a volcano to have executed the will of the Deity against the cities of Sodom and Gomorrah, than it would be to imagine, if such an idea were on other grounds admissible, that the sea might have been the instrument, in the hands of the same Being, for effecting the general destruction of the human race in the case of the Deluge.

'Whether, indeed, we chuse to suppose the fire which laid waste these places, to have originated from *above* or from *below*, the employment of secondary causes seems equally implied; and if it be urged that the words of Genesis denote that it proceeded from the former quarter, it may, I think, be replied, that a volcanic eruption, seen from a distance might be naturally mistaken for a shower of stones, and that we cannot expect from the sacred historian in the case before us, any greater insight into the real nature of such phenomena, than we attribute to him in the analogous instance, in which the Sun is said to have stood still at the command of Joshua.

'That the individuals who witnessed the destruction of these places might have been impressed with this notion, will be more readily believed, when we reflect, that in most eruptions the greater part of the

mischief occasioned proceeds from the matters ejected, which are often *perceived* only to fall from above; and those who recollect the description given by the younger Pliny of that from Vesuvius, will admit, that a person who had fled from the neighbourhood of that volcano, as Lot is stated to have done from the one near the Dead Sea, at the commencement of the eruption, would probably have formed the same idea of what was taking place; for it appears from the Roman writer, that it was long before he was enabled, even at Misenum, to determine in the midst of the general obscurity, that the cloud of unusual appearance, which was the precursor of the volcanic phenomena, proceeded from the mountain itself.

'As, therefore, we have no authority for supposing Moses a natural historian, or for imagining that he possessed a knowledge of physics beyond that of the age in which he lived, we may venture to apply to his narrative of the destruction of these cities the same remark, which Strabo has made respecting the indications of igneous action presented by the country round Laodicea, "ουκ ευλογον υπο τοιουτων παθων την τοιαυτην χωραν εκπεπωθηναι αθροως, αλλα μαλλον υπο γηγενους πυρος."'

'Volney's description of the present state of this country, fully coincides with this view.

'The south of Syria, (he remarks) that is, the hollow through which the Jordan flows, is a country of volcanoes; the bituminous and sulphureous sources of the lake Asphaltitis, the lava, the pumice-stones thrown upon its banks, and the hot-baths of Tabaria, demonstrate, that this valley has been the seat of a subterraneous fire, which is not yet extinguished.

'The chemical properties of the waters of the Dead Sea, rather lend countenance to the volcanic origin of the surrounding country, as they contain scarcely any thing except muriatic salts. Now, we not only know that muriatic acid is commonly exhaled from volcanoes in a state of activity, but that muriatic salts are also frequent products of their eruption. The other substances met with are no less corroborative of the cause assigned. Great quantities of asphaltum appear floating on the surface of the sea, and are driven by the winds to the east and west bank, where they remain fixed.

'It would appear, that even antecedently to the eruption mentioned in Scripture, bitumen-pits abounded in the plain of Siddim. Thus, in the account of the battle between the kings of Sodom and Gomorrah, and some of the neighbouring princes (Gen. ch. 14.) it is said, *And the vale of Siddim was full of slime-pits*—which a learned friend assures me ought to be translated *fountains of bitumen.*

'But besides this volcanic eruption, which brought about the destruction of these cities, it would appear that the very plain itself, in which they stood, was obliterated, and that a lake was formed in its stead. This is collected, not only from the apparent non-existence of the valley in which these cities were placed, but likewise from the express words of Scripture, where, in speaking of the wars which took place between the kings of Sodom and Gomorrah and certain adjoining tribes, it is added,

that the latter assembled in the valley of Siddim, which *is* the Salt (i. e. the Dead) Sea. It is therefore supposed that the Lake itself occupies the site of this once fertile valley; and in order to account for the change, Volney and others have imagined, that the destruction of the cities was followed by a tremendous earthquake, which sunk the whole country considerably below its former level.

'The same fact, Mr Henderson * thinks, is implied in the description of the circumstances connected with Lot's escape.

' "Why was he prohibited from lingering in any part of the low land, if not because he would be there exposed to the pestilential volcanic effluvia and to the lava? And what reason can be assigned for his obtaining leave to stop in Zoar, but its lying at some distance from the spot where the lava began to act, as likewise on an elevation whence he could survey the approaching ruin, and retire before the stream reached that place? We accordingly find, that however desirous he was to stay there at first, he quitted it before night for a still more elevated and safe retreat. "*And Lot went up out of Zoar, and dwelt in the mountain, for he feared to dwell in Zoar.*" (Gen. xix. 30.)

There existed for some time a considerable difference of opinion among geologists, to what class of formations certain unstratified rocks in Auvergne and other districts of France, and in the neighbourhood of the Rhine, and different parts of Germany and Hungary, should be assigned. Some maintained them to be in all respects the same as lava; others, among whom was the late Mr Playfair, in his Illustrations of the Huttonian Theory, that although of igneous origin, they were quite distinct in their characters and relations to the strata from the products of volcanoes, and must be classed with the trap rocks. In this last class they were placed by the Neptunists, who saw nothing in their structure, not even in the glassy obsidian, which should separate them from other rocks of aqueous deposition. Later and more accurate observations have shown, that they are undoubtedly of volcanic origin, that they form, as it were, the connecting link between the trap rocks and the lavas of modern volcanoes, and that the difference that exists between the products of a recent and an extinct volcano, is such as might be expected from the different circumstances under which they were produced.

By extinct volcanoes, Dr Daubeny understands those which have never been known by any human record or tradition, to have been in activity, but whose products incontestably prove

* Journal of a Residence in Iceland during the years 1814 and 1815, by Ebenezer Henderson. Edinburgh, 1819.

them to be volcanic, excluding those unstratified rocks, which, whether of aqueous origin or not, are so constituted as to evince that they have been formed in a manner different from those of existing volcanoes.

'Thus independently of the circumstances connected with the figure of the mountain, the direction of its strata, and the existence of a crater, by which a volcano is usually characterized, there are certain circumstances in the aspect of the individual masses which appear to afford decided indications of a similar origin. When for instance we observe a mountain constituted of materials possessing even in part a vitreous aspect and fracture, together with a cellular structure, especially if these cells are elongated in the same direction, if they are in general unoccupied by crystalline matter, and have a glazed internal appearance, we need not hesitate in pronouncing the whole mass as volcanic, although all vestiges of a crater may be lost, and the form possesses no analogy to that which belongs in general to mountains of the same class.' p. 6.

The chief seat of the extinct volcanoes of France is in that mountainous region westward of the Rhone, known by the names of Auvergne, Velay and Vivarais. The volcanic rocks are of two periods of formation, which are distinguished by Dr Daubeny by the terms *post-diluvial* and *ante-diluvial*, meaning by the former, those which have been produced by volcanoes that must have been in a state of activity subsequently to the occurrence of those events by which the valleys that now exist were formed, and by the latter, those which were already in existence when the valleys were excavated.

'The high antiquity of the most modern of these volcanoes is indeed sufficiently obvious. Had any of them been in a state of activity in the age of Julius Cæsar, that general, who encamped upon the plains of Auvergne, and laid seige to its principal city, could hardly have failed to notice them. Had there been even any record of their existence in the time of Pliny or Sidonius Apollinaris, the one would scarcely have omitted to make mention of it in his Natural History, nor the other to introduce some allusion to it among his descriptions of this his native province.' p. 14.

The post-diluvial are distinguished by external characters and by position,—they are more cellular and vitreous than the older class. Streams of lava composed of them are seen to have flowed in such a manner as to have modelled their course to the shape of the valley. Sometimes they are seen branching off, and directing their course to distant points; at other times the stream is separated by a knoll of granite, and the branches again reunite when they have passed the obstacle which interrupted the continuous course of the great stream. These streams have in some places ran across valleys, and, by damming up the river,

converted the upper part into a swamp; and it also happens that, where the waters could not find another outlet, 'they have 'in process of time succeeded in cutting themselves channels 'through the parapet of lava thrown across them, the projecting 'portions of which appear like islands in the midst;' a fact highly instructive in reference to the question of the formation of valleys.

The ante-diluvial rocks have a more compact stony aspect, resembling very closely many species of basalt; but their volcanic origin is undoubted from their association with beds of tuff, containing scoriæ and other cellular products. That they were produced prior to the excavation of the present valleys, is evident from the circumstance of their being found capping the summits of insulated masses, composed of limestone, and the other rocks which form the substructure of the country. Dr Daubeny was at one time of opinion, that those insulated hills of tuff which lie scattered over this district, were raised by some volcanic agency from beneath, through the limestone on which they seem to repose; but more extended observation has inclined him to consider them as relics of a more extensive stratum, the intervening portions of which have been carried off.

The Eyfel district, situated between the Rhine and the present frontier of the Netherlands, has scattered over the greater part of it a number of little conical eminences, often with craters, the bottoms of which are usually sunk much below the present level, and have thereby received in many cases the drainage of the surrounding country, thus forming lakes, known by the name of 'Maars.' Wherever their structure can be seen, they seem to be composed of alternating strata of volcanic sand, and fragments of scoriform lava, dipping in all directions from the centre at a considerable angle, and they are accompanied by streams of lava, very often buried under heaps of the loose matter subsequently ejected. The general appearance of the rocks, and the minerals that accompany them, completely establish the volcanic nature of this district. Similar appearances occur near the baths of Bertrich, between Coblentz and Treves. Dr Daubeny gives a very detailed account of the Siebengebirge, mountains on the eastern bank of the Rhine, which are basaltic, but distinguished in several particulars from the basalts which are found associated with the secondary strata, and more resembling a volcanic product. He describes some insulated knolls of the same class of rocks near Eisenach, which are remarkable from the changes which they produce on the sandstone in which they occur, proving their igneous origin. These

observations are the more curious, as this is one of those districts which has been so often appealed to by the disciples of the Wernerian School, as affording the best proofs of the aqueous origin of the trap rocks.

'But the rock, perhaps, which exhibits the greatest combination of phenomena calculated to shake any preconceived opinion with respect to the aqueous origin of these basalts, is the Blaue Kuppe, near Eschwege, a town also in Hessia, but about twenty miles north-east of the above localities. * In this instance, compact basalt is seen associated with a substance of so light and porous a description, in its nature so analogous to the productions of modern volcanoes, that it would indeed argue an excess of scepticism to refuse to attribute it to the same cause.

'Unlike the other volcanic eminences, the Blaue Kuppe consists on one side of sandstone, and on the other of volcanic matter, as if the force which caused the ejection of the latter had at the same time elevated the former. As in the Pflasterkaute, the sandstone here is hardened and cracked in all directions near the line of junction, and portions of it are everywhere imbedded in the substance of the basalt.

'Besides the principal mass of volcanic matter occupying one entire side of the hill, are several dykes which penetrate the sandstone, enclosing portions of it, and altering its stratification in a very remarkable manner.

'One of these appears to be a prolongation of the principal mass, but two others that occur a little on one side have no connexion with it on the surface. The upper portions of this rock consist of a sort of tuff composed of fragments of cellular and compact lava, intermixed with sandstone, and cemented by wacke, whilst the nucleus is composed of basalt, which is sometimes cellular, but the cavities for the most part are filled with crystalline matter. The quarry that has been made in this rock exposes a cavern in the midst of the volcanic matter, which serves still more fully to identify it with modern lava. A few miles north of the Blaue Kuppe stands the Meisner, which not many years back was appealed to in proof of the aqueous origin of basalt, but which will probably be viewed as affording an additional evidence of the contrary hypothesis. The basalt here forms an extended *plateau* overlying the new red sandstone formation; though in many places it does not do so immediately, there being here and there interposed a deposit of brown coal simi-

* It is curious that Daubuisson, in his "Account of the Basalts of Saxony," never alludes to this mountain, although he seems to have particularly examined the Meisner, which lies no more than half a dozen miles off from it, and to which he appeals as affording evidence of the aqueous origin of trap. It would be curious to learn whether this was the effect of accident or design, for the difficulty of explaining the phenomena of the Blaue Kuppe on the Wernerian principles, furnishes at least an adequate cause for the omission.

lar to that before noticed. The latter not only is rendered columnar, as Daubuisson admits, near the line of contact with the basalt, but I am assured that it is also converted into anthracite. Daubuisson, however, contends that this alteration is not universal, and, therefore, that the incumbent mass can never have been in a melted state, an objection which will be best met in a future part of this work, when I shall have occasion to show that even modern lavas, in flowing over the surface of a rock, do not always produce any change.

'The basalt passes gradually into a granular substance, which may be called augite rock, consisting of felspar, augite, a little hornblende, and grains of titaniferous iron. All the upper part of the platform is composed of this substance, which differs from the basalt underneath only in the more distinct crystallization of the component parts. This was also one of the circumstances appealed to by the Wernerians in proof of the aqueous origin of the rock, as it was conceived that this crystalline structure would have been obliterated by heat; and even Dolomieu was led by this consideration to admit the Wernerian doctrine with respect to greenstone. At that time the experiments of Sir J. Hall, Watt, and others, had not induced Geologists to admit that these crystals might have been the very result, under certain circumstances, of the process, which was at first imagined to be incompatible with their existence.'

In his sketch of the extinct volcanoes of Hungary, Dr Daubeny gives a minute description of the mineralogical characters of that species of rock, hitherto so imperfectly distinguished, which has been named Trachyte, and which, under various modifications, is the prevailing substance of most extinct volcanoes, and besides being found under similar aspects in recent volcanoes, seems to have been the material from which many of their lavas have originated. It is a kind of rock quite unknown in the British Islands, except that the porphyry of Drumodoon in the island of Arran, and of Sandy Brae in the county of Antrim, bears a considerable analogy to it. It has a felspar base, and is characterized by its porphyritic structure, by the scorified and cellular aspect which it has a tendency to assume, by its harsh feel, and by the presence of crystals of glassy felspar, generally cracked, and sometimes passing into pumice. There is a variety in which the paste is perfectly black and semivitreous, intermediate in its characters between pitchstone and basalt.

There is a brief account of the Euganean Hills, a remarkable group which rises in the midst of the level country between Padua and Este. They were described with great minuteness about fifty years ago in a memoir by Strange, * whose work is

* De' Monti Colennari, e d'altri Fenomeni Vulcanici dello Stato Veneto, Memoria di S. E. Il Signor Cavaliere Giovanni Strange. Milano 1778.

accompanied by several plates representing groups of columnar basalt as regular as those of Staffa or the Giant's Causeway, and which we are surprised that Dr Daubeny does not take notice of. Those hills consist of a trachytic formation, not unlike that of Hungary, resting upon a calcareous rock, which, from its flints and organic remains, appears to correspond with the chalk of Great Britain. The neighbouring volcanic country of the Vicentine is also described. All the formations of that country, from the fundamental talc slate to the *scaglia*, which corresponds with our chalk, are accompanied by trap rocks in beds and dykes. Tertiary beds lie above these, which alternate with beds of volcanic tuff. Above the scaglia is found at Schio, north of Vicenza, a mass of greenstone porphyry, containing, what is very rare in volcanic rocks, at least of a date so recent as that which must be assigned to this formation, veins of blende, galena, arsenical pyrites, sulphate, carbonate, molybdate, and chromate of lead. This rock is again covered with numerous alternations of calcareous with brecciated or tufaceous deposits, the former marked as tertiary, by the occurrence of nummulites and other shells. In the midst of these calcareous beds at Monte Bolca, are some of a bituminous slaty marl, containing those remarkable impressions of fish, which form such conspicuous specimens in mineralogical collections. The whole of this district abounds in most interesting and complicated phenomena, well deserving of a minute and accurate investigation from the important geological inferences which may be deduced from them.

We must now conclude our very imperfect sketch of this volume, which we recommend to the careful perusal of all who are occupied in geological inquiries; assuring them that they will rarely meet with a writer on Natural Science so accomplished, and who unites, in so great a degree, habits of minute and accurate observation, with those powers of generalization, which belong only to minds of a superior order.

ART. III. 1. *Anne Boleyn: A Dramatic Poem.* By the Rev. H. H. MILMAN, Professor of Poetry in the University of Oxford. 8vo. London. John Murray, Albemarle Street. 1826.

2. *Anne Boleyn: A Tragedy.* By HENRY MONTAGUE GROVER, St Peter's College, Cambridge. 8vo. London. Longman, Rees, Orme, Brown and Green. 1826.

OUR readers, we think, on looking at the title of this Article, will be inclined to exclaim—like the gentleman in the well-known ghost-story, when he saw the supernumerary apparition—'Heavens, there are two of them!' We know not whether the fate of this unfortunate Queen, affecting as it is in history, has ever before supplied a theme to the Tragic Muse; but, if not, the omission is now amply made up—and it is, perhaps, as an atonement for having refused Henry VIII. *one* Anne Boleyn,* that Oxford and Cambridge now club to furnish the world with *two*.

Though Anne Boleyn is not expressly named among the Reformers of the English Church, it is evident that both Protestants and Catholics consider her as nearly entitled to that rank, by the zeal with which they continue to dispute about her history and character. The Catholics, with Cardinal Pole and Father Sanders at their head, have represented her as a young lady of the most light and unscrupulous morality, whose education in gallantry began, from her earliest years, in France, and who not only was the mistress of Henry VIII. before she became his wife, but had been the mistress of Wyatt the poet† before she devolved to the King. Not content with this estimate of Anne herself, they extend the same charitable view to all her relations. Her mother, Lady Boleyn, is accused also of an undue degree of intimacy with Henry; and at a date fixed so conveniently as to make it probable, they think, that Anne may have been his child. The eldest daughter, too, Miss Mary Boleyn, who, they say, *first* succeeded her mother in the royal favour, is allowed by these scandalous chroniclers no other credit, than that of having served as a warning to her young sister, by yielding to the monarch with a degree of facility, which the other learned from her fate not to imitate.

* 'Oxford alone, and Cambridge (says Hume) made some difficulty.'

† See, for some remarks on her supposed amour with Wyatt, 'Memoirs of the Court of Henry the Eighth,' by Mrs A. T. Thomson—a work of much good sense, impartiality and research.

The Protestant writers, on the other hand, describe the whole race of Boleyns as the most moral and exemplary personages imaginable. The education of Anne at the French Court they hold to have been no less useful to her morals, than people of all religions allow it to have been to her *toilette*. Mr Turner, indeed, one of the most recent, as well as most Protestant historians of this period, after descanting on the piety and virtue of Anne's great protectress, the Queen of Navarre —a lady, by the bye, who wrote a book too naughty for any other lady to read—and having mentioned that the Princess had always a Bible in her hands, says enthusiastically, 'This 'will account for the attachment which Anne Boleyn after- 'wards displayed for the Divine Volume and the Reformed 'opinions, and will tend to make the impartial mind discredit 'the slanders that attempt to depict her as a vulgar hackney of 'depravity, in the sweetest and most beauteous season of the 'female life, the usual spring-time of every virtuous feeling and 'nobler purpose!'

Respecting the conduct of Anne Boleyn after her marriage, there is the same variance of opinion and testimony between the two creeds. While one party supposes her to have been eternally occupied in low intrigues with her servants, Norris, Weston and Smeaton, the other represents her as closetted with the Reformer, Latimer, consulting for the interests of the New Faith, and planning measures for the protection of those Protestant merchants, who had just then opened a lucrative trade in the importation of Bibles. *

This religious difference respecting Anne Boleyn has not been confined solely to her moral qualities, but influences also the descriptions which the respective parties have left us of her person. According to the Reformed taste, she was the very perfection of loveliness;—or if any blemish (such as the brownness of her complexion and 'certain small moles' here and there) might be pointed out, they were, in her, rather graces than blemishes, and might be numbered among

'Those fair defects, that best conciliate love.'

Viewed by the Old Light, however, she wears a very different aspect;—her beauty, like that of Dido in the shades, appears 'per umbram obscuram,' while every defect is brought out in the fullest relief. To a good Catholic's eye her complexion seemed to be yellow, as if from jaundice;—she had 'a 'gag-tooth, six fingers on one hand, and a tumour under her 'chin!' In addition to this choice catalogue of charms, a French

* See, in Strype, her Letter on this subject to Cromwell.

medical writer professes to have discovered that she was (like the monstrous busts we sometimes see of Ceres and Diana) *multimammia*. With the utmost gravity, too, he suggests that, as she had six fingers on her hand, *it is probable* that she had the same superfluity of toes upon her foot!—'elle avoit peut-'etre également six doigts au pied.' *(Dictionnaire des Sciences Medicales.)*—In answer to all this, the Protestant stoutly denies the six fingers, though he owns she had, on one of her fingers, a 'supplemental nail.' So far, however, he contends, from being a blemish, this superfluous nail was rather an ornament than otherwise,—being, as the biographer of Wyatt describes it, 'so small, by the report of those that have seen her, 'as the *woorkmaster* seemed to leave it an occasion of greater 'grace to her hand, which with the tip of one of her other fin-'gers might be, and was usually, by her hidden, without any 'the least blemish to it.'

In the curious metrical 'Histoire d'Anne Boleyn,' written, it is thought, by a contemporary, and published lately, from a manuscript in the Bibliothéque du Roi, we find the following verses, which tell quite as much for the coquetry of the fair Queen, as her beauty:—

'S'elle estoit belle et de taille élégante,
Estoit des yeulx encor plus attirante,
Lesquelz sçavoit bien conduyre à propos
En les tenant quelquefoys en repos;
Aucunefoys envoyant en message
Porter du cueur le secret tesmoignage.'

'Much as her form seduc'd the sight,
Her eyes could even more surely woo;
And when, and how to shoot their light
Into men's hearts, full well she knew.
For, sometimes, in repose, she hid
Their rays beneath a downcast lid;
And then, again, with wakening air,
Would send their sunny glances out,
Like heralds of delight, to bear
Her heart's sweet messages about.'

Among the historians who recount the loves of Henry the Eighth, we have met with none—not even Miss Benger—who dwells upon them with such romantic fondness as Mr Turner, the amiable author of the History of the Anglo-Saxons. This gentleman, in a volume just published, has taken the Defender of the Faith under his especial protection, and endeavoured to vindicate his memory from the 'slanders and revilings,' under which, in his opinion, it has too long lain. In this chivalrous enterprise Mr Turner professes himself to be actuated by a sin-

cere alarm at those 'advocates of Romish supremacy, who as-'pire to build once more the Papal monarchy in Europe; or 'who may expect to share in the dignities and comforts that 'would flow to many from its re-possessioned establishments.'* How far Mr Turner's quarto is likely to prevent these alarming persons from 're-possessioning their establishments,' remains to be seen. Voltaire—who was, at all events, no catholic—says that Henry was 'tyran dans son gouvernement, comme dans sa 'famille,' and that 'il mérite l'exécration de la postérité.' This, however, is far from Mr Turner's view of the matter;—and, though unable to make out any good defence for his hero on the article of Wives, the conclusion he comes to on his general conduct is, that there 'was not a sovereign in Europe that, 'circumstanced as he was, would have acted otherwise than he 'did, except as to his queens.'† Even 'as to his queens,' too, there are certain traits in the amatory character of the monarch, that delight and dazzle the imagination of his sage historian prodigiously. Among others, the constancy with which he clung to Anne during the tedious process of buying up the consciences of the divines of Europe, is thus tenderly put by Mr Turner:—'Perhaps the annals of affection, or of civil history, will hardly 'furnish another instance of a king's constancy for a beautiful 'subject lasting nearly six years, in patient waiting for the nup-'tial tie.'‡ Anne, too, comes in for her share of praise on this score:—'It may, indeed, be questioned if biography can fur-'nish a parallel of another young lady, of merely gentle birth, 'resisting, for six years, the seductive agencies that were sur-'rounding her, when her lover was a King.'§ Sometimes, however, he seems to doubt whether the Whig principle of Resistance to Tyrants was quite so strong in Anne as to justify all this praise; witness the following exquisite passage:—'As 'far as the fashion of the day, the usual guide and rule of those 'who live most conspicuously in a court and a metropolis, or a 'desire of coinciding with the King's opinions could influence 'Anne Boleyn, she was likely to have been as pliant as the 'plumage of her head-dress to the solicitations and aspirations 'of a royal and interesting admirer.' ¶ If this 'interesting 'admirer' could have contented himself with the pliancy of poor Anne's head-dress, without proceeding to experiments upon the head itself, we should have felt much more sympathy with Mr Turner's gallant description of his courtship.

Lest it should be supposed, however, from what we have said, that this amiable historian has, in his zeal for No-Popery and

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* p. 37. † p. 583. ‡ p. 561.
§ p. 476. ¶ p. 475.

Henry the Eighth, attempted to palliate any of the family murders of his hero, we must, in justice to him, extract the following passage, as a proof not only of the horror with which he contemplates Anne Boleyn's fate, but of the sprightly and elegant style in which that horror is expressed by him:—'To consign the long-beloved wife of his bosom, the selected object 'of his caresses,—for whom he had braved and defeated popes, 'priests, sovereigns, slander, hatred, treason and peril—to a 'violent, public and defaming death; and by a signature, writ-'ten in the very apartments where he had feasted upon her 'smiles; listened, delighted, to her merry chit-chat, and 'danced, enraptured with her grace, in all her fearless and un-'foreseeing gaiety; ordering the "little neck," which he had 'so often admired and caressed, to be cut asunder by the but-'chering strokes of a common executioner, was an act better 'suited to an Othello, to a relentless Moor, or to a turband 'Turk!' *

The famous love-letters of Henry to Anne Boleyn form another topic, on which the tastes of Protestants and Catholics differ very materially;—the delicacy of the latter being much shocked by these productions, while the former regard them as patterns of princely love-making. Dr Lingard stops short in quoting one of these letters, unwilling to contaminate his page with the rest of it. The Catholic biographer of Cardinal Pole declares, that there are some expressions in them 'below even 'the coarseness of Thames Street gallantry;' while Mr Turner —who forgives, as we have seen, the Queen of Navarre's naughty tales, in consideration of her laudable leaning to Lutheranism—pronounces the Letters of Henry Eighth to be 'models of respectful love'—'congenial billets'—'genuine 'specimens of an honourable affection, expressed in the easy 'language of true feeling and good sense; reflecting credit upon 'his mind as a man, and his heart as a King.' Such are the extremes into which partisans, on both sides, fling themselves, and such the absurd spirit which is now at work everywhere—which is driving that excellent Catholic, Mr Butler, to illustrate his doctrine of Transubstantiation, by the mysterious intermixture of quassia with beer,† and which urges that *super-* excellent

* Page 639.

† In condemning the rashness of that Protestant oath, which declares the doctrines of Transubstantiation, &c. to be idolatrous, Mr Butler asks, (as an illustration of the temerity of their swearing that there is *no* transference of substance into the sacrament), 'what would the Barons of the 'Exchequer have said of a person, who, on a late trial for the adultera-'tion of beer, had sworn that no quassia had been infused into it, and

Protestant, Dr Southey, to accuse the Catholics of the present day of believing that the Devil, once upon a time, held a candle to St Dominic, and so awkwardly as to singe his own paw! *

But, to come to our tragedies.—The chief objection to the story of Anne Boleyn, as a dramatic subject, is that between her coronation and her execution, the two periods on which the interest or *Peripetia* of the action hinges, there elapsed an interval of three years—a period somewhat too long for even our latitudinarian notions with respect to the annihilation of time and space on the stage. To get over this difficulty, Mr Grover, who begins with his heroine from the date of her marriage, slides in a little note between the Second and Third Acts, to say—'There is a lapse of three years from this Act to the next 'following one; where the history is renewed at the period of 'Anne's decline in Henry's favour.' Not content with this chronological advertisement, he prefaces the Third Act with a long rhyming address, apologizing for his breach of the unities. This address he puts into the mouth—not of a Beef-eater, as would have been English and natural—but of the god Mercury, who has no other connexion, we fear, with Mr Grover's play than that which his 'jus in animas defunctorum et damnator-'um' gives him. This Deity, descending in 'loud thunder,' thus addresses the audience:—

> 'Tis noisy trav'lling this. God bless us!
> Did ever mortal hear so great a clatter?
> I wish to heav'ns, the good folks of Parnassus
> Would not make such a noise about the matter;
> Stirring the Gods to anger and debate
> About a thing of very little weight.
> But here I am, thank heav'n; and now
> To you, sweet ladies, beg to make my bow;
> And then proceed to tell you, why I'm here,
> From Helicon's fair spring a messenger.' &c. &c.

In these couplets, it will be perceived, there is not the usual compromise of one line for sense, and the other for the rhyme;

'had afterwards confessed, on cross-examination, that he took what he 'said *upon trust*, and had never examined the *composition?*'

* See the Vindiciæ Ecclesiæ Anglicanæ.—Dr Lingard having endeavoured to get rid of some of these anile tales, which his brother Doctor has raked up against the Papists, by descrediting the authority of Osbern, on whose testimony many of them rest, Dr Southey, in reply, exclaims rhetorically and triumphantly, 'No, Sir—the ship St Peter, 'bearing for its flag the keys and triple crown in a field gules, is not to 'escape by throwing Osbern over board, as if he were the Jonas for 'whose only offence the storm has overtaken her.'

on the contrary, nonsense usurps both, and rhyme is little thought of between them. The blank verse of Mr Grover, though much more pregnant with meaning, dispenses with metre as unceremoniously as his couplets do with rhyme. Frequently, indeed, he seems to think, with a certain philosophic dramatist of our times, that prose, broken up and *pointed* like verse, ought to satisfy all reasonable people quite as well as poetry. For instance:—

> ‘ But how did end
> This story?
> ‘ *Queen Catherine.* The king, confirm'd of the truth
> Of the appeal, held himself free of the Moor;
> Who was dismiss'd, unharm'd in honour,
> To his own kingdom; the heroic lover
> Linger'd of his wounds; and, being first married
> To her for whom he perish'd, shortly died.’

It is said of that admirable actor and worthy man, the late Mr Kemble, that he would frequently, from the habit of declaiming, talk blank verse in conversation, as unconsciously as the Bourgeois Gentilhomme talked prose; and one of his theatrical friends used to imitate him in the act of addressing a beggar, to whom he had just given a penny, in the following heroics:—

> ‘ *Kemble.* See that thou *hast* a penny.
> ‘ *Beggar.* (*Looking into his hand*)—I have, Sir.
> ‘ *Kemble.* (*Turning to his friend*)—Banister!
> It is not often that I do these things,
> But—*when* I do, I do them handsomely.’

Much the same sort of blank-verse abounds in every page of Mr Grover's tragedy. For example,—

> ‘ The King is with Sir Richard Coombe, and waits
> To hear the death of poor Sir Thomas More.’

In the management of his plot, Mr Grover is not more successful than in his dialogue. The only addition to historical facts that he has hazarded, is founded upon one of those imprudent speeches to her attendants, which formed the grounds of accusation against the unfortunate Queen. It being stated in the depositions, that Anne had once bantered her servant Weston on his love for a certain kinswoman of hers, this mistress of Weston is, in the play, converted into a Lady Margaret Lee, who, having

> ‘ stooped
> To trust his honour in the shadows gray
> Of the still lawns,’

is afterwards deserted by her seducer. In the heighth of her despair, she makes an offer of herself to a ‘ romantic country ‘ gentleman,’ named Gadsden, whose proposals she had often

before rejected; and this Arcadian squire, though acquainted with her mishap, accepts her as joyfully as if nothing had happened.

We have some faint recollection of a late traveller on the Continent, who tells us, that, having heard some foreigner praised, as a 'most excellent country gentleman,' felt a strong curiosity to see this pattern of Continental squires, and, on paying him a visit, found him in a high garden-turret, dressed in a pea-green coat, and playing on a guitar. That Mr Grover's *beau-ideal* of a country gentleman is somewhat similar, may be perceived by the following extract from a scene, where Squire Gadsden is discovered with his sister:—

> '*Gadsden.* Here, sister, is the spot I have design'd
> To build this fane of my idolatry.
> Here shall the tablet, with the name emboss'd
> Of Margaret, honour'd! Margaret, ever dear!
> Be planted; and about, to guard the spot
> From the loose rompings of the vagrant winds,
> These guards shall stand; and round their russet trunks
> Bear a rich screen of jessamine and rose.
> Beneath their shade and shelter I may pass
> The tedium of dull life; and, here reclining,
> Speak of my love to thee.'

In this tender moment, his 'honour'd Margaret' arrives—tells him of her adventure with the perfidious Weston—offers herself to him, such as she is, 'for better, for worse,' and is thus carried off in triumph by the 'romantic country-gentleman.'

> '*Gadsden.* Most gratefully I take regard so pure;
> And in this friendship will raise up a flame,
> So Heav'n consenting, shall illume the land
> With the pure light of love; to be a beacon
> For faithful hearts to go by. Come, Margaret,
> I must bear off my prize: take you my arm;
> Sister, you the other. [*Exeunt.*'

We should do injustice, however, to this Cambridge poet, as well as to ourselves, who thus take the trouble of reviewing him, did we allow our readers to form their opinion of his talents, solely upon the impression which these unfavourable extracts must have left. Wonderful as it may seem, after such specimens, it is yet true, that there is a considerable portion of cleverness and dramatic power in his play. Though never reaching, as may be supposed, the higher flights of talent, he has the merit—very rare in this ambitious age—of but seldom aiming at them. The efforts of genius itself become painful, when too visibly efforts; and, even in those who are most successful in their pursuit of beauties, it is a tiresome fault to be always pursuing them:—

'Vous avez de l'esprit; c'est chose très certaine:
Mais vous courez après, Climène
Comme si vous n'en aviez pas.'

Worst of all, however, are those—the far larger class—in whom the ambition to shine is unaccompanied by the power; whose efforts but serve to render their weakness more obvious, and to whom that description of mental impotency is applicable, 'multum cupiit, nihil potuit.' To neither of these classes of writers does Mr Grover belong;—while he wants the genius that justifies the ambition of the one, he is also without the pretension that brings ridicule on the failures of the other.

In the dialogue of this play, the more level and ordinary style of our early dramatists is often successfully imitated; and, now and then, even their more elevated tone is caught. The following scene, where Jane Seymour attempts to describe the intoxication of heart which she feels at the discovery of the King's love for her, is, for the most part, very gracefully written:—

'Enter *Lady Rochford* and *Jane Seymour*.

'*Lady Rochford.* It is a sweet reprieve from toiling pleasure,
To breathe thus undisturb'd the silent breeze.
And the still sky and solemn-feeling moon
Wake in my thought the sense of childish years;
When I did love to play beneath her beam.

'*Jane Seymour.* I have no sense of by-gone happiness.
The present scenes surround and fill my bosom;
And every movement seems to bring new joy.
The soft breath of the air, perfumed with spring,
And charged with sounds half dying, half reviving,
In sinking cadences of broken harmony,
Wrap all my heart as in a lovely vision.
Sure 't was by moonlight, and in the sweet sound
Of falling waters, or what other music
Nature doth make, that men first learn'd to love.

'*Lady Rochford.* Soh! the sweet spirit moves my lovely Jane;
These rhapsodies betray the latent fire,
Which burns within; but, ah! beware.
What, now, if I should guess the kindling sun,
Which warms your spirits into this quick commotion?

'*Jane Seymour.* I ne'er could name the name. Th' unstable light,
Not yet bound in its sphere, lives in all regions;
And has ta'en no form.

'*Lady Rochford.* But, when 't is fixed,
'T will rise as high as is the Royal Sun:
Is 't not so, sweet Jane?

'*Jane Seymour.* Indeed, I know not;
My mind is not advised by my heart
Of its true bias; therefore I pray excuse me.'

We shall give one more extract from a scene between Henry

and Anne—'in the State Apartment, where the Queen is con-'fined.' Historians tell us, that Anne imputed her miscarriage, on this occasion, to the unhappiness which she had felt at the discovery of the King's love for her maid. Her answer, in the following scene, to Henry's reproaches on the subject, is, we think, natural and pathetic:—

'Enter *King Henry*.

'*King Henry*. What, 'fore God, woman! how 's the Queen?

'*Lady*. So please your Highness, but indifferent well.

'*King Henry*. Indeed! make way; and bid the groom
Prepare our horses, we would ride alone.
What Anne; how fares the Queen?
We would have wish'd more welcome in this meeting.
And bade our consort hail with better seeming,
If she had been more favour'd of high Heaven;
And brought the chief hope of our royal breast,
The heir we had look'd for,

'*Queen Anne*. My Lord! my Lord!

'*King Henry*. 'Fore God, this puling passion ill beseems,
I say it ill beseems King Henry's wife;
The blessing of just Heav'n shines not on thee,
And this miscarriage dims my royal crown.
Is there no other meet employ to suit thee,
Whose brows are circled with the crown of state;
But, like a wilful girl of schooling years,
You must consult and crave to satisfy
This inward grov'lling spirit of romance?
Thou hadst a precious charge, which charge was mine;
Not only mine, but my kingdom's; and 't is lost;
Gone from us by thy wayward fantasies,
Unqueenly and not fitting your estate.

'*Queen Anne*. It is true. Most gracious Sovereign,
Bear with me while I speak. My heart o'erflows,
And your reproaches bring the keenest pains
Of all I suffer. But, ah! my Lord,
When was your Queen other, than such a one
As draws this chastening from your royal lips?
Did ever, ere the crown had press'd these brows;
Ere to this giddy eminence, where thy bounty
Hath plac'd your Queen; or from her humble happiness
That Queen was sever'd by your royal favour;
Did ever Anne, the favour'd Anne of Henry,
Disguise from him the workings of her bosom;
Or hide the quick throbs of an anxious heart?
My Lord, I own my frailty on this point;
I do confess a wounding arrow strikes me,
Strikes that same anxious heart, and shakes my frame,
Good gracious Heav'n! through the open windows,

Where looks thy mercy forth upon thy creatures,
Be *thou* my comfort in this hour of sorrow;
Hold up the broken spirit of my heart,
That I may bear me meekly! Oh! Henry, hadst thou
Felt but the tithe part of the tithe of wo,
That hath fall'n on the heart of thy true servant,—
Indeed, my Lord, I wander, but my tongue
Will utter it,—since that sad hour, the saddest
Of my lost life, wherein my failing sight
Met the dread proof of thy forgetfulness;
Thou wouldst still pity with so warm a heart,
That in the very impulses of nature
Thy natural love would turn again to its channel;
And I be blest again. But I am faint;
I pray you, good my gracious Sovereign,
Forgive my unguarded speech.'

In proceeding now to notice the play or 'Dramatic Poem' of Mr Milman, we think it right to mention, that, in a Preface prefixed by Mr Grover to his Tragedy, it is more than hinted that the coincidence between himself and Mr Milman, in their choice of a subject, was not altogether accidental:—

'The following drama (says Mr Grover) was written by me in the months of January and February 1823; and was shortly afterwards, at the instance of a friend, put into Mr Murray's hands for publication; who informed me that it was consigned to some person for perusal. It was returned, however, with a polite intimation, that, in consequence of the recent failure of some poem by Lord Byron, the public taste did not seem disposed towards works of the sort: and, in plain terms, that it was not convenient to Mr Murray to publish it.

'This circumstance and other engagements have since taken me from the purpose of immediate publication; but I always entertained the intention, at some time, of revising and correcting those crudities of composition which I am aware the play must possess; and then to publish it.

'That intention has been accelerated by the publication of Mr Milman's dramatic poem on the same subject; which I heard of, for the first time, late in last August. On perusing that work, with the curiosity with which one looks for diversities of thought on the same subject, I was surprised to find in it *a series of resemblances, both in the plot and expressions*, to those of my own poem.'

With respect to these alleged resemblances in the language of the two Plays, we have not, we confess, been able to trace them. Those who are at all acquainted with the general style of Mr Milman, will not require to be told, how totally different is the unpretending, and somewhat slip-shod gait of Mr Grover, from the lofty and grandisonant march of the Professor of Poetry of Oxford. The language of tragedy, according to Aristotle, should be nothing more than a selection and skilful

collocation * of the language of every-day life. This definition —which seems to exclude from the true style of tragedy all the ornaments and artifices of poetical diction—has been but little attended to by our modern dramatists, and by none less than by Mr Milman, who, whatever else may be the merits of his writings (and we are by no means inclined to undervalue them), condescends but rarely to the natural or familiar, and, like the inhabitants of Les Landes, seems always most at home upon stilts. With our neighbours the French, who have no such thing as a poetical language—at least since the time of their early poets—the adoption of this rule of the Stagirite is a matter of necessity, not choice. But the pedantic rigour with which they exclude certain words from tragedy, † shows how willingly they would establish for it a privileged order of phrases, if they could. One of their dramatists, still living, undertook, some time since, to write a tragedy, of which Charles le Bel was to be the subject. A serious difficulty, however, presented itself. As this monarch, among other violent financial expedients, had recourse to an alteration of the coin of the realm, it was necessary that the word 'monnoie' should be introduced into the dialogue; and this, the poet feared, was impossible. He consulted the most enlightened and liberal critics, but they all, with one voice, declared against the unauthorized word—and he was at length obliged to give up his subject. Mr Milman is hardly less select and aristocratic in his vocabulary; and often prefers the trouble of going round by a periphrasis, to the degradation of encountering any of the 'populace of phrase' on the straight road. For instance, the plebeian word 'spit' is thus awkwardly evaded by him:

> 'I pray'd my way
> Through mocking men to find thee. Some did spurn me,
> Did almost void their rheum on me.'

And, in one of the early scenes, where Anne Boleyn orders her almoner to dispose of all the luxuries of her own table, rather than allow her to want the means of succouring the indigent, we have the following pompous circumlocution, which reminds

* To collocation, indeed, much more than to selection, the ancient writers trusted for the dignity of their style; as Dionysius Halicarnass has well shown, περὶ Συνθ.

† Virgil is said by his critics to have avoided certain words, as too plebeian. Servius supposes that the periphrasis by which he describes the stork in the Georgics, 'Candida venit avis, longis invisa colubris,' was for the purpose of avoiding the common name of that bird. Scaliger, too, represents him as equally fastidious about the name of the cormorant; but this is a mistake, for the word 'mergus' is more than once used by him.

one of the language in which Apuleius describes the simple process of getting dinner ready, 'prandium fabricatur:'—

> 'Go, coin those wines, barter for homelier cates
> Those candied superfluities.'

In the arrangement of the story, Mr Milman has been much more skilful than his competitor; nor do we observe any of that 'series of resemblances in the plot,' to which the latter gentleman, in his Preface, alludes. The only invention, as we have seen, upon which Mr Grover ventures, is in the instance of Lady Margaret and her unfortunate 'country gentleman,' which, though silly enough, is at least harmless. But we doubt whether the fiction, which Mr Milman has engrafted upon history, can be regarded as equally innocent or pardonable. Not only has he conjured up a Jesuit, some years before that Religious Society was in existence, but he has evoked this personage for the purpose of loading both him and the faith to which he belongs with the chief odium and guilt of Anne Boleyn's murder. Availing himself of the mystery in which the destruction of all the records of the Trial has left the confession of Mark Smeaton with respect to the guilt of the Queen, Mr Milman supposes this perjured testimony to have been wrung from Smeaton by the arts of a Jesuit, to whom he gives the name of Angelo Caraffa, and who, having assisted in kindling up the imagination of the young musician into a romantic passion for his Royal mistress, succeeds at length in persuading him into the monstrous belief, that there is no other way of saving either her life or soul, but by falsely accusing her of adultery, and declaring himself the partner of her guilt!

Mr Milman, it is true, in his Preface, takes care to intimate, that this highly-coloured portraiture of Catholic fanaticism is not intended to minister to the No-Popery prejudices of the day, and has expressed a hope that he shall 'be considered as 'writing of former times alone.' But, knowing the tactics of his cloth and his party, in bringing the Past to bear upon the Present, we cannot help suspecting that the Catholic Question had some little share in his poetical inspirations, and that—to apply the words of Dr Johnson, in speaking of the Tragedy of Cato—'they who affect to think that *the Church* is in danger, 'may also affect to think that a Play will preserve it.'

At the beginning of the drama, we find the young minstrel, Smeaton, introduced, for the first time, into the presence of the Queen, and putting her Royal patience to the proof by singing a Theological Song, of no less than 144 lines in length, entitled, 'The Protestant's Hymn to the Virgin.' This extraordinary Hymn, setting out on the presumption that the Virgin might expect the same sort of adoration, to which she had been hi-

therto accustomed from the Papists, tells her fairly, in the first verse,

> ‘ To mortal name our jealous souls deny
> The incommunicable meed of Deity. ’

The singer then proceeds to call her ‘ lowliest, as loveliest ‘ of mortal maids,’ and continues in the same strain of pious compliment,

> ‘ Thee, therefore, lovelier far we deem, *
> Than eye may see or soul may dream, ’—

still protesting, however, strongly against her claims to adoration, and, throughout the whole canticle mixing together piety and familiarity, in a way that very much reminds us of a picture which a well-known French Duke exhibits to his friends, as a proof of the high antiquity of his family,—where one of his ancestors is represented as taking off his hat to the Virgin, while a label, issuing from the Virgin’s mouth, makes her say, ‘ Couvrez-vous, mon cousin. ’ Mr Milman ‘ se couvre ’ in the presence most Protestantly.

Having thus adverted to a few of what we think the weak points of Mr Milman’s work, it is with pleasure we turn to the brighter part of his disk, and render justice to the numerous beauties, both of language and of thought, which abound in this, as in every other, production of his pen. His Jesuit is a powerful personage,—and, though as much given to cursing as the Defender of the Faith was to swearing, curses well and from his heart. Sometimes, indeed, his invocations to Hell smell over much of sulphur ;—as, for instance,

> ‘ The game is won ere played !
> It fires beyond our hopes, the sulphurous train
> Flames up, they ’re hurl’d aloft, but not to Heaven.
> Wake, Hell ! and lift thy gates ; and ye, that tenant
> The deepest, darkest, most infuriate pit,
> Th’ abyss of all abysses, blackest blackness,
> Where that most damning sin, the damning others,
> With direst, most remorseless expiation,
> Howls out its drear eternity, arouse
> The myriad voices of your wailing ; loud
> As when the fleshly Luther, or the chief
> Of his cursed crew have one by one gone down
> To tread your furnace chambers !—Rise ! prepare
> The throne of fire, the crown of eating flames ! ’

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* On this subject, ‘ de pulchritudine B. Mariæ Virginis,’ we beg leave to recommend, to Mr Milman’s notice a Treatise, written by Nicolaus Susius, a Jesuit, in which the peculiar complexion (σιτοχρόος, or, wheat-coloured) attributed to the Virgin by Nicephorus, Epiphanius, and other ecclesiastical writers, is learnedly inquired into and explained.

The scenes between this fanatic and Gardiner are written with no common power; and the following extract may give some idea of the vigour with which the poet has embodied the spirit of Jesuitism in this character.

'*Angelo.* Now hear me, Prelate, glut thine ear with tidings,
For there are dark and deep delved plots, that scape
Even Gardiner's lynx-eyed sight—thy soul shall laugh.
The Queen—the Boleyn—the false harlot heretic—
She 's in our toils—lost, doom'd——
'*Gardiner.* I know the King
Is fallen away to a new lust, and hates
Where once he doted.—But her death!—
'*Angelo.* What! versed
In courts like Gardiner, and not know how close
Death waits upon the blasting hate of Kings?
I tell thee, she shall die—die on a scaffold!
Die branded like a base adulteress!—
Die like a heretic—the Church's foe!—
Die unabsolved, unhousel'd—die for ever!
'*Gardiner.* Ay, but her blameless life; the love she wins
By subtle sorcery from every rank.
'*Angelo.* Blameless!—an heretic avow'd, proclaim'd,
The nursing mother of Apostasy!
Heap crime on crime, load all her soul with blackness,
Make her name hideous to the end of time;
Yet is she not, to a true son of the Church,
More odious, more abominable—all sins
Are in that one! Adultery, murder, nought
Is wanting but desire or meet occasion,
And the loose heart gives way.
'*Gardiner.* But this Jane Seymour
Is of no better brood.
'*Angelo.* What reck we who
Or what she is, she shall give place t' another,
Another still, till the fierce flame burns out,
And shame, remorse, and horror, all the furies
That howl and madden round the guilty bed,
Seize on the abject Monarch! He shall lick
The dust beneath our feet, and pay what price
The Church ordain, for tardy reconcilement.
'*Gardiner.* Brother, draw near! thy speech hath bodied forth
What hath come floating o'er my secret thought.
'*Angelo.* And own'st thou not Heaven's manifest inspiration?
'*Gardiner.* So thou wilt bring to pass what Gardiner left
In unaccomplish'd vision! Man of men,
What fame shall wait, what canonizing glory
On sainted Angelo.
'*Angelo.* While Stephen Gardiner
Must sink into the baser rank. Oh! fear not,

Nor jealously mistrust me, lest I cross
Thy upward path: I have forsworn the world,
Not with the formal oaths that burst like flax,
But those that chain the soul with triple iron.
Earth hath no guerdon I may covet, none
I may enjoy.—Thou, Stephen Gardiner,
Shalt rule submissive Prelates, Peers and Kings,
Loftiest in station, as in mind the mightiest;
And a perpetual noon of golden power
Shall blaze around thy lordly mitred state.
I 'm girt for other journeys: at that hour,
When all but crown'd the righteous work, this Isle
Half bow'd again to the Holy See, I go
Far in some savage land unknown, remote
From civilized or reasonable life,
From letters, arts—where wild men howl around
Their blood stain'd altars—to uplift th' unknown,
Unlawful Crucifix: I go to pine
With famine; waste with slow disease; the loathing
And scorn of men. And when thy race is run,
Thou, Winchester, in marble cemetery,
Where thy cathedral roof, like some rich grove,
Spreads o'er, and all the walls with 'scutcheons blaze,
Shalt lie. While anthem'd choirs and pealing organs,
And incense clouds, and a bright heaven of lamps,
Shall solemnize thy gorgeous obsequies;
O'er my unsepulchred and houseless bones,
Cast on the barren beach of the salt sea,
Or arid desert, where the vulture flaps
Her dreary wings, shall never wandering Priest
Or bid his beads or say one passing pray'r.
Thy memory shall live in this land's records
While the sea girds the isle; but mine shall perish
As utterly as some base beggar's child
That, unbaptiz'd, drops like abortive fruit
Into unhallow'd grave.

'*Gardiner.* Impossible!
Rome cannot waste on such wild service minds
Like thine, nor they endure the base obedience.

'*Angelo.* Man of this world, thou know'st not those who tread
The steps of great Ignatius, those that bear
The name of Jesus and his Cross. I've sunk
For ever title, rank, wealth—even my being*;
And, self-annihilated, boast myself
A limb, a nameless limb, of that vast body
That shall bespread the world, uncheck'd, untrac'd—
Like God's own presence, every where, yet no where—
Th' invisible control, by which Rome rules
The universal mind of man. On me

My Father's palace gates no more shall open,
I own no more my proud ancestral name,
I have no property even in these weeds,
These coarse and simple weeds I wear; nor will,
Nor passion, nor affection, nor the love
Of kindred touch this earth-estranged heart
My personal being is absorbed and dead.
Thou think'st it much with cilice, scourge, and fast
To macerate thy all-too pamper'd body,
That thy sere heart is seal'd to woman's love,
That child shall never climb thy knees, nor call thee
His father:— on the altar of my God
I've laid a nobler sacrifice, a soul
Conscious it might have compass'd empire.—This
I've done; and in no brief and frantic fit
Of youthful lust ungratified—in the hour
Of disappointed pride. A noble born
Of Rome's patrician blood, rich, letter'd, versed
In the affairs of men; no monkish dreamer
Hearing Heaven's summons in ecstatic vision.
God spoke within this heart but with the voice
Of stern deliberate duty, and I rose
Resolved to sail the flood, to tread the fire—
That's nought—to quench all natural compunction,
To know nor right nor wrong, nor crime nor virtue,
But as subservient to Rome's cause and Heaven's.
I 've school'd my haughty soul to subtlest craft,
I've strung my tender heart to bloodiest havoc,
And stand prepared to wear the martyr's flames
Like nuptial robes;—far worse, to drag to the stake
My friend, the brother of my soul—if thus
I sear the hydra heads of heresy.'

The following scene between Henry and Anne will enable the reader to compare, more immediately, Mr Milman's mode of treating the subject with that of his Cambridge competitor, Mr Grover. The Queen, it should be stated, had just been solicited by Cranmer to intercede with Henry in behalf of three venerable Carthusians, who, for refusing to acknowledge the King's Supremacy, had been condemned to death.

'*Queen.* My Liege,
I have been sued to be a suppliant
For those that fall'n beneath thine high displeasure——
'*King.* 'Sdeath! ye 've our answer—as I passed but now
Jane Seymour was set on t' entreat our mercy;
We yielded not, nor thought of being wearied
At every step with the old tedious tale—
Art answer'd?
'*Queen.* What I am, I owe your Grace,
And in most deep humility confess it;

But being as I am, your Grace's wife,
I knew not that my maid's rejected prayer
Precluded further speech——
'*King.* Why, how now, wayward!
Your maid! good truth, Sir Thomas Boleyn's daughter's
Right nobly served. I'd have you know, proud woman,
What the King gives, the King may take away—
Who raised up one from dust, may raise another.
Look to thyself, I say—thou may'st have cause;
Look, and be wise—be humble. For your Grace
We've business in our Council—not a word—
Our Queen's our subject still.
'*Queen (alone).* And this is he,
The flower of the world's chivalry, most courtly
Where met the splendor of all courts! When Europe
Sent its three Sov'reigns to that Golden field,
Which won all eyes with liberal noble bearing?
Which charm'd all ears with high and gracious speech?
Which made all hearts his slaves by inbred worth
But English Henry? by his pattern all
Moved, spoke, rode, tilted, shaped their dress, their language,
And he that most resembled England's King
Was kingliest in the esteem of all. This he
That lay whole hours before my worshipp'd feet,
Making the air melodious with his words?
So fearful to offend, having offended
So fearful of his pardon, not myself
More jealous of my maiden modesty;
The bridegroom of my youth, my infant's Father!
Ah! me, my rash and inconsiderate speech,
My pride, hath wrought from his too hasty nature
This shame upon mine head: he'll turn, he'll come
My prodigal back to mine heart—if not,
I'm born his subject, sworn before high Heaven
His faithful wife; then let him cast me from him,
Spurn, trample me to dust—the foe, the stranger
That owns no law of kindred, blood, or duty,
Is taught, where every word is Heaven's own oracle,
To love where most he's hated. I will live
On the delicious memory of the past,
And bless him so for my few years of bliss,
My lips shall find no time for harsh reproach;
I'll be as one of those sweet flowers, that crush'd
By the contemptuous foot, winds closer round it,
And breathes in every step its richest odours.'

We shall add but one more extract—the speech of Anne Boleyn, when, having landed at the Tower, she is about to enter her prison. The touch of pathos at the conclusion is peculiarly happy:—

'*Kingston (to the Guard).* Advance your halberds.
'*Queen.* Oh! Sir, pause—one look,
One last long look, to satiate all my senses.
Oh! thou blue cloudless canopy, just tinged
With the faint amber of the setting sun,
Where one by one steal forth the modest stars
To diadem the sky:—thou noble river,
Whose quiet ebb, not like my fortune, sinks
With gentle downfall, and around the keels
Of those thy myriad barks mak'st passing music:—
Oh! thou great silent city, with thy spires
And palaces, where I was once the greatest,
The happiest—I, whose presence made a tumult
In all your wondering streets and jocund marts:—
But most of all, thou cool and twilight air,
That art a rapture to the breath! The slave,
The beggar, the most base down-trodden outcast,
The plague-struck livid wretch, there 's none so vile,
So abject, in your streets, that swarm with life—
They may inhale the liquid joy Heaven breathes—
They may behold the rosy evening sky—
They may go rest their free limbs where they will:
But I—but I, to whom this summer world
Was all bright sunshine; I, whose time was noted
But by succession of delights——Oh! Kingston,
Thou dost remember, thou wert then Lieutenant.
'Tis now—how many years?—my memory wanders—
Since I set forth from yon dark low-brow'd porch,
A bride—a monarch's bride—King Henry's bride!
Oh! the glad pomp, that burn'd upon the waters—
Oh! the rich streams of music that kept time
With oars as musical—the people's shouts,
That call'd Heaven's blessings on my head, in sounds
That might have drown'd the thunders——I've more need
Of blessing now, and not a voice would say it.'

This speech, though elegant as a poetical exercise, is both too long and too laboured for the situation of the speaker; nor do we see much in it that would induce us to regret its reduction to the more natural, as well as more dramatic limits, of the last few simple exclamations of Iphigenia:—

Ἰὼ, ἰώ! λαμπαδοῦχος ἁμέρα,
Διός τε φέγγος ἕτερον,
Ἕτερον αἰῶνα,
Καὶ μοῖραν οἰκτήσομεν.
Χαῖρέ μοι, φίλον φάος!

'Oh, light of day! Oh firmament of Jove!
Another life I seek—another world
Must be my dwelling now—dear Light, farewell!'

ART. IV. 1. *A Review of the Financial Situation of the East India Company in* 1824. By HENRY ST GEORGE TUCKER, Esq. pp. 244. Lond. 1825.

2. *Tables with respect to the Revenue, Expenditure, Debts, Assets, Trade, &c. of the East India Company.* By CÆSAR MOREAU. 4to. Lond. 1825.

3. *East India Annual Revenue Accounts. Printed by order of the House of Commons, 9th May* 1826.

OUR purpose is to be very practical in this article. We shall leave it to others to cast the horoscope of Hindostan, to speculate on the future fate of that vast region, and to decide the *vexata quæstio*, whether Mr Buckingham was legally or illegally sent to England. The object we have in view is of a different, though not, as we apprehend, of a less profitable description. We shall be satisfied if we succeed in making our readers tolerably well acquainted with the actual results and practical operation of the systems under which the Financial and Commercial affairs of our Eastern empire have been and are conducted. And though the difficulty and extent of the subjects of which we shall have to treat, and the limits within which we must compress our remarks, require that we should be very brief, we are not without hopes that the facts and statements we are about to lay before our readers may excite their attention; and that they may assist them in coming to a correct conclusion with respect to some of those vitally important questions that must speedily be agitated, in reference to the renewal of the Company's charter, and the future government of India.

Our colonies in the West Indies and in America have never been regarded as valuable on the ground of their being able to remit any surplus revenue to the mother country; but solely on account of the supposed advantages resulting from the monopoly of their trade. But the case is supposed to be different as to our dominions in the East Indies. Here too commercial motives undoubtedly led to the formation of our first establishments. We appeared originally in Hindostan in the character of merchants; and a considerable number of years elapsed before we assumed another. But from the age of Alexander the Great down to that of Lord Hastings, the visible wealth of the country has never failed to excite the cupidity of foreigners, while the feebleness of the natives has been totally unable to resist their attacks. 'From factories to fortifications, from fortifications 'to garrisons, from garrisons to armies, and from armies to

'conquest, has been the invariable progress of the European 'settlers in the East.'—The progress has been in some instances slower than in others; but the gradations, and, if foreign force be not interposed, the result seems certain and unavoidable. The conquest of Bengal, Bahar, and Orissa by Lord Clive, raised us to a high rank among the territorial powers of India: And, notwithstanding the solemn declaration made by the Legislature in 1782, 'that to pursue schemes of 'conquest, and of extent of dominion in India, are measures 'repugnant to the wish, the honour, and the policy of the Bri-'tish nation,' they have ever since been zealously and successfully pursued; and at this moment our dominions embrace the whole of the Mogul empire, and comprise a population of 80 or 90 millions.

The most exaggerated statements have been current in Europe from the remotest ages respecting the riches of India. The people of England were long of opinion that their Eastern Empire would form an inexhaustible source of wealth, and that so large a surplus revenue would be remitted home as would materially lessen their burdens. It would not perhaps be going too far to say, that these expectations have proved *entirely fallacious;* but at all events, the following statements will serve to satisfy our readers that they have been realized only to a very small extent.

After the great acquisitions of territory made by Lord Clive, a Parliamentary investigation into the state of our Indian affairs took place in 1767, when the Company agreed to pay the sum of 400,000*l.* to Government for three years, on condition that they should be allowed to retain possession of the conquered provinces and their entire revenues; and in 1769, this agreement was extended for four years more. But instead of fulfilling the terms of this contract, the Company's affairs fell into such disorder, as to render them totally unable to pay the stipulated sum to the public, and even obliged them to apply to ministers, in 1773, for a loan of 1,400,000*l.*; which was granted on condition that they reduced their dividend from 10 to 6 per cent.

No improvement seems to have taken place in the Company's financial situation from 1773 to 1782, when they were authorized to negociate a loan for 800,000*l.* In 1783, when Mr Fox brought forward his famous India Bill, he stated, in his place in the House of Commons, that the Company was completely insolvent; that their debts amounted to 11,200,000*l.*, and that they had not more than 3,200,000*l.* to meet them. The fate of the bill introduced by Mr Fox, for remodelling the government of India, is well known. After a violent Parlia-

mentary struggle it was rejected; and the plan proposed by Mr Pitt, according to which the government of India has ever since been conducted, was adopted in its stead. But notwithstanding the superintendence of the Board of Controul, the financial affairs of the East India Company have continued nearly in the same unprosperous state as before. We have been favoured, from time to time, with the most dazzling accounts of revenue that *was to be* immediately derived from India; and numberless acts of Parliament have been passed for the appropriation of surplusses that never had any existence except in the imagination of their framers. The proceedings that took place at the renewal of the charter in 1793, afford a striking example of this. Lord Cornwallis had then concluded the war with Tippoo Saib, which had stripped him of half his dominions; the perpetual settlement, from which so many benefits were expected to arise, had been adopted in Bengal; and the Company's receipts had been increased, in consequence of accessions to their territory, and subsidies from native princes, &c. to upwards of *eight millions* a year, which it was calculated would afford a future annual surplus, after every description of charges had been deducted, of 1,240,000*l.* Mr Dundas, afterwards Lord Melville, availed himself of these favourable appearances, to give the most flattering representation of the Company's affairs. There could be no question, he affirmed, of the permanence and regular increase of the surplus revenue; and he entered into a minute specification of the mode in which it was to be appropriated. * He asssured the House and the country that the estimates had all been framed with the greatest care; that the Company's possessions were in a state of prosperity till then unknown in India; that the abuses that had formerly insinuated themselves into some departments of the government were

* It is worth while to specify one or two of the most prominent points in this choice specimen of castle-building. 1*st*, 500,000*l.* a year were set aside for reducing the debt in India to 2,000,000*l.* 2*d*, 500,000*l.* a year were to be paid into the Exchequer, to be appropriated for the benefit of the public, as Parliament should think fit to order: 3*d*, When the India debt was reduced to 2,000,000*l.*, and the bonded debt to 1,500,000*l.*, *one sixth* part of the surplus was to be applied to augment the dividends; and the other *five sixths* were to be paid into the Bank, in the name of the Commissioners of the National Debt, to be accumulated as a *guarantee fund* until it amounted to *twelve millions*; and when it reached that sum, the dividends upon it were to be applied to make up the dividends on the capital stock of the Company to 10 per cent. &c. &c.

now effectually repressed; and that the period was at length arrived when India was to pour her golden treasures into the lap of England!

We do not concur with those who think that Mr Dundas was himself satisfied of the hollowness of his statements. We believe they were made in good faith; and that Mr Dundas really thought that the golden visions, with the exhibition of which he had been gratifying the House and the country, would be realized. Unluckily, however, Mr Dundas proved but an indifferent soothsayer. His magnificent promises had the same fate as those of his predecessors. No trace whatever of his surplusses, guarantee funds, &c., is to be found except in his speeches. Instead of being diminished, the Company's debts began immediately to increase. In 1795 they were authorized to add to the amount of their floating debt. In 1796 a new device to obtain money was fallen upon. Mr Dundas represented, that as all competition was destroyed in consequence of the war, the Company's commerce had been greatly increased, and that her capital had become insufficient for the extent of her transactions. In consequence of this representation, leave was given to the Company to add *two millions* to their capital stock by creating 20,000 new shares; but as these shares sold at the rate of 173*l.* each, they produced a sum of 3,460,000*l.* In 1797 the Company issued additional bonds to the extent of 1,417,000*l.*; and, as the result of all this, on the 12th March 1799, Mr Dundas stated in the House of Commons, that there had been a deficit in the previous year of 1,319,000*l.*!

During the belligerent administration of the Marquis Wellesley, which began in 1797-8, and terminated in 1805-6, the British empire in India was vastly augmented; and the revenue which had amounted to 8,059,000*l.* in 1797, was increased to 15,403,000*l.* in 1805. But the expenses of government and the interest of the debt increased in a still greater proportion than the revenue; having amounted in 1805 to 17,672,000*l.*, leaving a deficit of 2,269,000*l.*! In the following year the revenue fell off nearly a million, but the expenses continued nearly the same. And there was, upon an average, a continued excess of expenditure, including commercial charges, and a contraction of fresh debt up to 1811-12.

The Company having obtained a renewal of their charter in 1813, under the modifications with respect to commerce, to which we shall afterwards allude, the subjoined abstract is drawn up from an account, intended to exhibit a statement of their affairs on the 1st of January 1813.

Stock of the East India Company, 1st January 1813.

Merchandise, stores, &c. and debts due to the Company in India . .	L.25,821,587	L.36,691,719
Immoveable stock, consisting of buildings, fortifications, &c. in India . .	10,870,132	
Merchandise, debts, and other moveable stock in England . . .	11,164,955	12,372,975
Buildings, ships, &c. . . .	1,208,020	
Total stock		L.49,064,694

Debts owing by the East India Company, 1st January 1813.

Debt in India . . .		L.32,213,759
Debt in England bearing interest	L.6,595,900	
Bonds at the Bank . .	800,000	13,916,431
Bills not due, arrears of duties, &c. &c.	6,520,531	
Total debts due by the Company		L.46,130,190

From this account it would appear, that the assets then in possession of the Company exceeded the claims upon it by nearly *three* millions. It is clear, however, that no reliance can be placed on this or any similar statement. In the *first* place, debts due to the Company, and arrears of tribute, a large proportion of which can never be realized, form a very important item in the credit side of this account: And, *secondly*, the forts, houses, warehouses, &c. belonging to the Company in India and England, may be estimated at any sum; but if an attempt were made to sell them, where could a purchaser be found to buy them, even at a third part of the price at which they are here set down? All, therefore, that this account proves is, that the claims upon the Company in 1813, amounted to 46 millions; but it leaves it exceedingly doubtful whether they had really 25 millions worth of available property to set against them. *

Mr Moreau, whose tables are the fruit of great labour and research, gives the following statement of the total revenue of the East India Company's possessions in India, and of the total charges to be deducted from it, in the ten years ending with 1821.

* The Committee of the House of Commons, appointed in 1810, deducted about *a half* from the account which the Company exhibited of its assets in 1810.

	Total Rev.	Total Charges.	Excess of Rev. over Charges.	Excess of Charges over Rev.
1812.	L.16,488,984	16,935,470		L.440,486
1813.	17,267,901	16,801,016	L.466,885	
1814.	17,297,279	17,393,324		96,045
1815.	17,232,818	18,433,950		1,201,132
1816.	18,077,577	18,605,513		527,936
1817.	18,375,826	19,213,360		837,540
1818.	19,459,017	20,914,556		1,455,539
1819.	19,237,090	20,762,593		1,525,503
1820.	21,352,242	21,036,256	315,986	
1821.	21,803,207	21,060,811 *	742,396	

According to the official accounts rendered by the East India Company to Parliament on the 6th of May last, it is stated, that there was a surplus revenue of 2,294,600*l.* realized in India in 1822; that the surplus realized in 1823 was only 86,974*l.*; and it is *estimated*, in the same official account, that in 1824 there would be an excess of expenditure over revenue of 749,891*l.*† But it must be observed, that Mr Moreau has very properly included in his statement the *political charges* incurred in England on account of India, consisting of military stores sent to India, of payments and allowances to officers on furlough, &c. and a variety of other items not included in the Parliamentary accounts; all of which amounting, in 1822, according to Mr Tucker, to 1,434,327*l.*, must obviously be set down against India. And when allowance has been made for them, it will be seen, that the nett surplus revenue of India in 1822 really amounted to 1,507,971*l.*; that in 1823 there was a *deficit* of 1,347,353*l.*; and that the Company's accountants estimate the *deficit* in 1824, the latest period to which the accounts extend, at 2,184,218*l.*

The Company's debts in India at the end of 1823, are estimated in the official accounts at 34,579,498*l.*, and their assets of all sorts in India are estimated at 22,440,319*l.*, leaving a balance of 12,139,179*l.* of debt, according to this statement, but which must, for the reasons previously stated, be in reality a great deal more. The Company's debt in India in 1813, amounted to 32,213,000*l.*

But, however much this account of the financial concerns of

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* The commercial charges incurred by the Company are included in the expenditure. Had they been excluded, the deficit would have been less considerable.

† East India Rev. Accounts, p. 19.

our Eastern Empire may be at variance with the exaggerated ideas entertained respecting it, as well by a large proportion of the people of England as by foreigners, it will excite no surprise in the mind of any one who has ever reflected on the subject. It is due indeed to the East India Company to state, that though they have occasionally acted on erroneous principles, they have always exerted themselves to enforce economy in every branch of their expenditure; and to impose and collect their revenues in the best and cheapest manner. But though the Company have certainly succeeded in repressing many abuses, it would be the extreme of simplicity to suppose that they should ever entirely succeed. How can it be imagined that strangers sent to India, conscious that they are armed with all the strength of Government, placed under no real responsibility, exempted from the salutary influence of public opinion, fearing no exposure through the medium of the press, and anxious only to accumulate a fortune, should not occasionally abuse their authority? or, that they should manage the complicated and difficult affairs of a vast empire, inhabited by a race of people of whose language, manners and habits, they are almost wholly ignorant, with that prudence, economy and vigilance, without which it is idle to expect that any great surplus revenue can ever be realized?

The collection of a greater surplus revenue in India than is sufficient to defray the necessary expense of governing the country, and the remittal of that surplus to England, have been stigmatized by Mr Burke and others as unjust, oppressive, and tyrannical proceedings. * But even if these censures were at bottom well-founded, they are totally inapplicable to the case of the East India Company. Whatever other charges may be justly made against that association, they certainly have not drained India of her wealth, in order to remit it to England. If the accounts between the two countries were fairly balanced, it would, we apprehend, be found that India is quite as much indebted to England as England is to India. But the principle on which the objection is founded is fallacious. The revenue of India is derived from a portion of the produce of the

* Among others, by the author of a clever work on the *Colonial Policy* of India. This gentleman is a strenuous advocate for the colonization of India; and, in point of principle, we think he is right. But he has prodigiously exaggerated its importance. A few land-speculators might emigrate to India; but it is ridiculous to suppose that there can be any considerable or really advantageous emigration to a country where the wages of labour do not exceed 3d. a day.

land, which the sovereign has uniformly been in the habit of collecting. If, therefore, it was not collected by the agents of the East India Company, it would be collected by others; and, provided the sums taken from the cultivators be equal, it is perfectly immaterial to them to whom they are paid. Nothing, therefore, can be more entirely destitute of foundation than the invectives of those who denounce what they are pleased to call *tribute:* For, in the *first* place, no such tribute has ever been exacted; and, in the *second* place, though it were exacted, it would be no injury to the natives. What is it to them whether the government, by whose authority taxes are imposed and collected, is resident in Delhi or in London? The merit of the Company's government in India must be determined by the condition of the people, subject to their authority, and by the nature and extent of the burdens imposed on them, and not by fantastical notions about absentee expenditure.

To enter at any considerable length on the much disputed subject of Indian Taxation, would far exceed the narrow limits within which we must confine ourselves. It is sufficient for our purpose to observe, that from the remotest era to the present times, the principal part of the public revenue of Eastern countries has always been derived from the soil. The land has been held by its immediate cultivators generally in small portions, with a perpetual and transferable title; but they have been under the obligation of making an annual payment to Government of a certain portion of the produce of their farms, which might be increased or diminished at the pleasure of the sovereign, the real proprietor of the land, and which has, in almost all cases, been so large as seldom to leave the cultivators more than a bare subsistence.

The far greater part of the revenue of our Indian dominions is derived from this source. In Bengal, and generally throughout the Mogul Empire, the *gross* produce of the soil was divided into equal, or nearly equal shares, between the ryots, or cultivators, and the government. The agents employed by government to collect this revenue were denominated *zemindars;* and their office seems gradually to have become hereditary. That the zemindars were not proprietors of the ground, at least in the sense attached to this phrase in Europe, seems clear from the circumstance, that they could not legally demand more from the ryot than a half of the produce he had raised; and that, so long as he paid this portion, he could not be dispossessed of his farm, but might dispose of it as he

pleased. The *zemindars* were obliged to pay *nine-tenths* of the rents they collected from the ryots to Government; the other *tenth* being their compensation for the trouble and expense of collection. When the English obtained possession of Bengal, the vitally important question came to be considered, how they were to deal with the cultivators, and how the revenue was in future to be collected. As was to be expected, a great variety of plans were proposed for the regulation of the Company's conduct in this difficult and delicate undertaking; but of these, two only attracted any considerable degree of attention; and their principal features may be stated with sufficient distinctness as follows. The *first* plan was to supersede, or abolish the class of middle-men or zemindars, on paying them a fair equivalent for the loss of the rights they enjoyed, and to appoint agents, removeable at pleasure, to collect the rents payable by the cultivators for the behoof of Government, to whom the land really belonged, and by whom the rents might be increased, in the event of the country becoming more prosperous. The *second* plan was to make the assessment *perpetual* at the former rate; and to continue the *zemindars* in their former situation, making them directly responsible to Government for the rents or assessment payable by the cultivators in their districts, and leaving them, as before, 10 per cent. of the gross amount of the assessment, to indemnify them for the trouble and expense of collection. After a great deal of discussion, the latter plan was carried into effect under Lord Cornwallis. The zemindars were authorized to make new settlements with the ryots, without, however, being expressly bound, as they ought in justice to have been, to confine their demands upon them to what they had previously paid. In dealing with them they were merely recommended to conform to the custom of the place; but after the rent was once fixed, the zemindar was to give the ryot a *pottah*, or lease; and, so long as he fulfilled the conditions of that lease, neither he nor his disponees could be deprived of their possession. * Lord Cornwallis sup-

* Mill's India, vol. v. p. 411. 8vo. edit. 'He is to levy his rents,' says the author of Observations on the Law and Constitution of India, 'according to the custom of the Pergunnah rates, which custom being 'different in every different place, was necessarily left for the owner to 'dictate. The *dictum*, therefore, of the zemindar is the *custom*. The 'contrary cannot be established against him, were the poor man, as I 'have before noticed, with barely enough to exist upon, able to carry 'his opulent oppressor into Court, to attempt so hopeless a cause.' (p. 206.)

posed, that, by thus fixing the assessment, and rendering both it and the rents payable by the cultivators unsusceptible of future increase, a powerful stimulus would be given to the progress of improvement. But it may be doubted whether the plans adopted by his Lordship were such as could realize his truly benevolent intentions. The rights and interests of the ryot and zemindar, under the perpetual settlement, seem altogether irreconcileable; the former being entitled to the continued possession of his farm, according to the terms of his lease, it is clear that the zemindar has no interest whatever in the improvement of the land which he occupies; while it is equally clear that he has a very powerful motive to rack his rent in the first instance, and to adopt indirect methods to make him pay a larger rent than he has stipulated for.* We shall not stop to discuss the abstract merits of one of the principal parts of the plan of Lord Cornwallis, but assuming that it might, under other circumstances, have been advisable to create at once a class of large land-holders, and to give them the greatest possible interest in the improvement of their estates, the peculiar situation of India presented an insuperable obstacle to this being done. The ryots, or immediate occupiers of the soil, had in reality become perpetual holders upon a quit-rent, and were to be continued upon that footing; and it is evident that the improvement of an estate, from the larger and better portion† of which the superior landlord gets only a quit-rent, must always be a matter of indifference to him. Since, therefore, the rights of the ryots did not permit that the zemindars should be invested with the full controul of the estates of which they were made superiors, the better course, we are inclined to think, would have been to have adopted the *first* of the plans we have previously mentioned; to have superseded the class of middlemen or zemindars altogether; and to have declared, either that the ryots were the absolute proprietors of the soil, on condition of their paying a certain share of the produce to collectors appointed by Go-

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* There are good reasons for thinking that this sort of oppression is now sanctioned to a very great extent, and that the terms of the pottah, or lease, under which the ryots hold, are seldom respected by the zemindars. Mr White states that this is in fact the case in *almost every instance*. Considerations on India, p. 289.

† A considerable portion of waste land or jungle was attached to each zemindarry. And it cannot be doubted, that had the assessment been so low as to have enabled the zemindars to amass capital, the rendering it perpetual must have been a powerful stimulus to the cultivation of these waste lands.

vernment; or that the ryots were to continue as tenants only, Government reserving to itself the right to revise the assessment payable by them once every twenty or thirty years. Either of these plans seems to us preferable to that which was actually adopted; and we do not think that it would be very difficult to show that the last is, all things considered, the best of the two. *

The facility with which the revenue is collected from the zemindars has been urged as a powerful argument in favour of their establishment. It is said, that, under the present system, one individual is generally accountable to Government for the revenues of a large district. And a sum is thus obtained from him without difficulty, which could not have been levied from the cultivators without employing a host of collectors, and consequently opening a door to every species of fraud and abuse.

But, admitting the force of this statement, still it does not follow, that the rights granted to the zemindars ought to have been made hereditary. According to the *theory* of the perpetual settlement, they do not seem to us to be really landlords, but hereditary collectors of the revenue derived from particular districts; enjoying only the contingent advantages to be derived from the extension of cultivation over the waste lands attached to these districts. Now, we do not see why the revenue might not have been collected with equal facility and advantage to all parties, had the districts been merely let in farm to the zemindars for a given number of years. Had this been done, Government might have participated in the future improvement of the country; and it would have been in its power to interfere with infinitely more facility and effect than at present, to protect the ryots from the illegal exactions of the zemindars. Most of the recent writers on India seem to be of opinion, that the regulations, intended to secure the rights of the ryots, are trampled upon with impunity. † And if this be really the case, and we do not see the least ground for calling it in question, it will follow, that the effect of the perpetual settlement is merely to

* It is stated in some late works on India, that the zemindar is now authorized to demand an increased share of the produce from the ryot, in the event of the latter making any improvement. This, however, is a complete subversion of the principles of the perpetual system. That it will improve the condition of the zemindar, cannot be doubted; but it will proportionally depress that of the cultivators, or of the great mass of the population.

† Observations on the Law and Constitution of India, p. 166.

protect the farmers of the revenue from any farther demands upon them by Government, and to leave the whole population of the country a prey to their depredations.

But although the system adopted by Lord Cornwallis had been in other respects unobjectionable, the amount of the assessment, or of the payment to be made to Government, was so exorbitant, as to render it productive, in the first instance, of ruin to all parties. The claim upon the ryot, for a *half* of the *gross* produce of his farm, is so excessive, that it seems to be quite unnecessary to seek elsewhere for a satisfactory explanation of the causes of the extreme poverty and wretchedness in which the cultivators of land in India are involved. They are commonly obliged to borrow money to buy their seed and carry on their operations, at a high interest, on a species of mortgage over the ensuing crop. Their only object is to get subsistence—to be able to exist in the same obscure poverty as their forefathers. If they succeed in this, they are satisfied. Mr Colebrooke, whose authority on all that relates to India is so deservedly high, mentions, that the quantity of land occupied by each ryot or cultivator, in Bengal, is commonly about six acres, and rarely amounts to twenty-four; and it is obvious, that the abstraction of half the produce raised on such patches, can leave their occupiers nothing more than the barest subsistence for themselves and families. Indeed, Mr Colebrooke states distinctly, that the condition of Indian ryots subject to this tax, is generally inferior to that of a hired labourer, who receives the miserable pittance of two annas, or about threepence a day of wages!

It might have been easily foreseen how such a system would operate upon the zemindars, who were responsible to Government for the *gross* amount of the assessment charged upon their districts or estates. Had every imaginable facility been given to the zemindar to recover payment from the ryots, it is plain that he must, notwithstanding, in the vast majority of cases, have encountered the greatest difficulty in squeezing out of them so enormous a demand as that of half their produce. But, instead of having facilities allowed him, the zemindar was obliged to prosecute the ryots who fell in arrear, in courts whose proceedings were necessarily slow, and which were speedily choked up by an overwhelming mass of cases. He, however, was not permitted to fight the Government with the same sort of weapons that the ryots were authorized to employ against himself. The process followed by the tax-collectors was comparatively brief and compendious. If the zemindar could not pay the full amount of the assessment charged

on his estate, summary proceedings were instituted against him. In vain did he represent, that, to enable him to discharge his engagements, he must have as summary powers granted him to enforce payment from the ryots, as those that were used by Government to enforce payment from himself. A deaf ear was turned to every remonstrance; and, in consequence, the estates of the zemindars were everywhere exposed to sale; the oldest and most opulent families in the country were reduced to a state of beggary and destitution; and so general was the destruction, that the whole landed property of Bengal is said to have changed hands since the establishment of the *perpetual* system!

After the ruin of the old zemindars had thus been completed, the system was so far modified, that power was given to the new zemindars to recover the arrears of rent due by the ryots by a summary process. But it is stated by Mr Rickards, who has seen and ably pointed out the destructive operation of this system, that the present zemindars are mostly monied men of Calcutta, who employ agents or stewards to manage their estates, from whom the ryots are not very likely to experience as much lenity as they did from the old zemindars, who had an interest in securing the attachment of their dependents. 'It is also,' says Mr Rickards, 'as far as the regulation admits, a *recurrence to the former system of arbitrary punishment and imprisonment*, which Lord Cornwallis so anxiously endeavoured to avert from the ryots; and the only advantage of the regulation, in a public point of view, is, that it may cause the taxes to be paid with greater regularity.'*

If any doubt can remain in the mind of any one with respect to what must be the state of a country subject to such an oppressive system of taxation, let him read Mr Mill's profound and instructive review of Lord Cornwallis's financial and judicial reforms, and he will be satisfied. The fault, however, must not be wholly ascribed to his Lordship. That he acted with undue precipitation is certain. But had he supposed that it was in his power to have reduced the burden imposed on the cultivators, or to have obtained any better security for their rights, he would have done so. Lord Cornwallis was, beyond all doubt, a sincere friend to the people of India; and, however much he may have been mistaken in some points of his policy, his moderation, love of justice, and desire to promote the welfare of the natives, is unquestionable; and nothing but the

* Speeches of Robert Rickards, Esq. in the House of Commons on the Affairs of India, p. 18.

want of sufficient information, as to the effects of the system he was projecting, and the wish to provide a revenue to meet the increasing demands upon the Company's treasury, could have led him to propose giving perpetuity to a tax which strips every occupier of a few acres of half their produce. We can hardly conceive it possible that any considerable improvement can take place, while such a system is maintained. Unless we mean to render the poverty and misery of the ryots coeval with our ascendancy in Bengal, we must revise the settlement made by Lord Cornwallis, and consent to a temporary sacrifice, which will be amply compensated by the future increase of revenue of which it will be productive.

It was represented to the Company, at the time when Lord Cornwallis was arranging the perpetual settlement, that the assessment was far too low; and that, in consenting to it, they were making an unnecessary sacrifice of income! The Company replied, 'That an assessment below what the country could 'bear, was no detriment, in the long run, to the Government 'itself; because *the riches of the people were the riches of the* '*state.*' This sentiment does honour to the Company. But should they, acting upon this sound principle, be inclined to revise the perpetual settlement, and to restrict the present oppressive demands upon the soil, it would be necessary for them to proceed with very great caution, and to adopt such measures as might prevent the boon which should be granted chiefly to the ryots, being intercepted by the zemindars. According to the existing regulations, when a zemindarry is sold by Government for arrears of revenue, *all the leases under which the ryots hold are set aside;* and it is affirmed that arrears have been allowed to accumulate, on many *improved and improveable* estates, in order that, by being sold, the leases might be voided; and that these estates have invariably been repurchased by their former owners! * This is evidently a gross abuse. If the rent or assessment is to be perpetual to the class of zemindars, justice requires that it should also be perpetual to the other and infinitely more numerous class of ryots. † But

* Observations on the Law and Constitution of India, p. 167.

† That such was the opinion entertained by Lord Cornwallis, is evident, from his Minute of the 3d February 1790. 'Every abwab or 'tax,' his Lordship observes, 'imposed by the zemindar over and above 'that sum (the rent fixed upon originally either by an expressed or im-'plied agreement with the ryot), is not only a breach of that agree-'ment, but a direct *violation of the established laws of the country.* I 'do not hesitate to give it as my opinion, that the zemindars, neither now,

when an estate falls into arrears, why should it be again sold in perpetuity? The rights enjoyed by the zemindars have then lapsed to Government, who may, if they think fit, let it under any conditions, at a given rent, for a definite number of years. Were Government to proceed in this way, they might gradually, and without either encroaching on the rights, or shocking the prejudices of any class, regain the superiority of the land, and might dispose of it as they thought best, for the interest of the cultivators and the revenue.

It seems, however, as if there were some strange fatality attending the government of India; and that the greatest talents and best intentions should, when applied to legislate for that country, produce only the most pernicious projects. The perpetual settlement carried into effect by Lord Cornwallis, in Bengal, had been keenly opposed by Lord Teignmouth, Colonel Wilkes, Mr Thackeray, Sir Thomas Monro, and others, whose opinions on such subjects are certainly entitled to very great respect; and it would seem that the Court of Directors and the Board of Controul at length became favourable to their views. In consequence of this change of opinion, it was resolved to introduce a different system, under the superintendence of its zealous and intelligent advocate, Sir Thomas Monro, into the Presidency of Madras, or Fort St George. This new system has received the name of the *ryotwar* settlement. It proceeds on the assumption, that Government is possessed of the entire property of the soil, and may dispose of it at pleasure; no middlemen are interposed between the sovereign and the cultivators; the ryots being brought into immediate contact with the collectors appointed by Government to receive their rents. Thus far the ryotwar settlement has some analogy to the plan we previously recommended; but it is, notwithstanding, essentially and completely different from it. It is impossible, however, for us to enter fully into the details of this system. They are in the last degree complicated—which is of itself a strong presumption of their inexpediency. But the radical vice of the system is, that the lands are not let at a moderate rent to the ryots, for a certain number of years. On the con-

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' nor ever, could possess a right to impose new taxes, or abwabs, on the ' ryots; and that Government has an undoubted right to abolish every ' such tax, and to *establish such regulations as may prevent the practice of ' the like abuse in future.*' It is clear, therefore, that the principles of the perpetual settlement do not really prevent, but warrant our interfering to prevent the ryots from being illegally assessed by the zemindars.

trary, there is a constant tampering and interference with their concerns. 'At the *end of each year, every ryot shall be at liberty either to throw up a part of his land, or to occupy more, according to his circumstances.*' When, owing to bad crops, or other unforeseen accidents, a ryot becomes unable to pay up his rent or assessment, which is fixed at a *third* of the gross produce, it is declared that '*the village to which he belongs shall be* 'liable for him, to the extent of 10 *per cent. additional on the* 'rent of the remaining ryots, but no more.' And to crown the whole, the tehsildars, or native officers employed in collecting the land-rents or revenue, have been invested with powers to act as officers of police, to impose fines, and even to inflict *corporal punishment* at their discretion!

It is really astonishing how acute and able men could have dreamed of establishing a system in an extensive country, that every one must see would be destructive of the industry of the tenants, and would lead to the grossest abuses, were an attempt made to introduce it into the management of a single estate in Great Britain. But instead of animadverting ourselves on this plan, we shall subjoin the remarks made on it by Mr Tucker, a gentleman who resided long in India, who now occupies a place in the Direction, and whose work on the Company's Finances, is written with laudable candour and fairness.

'My wish,' says Mr Tucker, 'is not to exaggerate; but when I find a system requiring a multiplicity of instruments, surveyors, and inspectors; assessors, ordinary and extraordinary; potails, curnums, tehsildars, and cutcherry servants; and when I read the description given of these officers by the most zealous advocates of the system, their periodical visitations are pictured in my imagination as the passage of a flight of locusts, devouring in their course the fruits of the earth. For such complicated details, the most select agency would be required; whereas the agency which we can command, is represented to be of the most questionable character. We do not merely require experience and honesty to execute *one great undertaking;* the work is ever beginning and never ending, and calls *for a perennial stream of intelligence and integrity.* And can it be doubted, that the people are oppressed and plundered by these multiform agents? The principle of the settlement is to take one-third of the gross produce on account of Government; and, in order to render the assessment moderate, Sir T. Munro proposed to grant a considerable deduction from the rates deducible from the survey reports. But if it *be* moderate, how does it happen that the people continue in the same uniform condition of labouring peasants? Why do not the same changes take place here as in other communities? One man is industrious, economical, prudent, or fortunate; another is idle, wasteful, improvident, or unlucky. In the ordinary course of things, one should rise and the other fall: the former should, by degrees, absorb the

possessions of the latter; should become rich, while his neighbour remained poor; gradations in society should take place; and, in the course of time, we might naturally expect to see the landlord, the yeoman, and the labourer. And what prevents this natural progression? I should answer, the *officers of government.* The fruits of industry are nipt in the bud. If one man produce more than his fellows, there is a public servant at hand, always ready to snatch the superfluity. And, wherefore, then, should the husbandman toil that a stranger may reap the produce?

'There are two other circumstances which tend to perpetuate this uniform condition. The ryots have no fixed possession; they are liable to be moved from field to field: this they sometimes do of their own accord, for the purpose of obtaining land, supposed to be more lightly assessed; at other times, the land is assigned by lot, with a view to a more equal and impartial distribution of the good and the bad, among the different cultivators. But these evolutions tend to destroy all local attachments, and are evidently calculated to take away one great incentive to exertion.

'The other levelling principle is to be found in the rule, which requires that the ryot shall make good the deficiencies of his neighbour to the extent of ten per cent.; that is, to the extent, probably, of his *whole surplus earnings.* Of what avail is it that the husbandman be diligent, skilful, and successful, if he is to be mulcted for *his neighbour's* negligence, or misfortune? A must pay the debt of B. If a village be prosperous, it matters little, for the next village may have been exposed to some calamity; and, from the abundance of the one, we exact wherewithal to supply the deficiency of the other. Is it possible to fancy a system better calculated to baffle the efforts of the individual, to repress industry, to extinguish hope, and to reduce all to one common state of universal pauperism?' (pp. 134–135.)

It is almost unnecessary to add any thing to these unanswerable remarks; but, as this is a subject which involves the interests of millions, we shall subjoin the following statement respecting it from a Memoir, drawn up in 1823, by Mr Fullerton, one of the Company's servants at Fort St George, and who was personally familiar with the details and working of the system.

'To convey,' says Mr Fullerton, 'to the mind of an English reader even a slight impression of the nature, operation, and results of the *ryotwar* system of revenue, connected with the judicial arrangements of 1816, must be a matter of some difficulty. Let him, in the first place, imagine the whole landed interest, that is, all the landlords of Great Britain, and even the capital farmers, at once swept away from off the face of the earth; let him imagine a cess or rent fixed on every field in the kingdom, *seldom under, generally above, its means of payment;* let him imagine the land so assessed lotted out to the villagers, according to the number of their cattle and ploughs, to the extent of forty or fifty acres each! Let him imagine the revenue, rated as above, leviable through the agency

of a *hundred thousand revenue officers, collected or remitted at their discretion, according to their idea of the occupant's means of paying, whether from the produce of his land or his separate property.* And in order to encourage every man to act as a spy on his neighbour, and report his means of paying, that he may eventually save himself from extra demand, let him imagine all the cultivators of a village liable at all times to a separate demand, in order to make up for the failure of one or more individuals of their parish. Let him imagine collectors to every county acting under the orders of a board, on the avowed principle of destroying all competition for labour by a general equalization of assessment; seizing and sending back runaways to each other. And lastly, *let him imagine the collector the sole magistrate or justice of the peace of the county,* through the medium and instrumentality of whom alone any criminal complaint of personal grievance, suffered by the subject, can reach the superior courts. Let him imagine at the same time every subordinate officer, employed in the collection of the land revenue, to be a police officer, vested with power to fine, confine, put in the stocks, and *flog,* any inhabitant within his range, on any charge, without oath of the accuser, or sworn recorded evidence on the case. If the reader can bring his mind to contemplate such a course, he may then form some judgment of the civil administration in progress of re-introduction into the territories under the Presidency of Madras, containing 125,000 square miles, and a population of twelve millions.'

Our readers, we presume, will consider it as almost superfluous to inquire whether the Madras revenues have increased under such a system. Though there had been no direct evidence on the object, it might have been pretty confidently concluded that they must have fallen off. But it is unnecessary to reason speculatively upon this point. No very recent accounts of the revenue have indeed been published; but the Court of Directors, in a letter to the Bengal Government, dated 14th May 1823, observe generally, 'That the *land re-* 'venues of Madras have fallen off considerably since 1813–14;' and Mr Tucker states, that it was understood that the reduction had since become more considerable.

But the most extraordinary statement that we have ever seen with respect to the effect of taxation, is that made in a Report by Sir Thomas Monro, quoted by Mr Tucker, (p. 167), in which it is said that there had been a great increase in the cultivation of indigo and sugar since 1811. 'The increase of these 'articles being occasioned,' says Sir Thomas, 'by the addition 'of an EXTRA LAND RENT, AMOUNTING TO TWICE OR THREE 'TIMES THE ORDINARY RATE, to which all land employed in their 'culture was subjected; and this increase is likely to go on progres-'sively.' This is a specimen of fiscal logic which, we frankly confess, very far transcends our comprehension. In Europe it is customary, when an effort is made to encourage any

species of industry, to reduce the duties affecting it, and even to give bounties to tempt individuals to engage in it. But *non una ratio omnibus locis convenit.* In India it would seem that a totally opposite course is pursued—that good usage is as much lost upon a ryot as upon a spaniel—and that, to double or triple his industry, you have only to double or triple the demands upon him! Mr Tucker was evidently under the influence of European notions when he asked, 'Will industry 'be called into action where the demand of the tax-gatherer 'keeps pace with its progress? Will capital accumulate where 'there is no security for property, no law but that which is ad-'ministered under the auspices of a revenue officer? Will 'opulent consumers be found where no capital is allowed to 'accumulate? And can any country advance and become 'prosperous where the land has no saleable value, where there 'is no motive for laying out capital on its improvement, and 'where no order of human beings is to be found between the 'Government and the labouring peasant?' (p. 169.)

Under these circumstances, it would certainly be not a little rash to speculate upon the probable future revenue to be drawn from India. Mr Tucker says it may be relied upon generally as a firm and legitimate resource. And we are inclined to think that he is right, provided those reforms, which are so obviously necessary, are adopted. Whatever modifications may be made in the assessment imposed on Bengal, we hold it to be indispensable that the ryotwar system, as at present established in Madras, should be altogether changed. We must either make the ryots the proprietors of the soil, under payment of a *moderate* quit-rent to Government, or we must let the land to them for a period of years certain, *at such a reduced rent as they may be able to pay without difficulty.* Under either of these systems industry would revive, and the peasantry would become attached to Government. But so long as we compel the ryots to cultivate land that is over assessed—so long, in short, as we compel them to raise crops, not for their own advantage, but for the exclusive advantage of Government and the host of harpies it is obliged to employ, so long will the scourge of universal poverty continue to afflict the country; so long will the benevolent intentions of the Company be frustrated; and their Government be looked upon as the prolific source of Indian degradation and misery.

But notwithstanding the Company's government has been thus unsuccessful in providing for the prosperity of the natives, we see no reason to suppose that their condition would have been in any degree improved, had the Company been annihi-

lated in 1784, and the administration of Indian affairs placed entirely in the hands of Ministers. The Company's measures have all been sanctioned by Government; and how different soever they may have proved in their effects, they were honestly intended to promote the welfare of the natives. We have no hesitation indeed in subscribing to Mr Mill's statement, 'that there 'is no government which has on all occasions shown so much 'of a disposition to make sacrifices of its own interests to the interests of the people whom it governed, and which has in fact 'made so many and important sacrifices, as the East India 'Company.' Whether, therefore, India would gain any thing by the abolition of the Company's territorial rights and jurisdiction, is a point respecting which there is very great room for doubt. But that India and Great Britain would each gain a great deal, and the Company lose very little, by the abolition of her commercial monopoly, may, we think, be very easily shown. It would be difficult to exaggerate the loss that this monopoly has occasioned to the commerce of the empire. We take for granted that the Company have conducted their affairs as well as any similar association, placed under the same circumstances, could have done. But whatever may be the Company's merits, its affairs must, of necessity, be conducted, like those of all other great companies, according to a system of routine, and with an abundant alloy of carelessness and abuse. It is indeed quite visionary to suppose, that the servants of such bodies can have the same powerful motives to exert all their energies, or to conduct the business intrusted to their charge, in the same frugal and parsimonious manner as private individuals, trading on their own account, and reaping all the advantages of superior industry, economy and enterprise. Branches of commerce, productive only of loss, when managed by the former, have, in innumerable instances, become extremely lucrative the moment they were placed in the hands of the latter. Monopoly has always been, and must ever continue to be, the parent of indolence and profusion. 'By the establish-'ment,' says Dr Smith, 'of the commercial monopoly of the 'East India Company, the other subjects of the State are taxed very absurdly in two different ways; first, by the high 'price of goods, which, in the case of a free trade, they could 'buy much cheaper; * and, secondly, by their total exclusion

* The effect that the partial opening of the trade in 1815 had on the prices of mace and nutmegs, may be referred to in proof of this statement. The average price of mace during the three years ending with 1815, was 14s. 4½d. per lib.; and its price during the three years ending with 1823, was 5s. 1d. Nutmegs during the three years ending with 1814, sold at

'from a branch of business, which it might both be convenient 'and profitable for many of them to carry on. It is for the 'most worthless of all purposes too that they are taxed in this 'manner. It is merely to enable the Company to support the 'negligence, profusion, and malversation of their servants, 'whose disorderly conduct seldom allows the dividend to ex-'ceed the ordinary rate of profit in trades which are altogether 'free, and frequently sinks it much lower.'

In point of fact, however, it seems to be exceedingly doubtful, whether the East India Company have, during the last thirty or forty years, actually realized any profit by their traffic with India, exclusive of China. Mr Rickards, † who has had the very best opportunities of forming a correct opinion upon such subjects, and to whose authority upon all that respects India the greatest deference is due, made an elaborate and careful analysis of the vast mass of accounts laid by the East India Company before Parliament in 1813; and the results deduced by him from this investigation, are as follows; viz. 'First, 'that including the payment of the dividends, the Company '*had sustained a loss on the whole of their commercial concerns dur-*'*ing the period reviewed.*' (From 1793 to 1815.) 'Second, that 'owing to this loss, the dividends could not have been paid in 'any one year without the aid of taxes. And, third, that the 'revenues of India during this period, were fully equal to the 'payment of all the expenses chargeable thereon, or what are 'commonly termed political charges, consequently that *the in-*'*crease of debt at home and abroad is to be ascribed wholly* TO THE LOSSES OCCASIONED BY THE COMPANY'S COMMERCE!' (*Speeches of Robert Rickards, Esq. Appendix*, p. 158.)

The statements and admissions of the Directors go far to confirm the accuracy of the view which Mr Rickards has taken of the result of the Company's commercial transactions. They talk of being enabled to show with precision, the *extent of the* '*pecuniary sacrifices to which they submit, in order to extend the* '*consumption of British staples.*' (Fourth Report, Appendix.)

11s. 3¾d. per lib.; and during the three years ending with 1823, they sold at 2s. 11d.! Were the tea trade thrown open, we have no doubt the fall of price would be equally considerable.

† Mr R. filled some very high stations in India; and has been, since his return to England, at the head of one of the first East India Houses in London. The analysis referred to is subjoined to Mr Rickards' Speeches in the House of Commons, on the affairs of India—a work that ought to be carefully studied by every one who wishes to form a correct estimate of the effects of the Company's commercial monopoly.

And Mr Tucker admits, that 'the exports to India and China 'never *produced a profit generally, or for a continuance.* The 'trade was resorted to, and persevered in, upon a variety of 'mixed considerations, partly to supply a remittance to the 'East, where, until lately, we required funds for the purchase 'of return cargoes; partly to supply the Chinese and our Indian 'subjects with articles which they could not obtain through o-'ther channels, while the exclusive trade was vested in the 'Company; partly to *occupy tonnage, which would otherwise 'have been unproductive;* but chiefly to benefit the manufactur-'ing and other interests of this country, by introducing and 'circulating our fabrics, and the products of our mines, through-'out the wide regions which were accessible to our enterprise.' (191.)

But the trade *from* India, excluding the tea trade, does not seem to have been more productive than the trade to India. Mr Tucker acknowledges that '*it has long been matter of doubt 'whether the Company's trade from India has been attended with a 'profit.*' (192.) Mr Rickards, however, shows that there is really no doubt whatever on the subject, and that it has always been attended with a heavy loss. 'Much,' says he, 'has been 'said and written, on the extravagant waste and heedless man-'agement of joint stock companies. The accounts now examin-'ed show the total absence of that feeling of private interest, 'which serves to animate and support individuals in their un-'dertakings. *A gross profit of* 100 *per cent. on the sale of the Com-'pany's imports is unable to cover the charges and losses sustained 'in bringing these goods to the London market.* What might not 'skill and economy in private merchants have realized, with 'only one half of that gross profit on the teas, nankeens, silk, 'and piece-goods which have chiefly entered into the Com-'pany's sales? That individuals might have prospered with 'only half that profit which leaves the Company overwhelmed 'with debt, is not the only part of this question that ought to 'be considered. If the goods thus brought to market are so 'much dearer than they would otherwise be, the consumption, 'and, consequently, the trade of the country, must be propor-'tionally restricted. Without a check on the present system, 'there is no hope that, under any modification of the Com-'pany's trade, which has yet been suggested, they will be able 'to pay their dividends, except by extraneous aid from the 'revenues of India, or by loans.'—(*Mr Rickards's Speeches, p.* 216.)

It was not to be expected that a trade carried on, as Mr Tucker states, partly to gratify the Chinese and Hindoos, part-

ly to provide employment for ships that would otherwise have been lying idle, and partly for the patriotic purpose of forcing an additional market for the products of British industry, should be prosecuted to any considerable extent. And the truth is, however much it may be at variance with the popular ideas respecting the magnitude and importance of the trade with India, that until 1815, it was hardly of as much importance as the trade with Guernsey and the Isle of Man. It appears from papers laid before the House of Commons, that the aggregate value of all sorts of merchandize exported from this country to India, exclusive of the exports to China, did not amount, previously to the renewal of the charter in 1813, to *one million* a year! and the shipping employed, both in the out and home voyages, did not amount to 40,000 tons. Such was the pitiful extent of our commerce with a country filled with 100 millions of industrious inhabitants: and even this stunted and petty trade was not productive of advantage, but of loss to those by whom it was carried on. Can any more convincing proof be required of the paralyzing effects of monopoly, of its tendency to choke up what would otherwise be the most productive channels of commerce, and to fetter and restrict the mutually beneficial intercourse that would otherwise take place among nations?

Such was the state of the traffic between India and England when the proposal for renewing the Company's charter came to be discussed in 1813. It is difficult to form any clear idea of the grounds on which the Company resisted the opening of the trade to Hindostan. That trade had never been productive of the smallest profit to them; but on the contrary, it had occasioned them a loss of several millions. Under these circumstances it might have been supposed that they would gladly have availed themselves of the first opportunity of getting rid of so unprosperous a concern. But instead of this, they struggled as hard for the monopoly as if it had really been a means of putting large sums into their pockets. And unfortunately for their own, as well as the public interests, though they had not influence enough to get private traders entirely excluded from India, they succeeded in getting them subjected to many oppressive and vexatious restrictions. It was enacted, for example, that no individual should be allowed to go out to India, either to reside permanently, or for the casual purpose of a commercial voyage, without the Company's permission—a permission which is not always obtained when asked for, and which is uniformly given as a matter of *special favour*. This restriction seems the more inexpedient and useless,

as foreigners are, in most instances, allowed to repair at pleasure, and without a single question being put to them, to any part of the British Indian dominions. But this was not the only restriction of which the private traders had to complain. They were not allowed to fit out vessels of less than 350 tons burden; * and they were only permitted to carry on a direct traffic with the Presidencies of Madras, Bombay, and Calcutta, and the port of Penang; *being entirely excluded, unless by the express permission of the Company, or the Board of Controul, from the internal or carrying trade of India*, and from the China trade. And yet, in despite of all these disadvantages and drawbacks, and in despite too of the sinister auguries indulged in by most of the Company's servants, such is the superior force and energy of individual enterprise, as compared with dull, sluggish monopoly, that the private traders have nearly beat the East India Company out of the field, and have more than *quintupled* our exports to India.

In the Report of the Committee of the House of Lords on the Foreign Trade of the country, printed in May 1821, it is stated, that 'The *greatly increased consumption of British goods in the East, since the commencement of the free trade*, cannot be accounted for by the demand of European residents, the number of whom does not materially vary; and it appears to *have been much the greatest in articles calculated for the general use of the natives*: That of the cotton manufactures of this country alone is stated, since the first opening of the trade, to have been augmented from *four to five fold* (it has *now* been augmented in a *tenfold* proportion.) The value of the merchandise exported from Great Britain to India, which amounted in 1814 to 870,177*l.*, amounted in 1819 to 3,052,741*l.*; and although the market appears then to have been so far overstocked as to occasion a diminution of nearly one half in the exports of the following year, that diminution appears to have taken place more in the articles intended for the consumption of the Europeans than of natives; and the trade is now stated to the Committee, by the best informed persons, to be reviving. When the amount of population, and the extent of the country over which the consumption of these articles is spread, are considered, it is obvious that any facility which can, consistently with the political interests and security of the Company's dominions, be given to the private trader, for the distribution of his exports, by increasing the number of ports at which he may have the option of touching in pursuit of a

* This restriction has since been modified.

'market, cannot fail to promote a more ready and extensive 'demand.'

Mr Moreau gives the following statement of the total value of the merchandise exported by the free traders from Great Britain to India in the following years, viz.

1815.	1816.	1817.	1818.
L.1,454,728	L.1,868,396	L.2,708,024	L.3,052,741
1819.	1820.	1821.	1822.
L.1,650,338	L.2,308,681	L.2,836,007	L.2,867,056

And the exports for the last three years have, we understand, been considerably greater.

But while the private trader was thus, in despite of the most formidable obstacles, opening new and extensive markets for the sale of British goods, the exports by the East India Company have been reduced to a mere trifle. The *produce of the Company's sales* of British goods in India, which must of course, unless the trade has been an extremely losing one, greatly exceed the value of the exports, is stated by Mr Tucker to have been as follows.

1817–18	-	-	L.605,706
1818–19	-	-	727,945
1819–20	-	-	623,918
1820–21	-	-	513,404
1821–22	-	-	677,423

Under these circumstances, it does appear to us that a negociation might be advantageously entered into with the East India Company, for the purpose of procuring the emancipation of the trade with India from the existing restrictions. We cannot imagine for a moment that the Company would evince any unreasonable tenaciousness of privileges which, while they are of no real advantage to them, are productive of great public injury. They would most certainly be very great gainers by leaving the commerce of India to be conducted wholly by private traders; and confining themselves exclusively to the government and administration of the country. And were this done, were the nuisance of commercial monopoly completely put down, restraints and shackles of every sort abolished, and the innumerable markets of India opened to the unrestricted competition of the merchants of Great Britain, it is impossible to doubt that a vast addition would be made to the commerce now carried on between the two countries. India, as well as England, would benefit by the change: And the East India Company would

gain by the new spirit of enterprise which the freedom of commerce would do much to generate among their subjects.

A separation between the sovereign power and the commercial monopoly of the East India Company would not only promote their pecuniary interests, and the commerce of the empire, but it is indispensably necessary for the sake of what there can be no doubt the Company have always had at heart, the good government of the people of India. A Company which carries a sword in the one hand, and a ledger in the other—which maintains armies and retails tea, is a contradiction; and if it traded with success, would be a prodigy. The agents of such a body stand on a very different footing from private traders. A private adventurer is compelled to be courteous; he must accommodate himself to the habits and wishes of those with whom he deals; and must labour to conciliate their favour and esteem. Armed with no extrinsic powers, supported by no imposing squadrons, and appearing amongst them for purely commercial purposes, he excites neither jealousy nor apprehension; while the advantages derived from his intercourse secure him a kind and hospitable reception. Particular acts of violence and aggression have doubtless been sometimes committed by private traders; but such acts have been, and must necessarily continue to be, of very rare occurrence. Each private trader is a guarantee for the peaceable conduct of every other private trader. It is for the interest of the whole that their commercial pursuits should not be interrupted by the violence or misconduct of individuals; and they never fail to do all in their power to repress the latter. But it is obvious that the servants of a great joint-stock association, like the East India Company, must come into the market under the influence of very different feelings and interests. Appearing in the double and irreconcileable character of soldiers and merchants, they feel themselves relieved from the necessity of treating the natives in a kind and conciliatory manner. Conscious of their power, they must be more than men if they do not occasionally place their confidence in force rather than in address. Instead of rising to wealth by slow degrees, and by the fair and honest exercise of their industry, the agents of monopolists have too commonly resorted to more compendious processes; and what is worse, they never fail to identify their own arbitrary and unjustifiable proceedings with the honour and interest of the nation to which they belong; and pervert the power placed in their hands to insure the success of their schemes. Their mercantile is uniformly sunk in their military character; and, with various capacity and fluctuating

fortune, they generally prosecute the grand object of enriching themselves by means of extortion, instead of fair legitimate profits.

In India, a commercial resident, with a large establishment of servants under him, some of them intended for coercive purposes, is stationed in all the considerable towns; and it has been stated, and by no less an authority than the Marquis Wellesley, that *the intimation of a wish from the Company's resident is always received as a command by the native manufacturers and producers.* How then is it possible for the private trader to come fairly into competition with persons possessing such authority, and often instructed to make their purchases on any terms? Mr Tucker admits, that the Company's investments in India, during the last ten years, may, in *some instances, be said to have been forced;* that is, the goods bought by them, have sometimes been purchased at a higher price than they would have brought in a market frequented only by regular merchants, (p. 195.) But the truth is, that it is not in the nature of things that the Company's purchases can *ever* be fairly made. The natives cannot deal with their agents as they would deal with private individuals; and it would be worse than absurd to suppose, that agents authorized to make purchases on account of Government, and to draw on the public treasury for the means of payment, can ever act like individuals, whose fortunes are responsible for their transactions.

'From the influence,' says Mr Rickards, 'of the resident 'on the one hand, and the pecuniary wants of the manufac- 'turers on the other, it is quite clear, that they may be kept 'in perpetual bondage to the Company's service. And when 'we thus see the industry of the country subject to the entire 'direction of the ruling authority, supported, for the most 'part, and often irregularly by advances from the public reve- 'nues, and all competition, the soul and essence of commerce, 'far removed from this feeble and delicate fabric, as if its ve- 'ry touch were ruin; who but the most prejudiced can possi- 'bly see or expect prosperity under such a system? It is 'completely subversive of every principle, on which both ex- 'perience and theory would teach us to found any rational 'hope of public good.'

It is almost unnecessary to allude to the hackneyed argument in favour of the East India Company continuing to act in a mercantile capacity, that otherwise they would not be able to realize the surplus revenues of India in England. Every one must see the absurdity of such a statement. Cannot the same means, which served to remit the immense sums that Great

Britain expended on the Continent during the late war, suffice to remit a few hundred thousand pounds from India? When the Indian Government get a surplus to remit to England, let them go into the Exchange in Calcutta, and buy bills on London for the amount. This is what Mr Baring or Mr Rothschild would do, if they had a sum at Calcutta, which they wished to make available in England. And if the Company do this, and abstain from having any thing whatever to do with commercial transactions, it is certain that they will realize a revenue of a million in London, with infinitely less trouble and expense than they now incur to realize 100,000*l.*

We do therefore hope that, in so far at least as the trade of India, exclusive of the China trade,* is concerned, the Company will see the policy of relinquishing it entirely; of dismissing their commercial residents; and throwing the markets of Hindostan open to the unfettered and unopposed competition of private traders. We entertain, as we stated before, very great doubts, whether the public would gain any thing by the abolition of the Company's territorial rights and privileges; but we think we have proved beyond all controversy, that they would gain a great deal by the abolition of the Company's commercial privileges; and as the Company would lose nothing by giving them up, we are at a loss to conceive the grounds on which they could resist coming to a satisfactory arrangement with Government on this subject. A well timed concession may be of great use to them. Should they grasp at too much, they may lose all. If they will not be sovereigns, without also being hucksters, they may probably find, when too late, that they have sacrificed the substance to the shadow, and that the year 1833 is destined to be the term of their existence.

The extent to which the private trade to India has already been carried, and the statements of all the commercial men who are acquainted with the country, show that there is nothing either in the habits or institutions of the natives, to prevent the indefinite increase of the consumption of British and other European produce. But, besides the Company's exclusive privileges, the high *discriminating duties* laid on many species of East India produce, form a serious obstacle to the ex-

* We have purposely abstained from mixing up the question of the China trade with that of India; but it is a subject of which we shall not lose sight. Mr Tucker has totally failed in his attempt to repel the statement we made in No. 78, with respect to the effect of the Company's monopoly on the price of tea.

tension of the trade with India. The extra duty on East India coffee, and the excess of 10s. a cwt. of duty laid on East India sugar over that which is laid on sugar from the West India islands, are, in effect, bounties which force the consumption of the latter in preference to the former. But the permission recently granted to import India cotton goods on paying a duty of ten, and India silk goods on paying a duty of thirty per cent. *ad valorem*, may, we hope, be hailed as the pledge of a return to a better system; and we trust the time is not far distant, when the products of all the dependencies of the empire will be admitted to the British market on the same terms.

Before closing this article, we may observe, that those who are in the habit of exaggerating the extent of the benefits we derive from India, contend that the remittances to England, on account of private individuals returning from India, and which may perhaps be taken on a high average, at from 1,500,000*l.* to 2,000,000*l.* a year, ought to be set down without deduction to the credit of India. But this is an evident error. It is obvious, that we must set against these remittances the heavy expense attending the education and outfit of *all* the young men who are destined for the Company's service, not one-third of whom ever return with fortunes to this country; and it must also be borne in mind, that though Englishmen had been prevented from acting as judges and revenue-officers in Hindostan, it does not follow, that they might not haye employed their talents as advantageously in other situations. Nothing, therefore, can be more erroneous, than to affirm that the remittances from India, on account of individuals, are so much clear gain to this country; and though we do not go quite so far as those who contend, that they are more than balanced by the charges that ought to be set against them, yet it is plain, that they must, in consequence, be very greatly reduced; and that they can only form an almost imperceptible item in the revenue of such a country as England.

ART. V. *A Narrative of the Campaigns of the British Army at Washington and New Orleans, under Generals Ross, Pakenham and Lambert, in the years* 1814 *and* 1815; *with some Account of the Countries Visited.* By the AUTHOR of 'The Subaltern.' London. John Murray, Albemarle Street. 1826.

THIS little work contains a popular account, by a British Officer, of the military operations carried on by the Bri-

tish troops in America, during the years 1814 and 1815, when peace was restored in Europe by the overthrow of Bonaparte, and when the Ministers of Great Britain determined to assail, both by sea and land, their only remaining enemy, on the other side of the Atlantic. No serious *invasion* of America was of course contemplated. It was only intended to spread alarm along her coasts; and, by ravaging detached spots, and menacing many points of her territory, to do all the mischief, and occasion all the expense possible. With this view, a considerable armament was sent out, to which the author of the narrative before us was attached; and he has certainly given a lively and interesting account of the operations which followed. He seems to be an acute and attentive observer, and he describes the scenes and feelings which belong to a soldier's life, with peculiar clearness and force. It is those touches of individual feeling, indeed, which mingle with his narrative, that give it its chief interest, and distinguish it from a mere professional detail of military transactions. War, from its very nature, places those engaged in it in situations of extraordinary interest; its hardships, its perils and its vicissitudes, produce the most intense excitement; and such characteristic sketches, therefore, of its eventful scenes, as give to men of peace a glimpse of the interior economy and manners of a camp, are far more acceptable than a dry, scientific account of plans, movements, and results. In this respect, the present work, we think, has very considerable merit. We must add, however, that the writer appears to have a great dislike to the Americans, which breaks out occasionally in little anecdotes to their prejudice, or illiberal constructions of their conduct. He stigmatizes them generally as remarkable for low cunning; and in illustration of this charge, he very soon tells a story of two Americans, who, having taken arms in defence of their country, and being surrounded and made prisoners, endeavoured, by false pretences, to deceive the British and procure their release. Thus a clever, though unsuccessful *ruse de guerre*, which, if it had been practised by a British soldier, would probably have been commended as a masterpiece of coolness and presence of mind, is low cunning in the Americans; and thus it is, that national prejudices, working with such slight materials, raises up general imputations against a whole people. It is but fair, however, to state, that those antipathies do not seem to have affected his narrative of military operations, which is really distinguished throughout by a tone of great calmness, impartiality, and candour.

It was on the termination of the Peninsular war that our

author was sent with his regiment to encounter new dangers in America. The troops embarked from the Garonne, under the command of General Ross; and in the course of their voyage to the Chesapeake, where they arrived about the end of August, they were joined by reinforcements, which increased their numbers to between 4000 and 5000 effective men. This petty army, formidable only from its courage and discipline, it was proposed to disembark for offensive operations on the American coast. The troops were accordingly landed on the 19th, on the shores of the Patuxent, to the amount, including sailors, of 4500 men. After three or four days march along the banks of the river, and passing through the towns of Nottingham and Marlborough, which were entirely deserted, they came in sight of the enemy's army, occupying a strong and commanding position on the brow of a hill, having in their front the little town of Bladensburg, and a branch of the Potomac, over which was thrown a bridge; and on the right bank of which, nearest the American army, was a large stripe of larch and willow trees, filled with riflemen. The American army, computed at double the number of the English, was drawn up in three lines, protected by twenty pieces of artillery. Two heavy guns commanded the bridge over which their enemy had to advance, and four more, two on each side of the road, swept partly in that direction, and partly down the whole slope, into the streets of Bladensburg. The British advanced without dismay, on the formidable position of the Americans, which they carried, though with the loss of not less than 500 men.

When we consider that, in this action, inexperienced levies were opposed to veteran troops, no other result could be rationally anticipated. The Americans took a commanding position. They wisely declined the close and fatal onset of the disciplined band to which they were opposed. The veterans, on the other hand, were eager for close action; and thus accordingly the battle was decided, the Americans giving way at all points as their enemies advanced. The situation of the British was not, however, free from danger. They were few in number, and in the attack they were fearfully exposed. On the bridge, which was necessarily covered with the advancing troops, a whole company was swept down by the first discharge from the American batteries. The succeeding discharges were fortunately levelled with less precision, otherwise the loss would have been more severe, and the event more doubtful. The rifle, that formidable weapon, was peculiarly fatal. The troops were galled by the fire from the riflemen stationed in the wood; and it was over their dead and dying companions that the Bri-

tish made their way across the bridge. The retreat of the enemy was also accomplished under a murderous fire from clouds of riflemen, by which numbers fell both of officers and men. The author considers it as a capital fault, that in place of examining the river, for a ford by which the troops might have passed, they were hurried into action in the face of a powerful battery, and against the very centre of the enemy's position.

The capture of Washington was the fruit of this victory; and we have a full detail of the destruction which followed, and of the alarm among the inhabitants. These scenes are, as usual, well and forcibly described. The miserable jokes, however, and hearsay stories about President Maddison, generally turning on his want of courage, might well have been spared. In returning to re-embark, the army passed the late field of battle, still covered with the slain. This spectacle, in spite of our author's military feelings, gives occasion to the following solemn reflections.

'By the time we reached the ground where yesterday's battle had been fought, the moon rose, and exhibited a spectacle by no means enlivening. The dead were still unburied, and lay about in every direction, completely naked. They had been stripped even of their shirts, and having been exposed in this state to the violent rain in the morning, they appeared to be bleached to a most unnatural degree of whitness. The heat and rain together, had likewise affected them in a different manner; and the smell which arose upon the night air, was horrible.

'There is something, in such a scene as this, extremely humbling, and repugnant to the feelings of human nature. During the agitation of a battle, it is nothing to see men fall in hundreds by your side. You may look at them, perhaps, for an instant, but you do so almost without being yourself aware of it, so completely are your thoughts carried away by the excitation of the moment, and the shouts of your companions. But when you come to view the dead in an hour of calmness, stripped as they generally are, you cannot help remembering how frail may have been the covering which saved yourself from being the loathsome thing on which you are now gazing. For myself, I confess that these reflections rose within my mind on the present occasion; and if any one should say, that, similarly situated, they would not rise in his, I should give him no credit for a superior degree of courage, but might perhaps be inclined to despise him for his want of the common feelings of a reasonable being.' pp. 141, 142.

The next object of attack was Baltimore; within about 14 or 15 miles of which it was resolved again to disembark the troops. The inhabitants are described as in a state of univer-

sal consternation while they watched the movements of the fleet. The night previous to their landing the troops slept in their clothes, that they might be ready to start at a moment's warning. The agitation of the mind, in such a situation, is well described in the following passage.

'There was something in this state of preparation at once solemn and exciting. That we should obtain possession of a place so important as Baltimore, without fighting, was not to be expected; and, therefore, this arming, and this bustle seemed, in fact, to be the prelude to a battle. But no man, of the smallest reflection, can look forward to the chance of a sudden and violent death, without experiencing sensations very different from those which he experiences under any other circumstances. When the battle has fairly begun, I may say with truth that the feelings of those engaged are delightful; because they are, in fact, so many gamblers playing for the highest stake that can be offered. But the stir and noise of equipping, and then the calmness and stillness of expectation, these are the things which force a man to think. On the other hand, the warlike appearance of every thing about you, the careless faces and rude jokes of the private soldiers, and something within yourself, which I can compare to nothing more nearly than the mirth which criminals are said sometimes to experience and to express previous to their execution; all these combine to give you a degree of false hilarity, I had almost said painful, from its very excess. It is an agitation of the nerves, such as we may suppose madmen to feel; which you are inclined to wish removed, though you are unwilling to admit that it is disagreeable.' pp. 167, 168.

By seven o'clock in the morning, the British troops, amounting to 5000 effective men, including 1000 sailors, were safely disembarked; and after being involved in a skirmish with the enemy's sharpshooters, in which the commander in chief, General Ross, lost his life, they soon found themselves opposed to a considerable force, amounting to about 6000 or 7000 men, drawn up with some skill, and occupying a strong position, flanked on both sides by woods, with a clear range in front for the fire of the artillery. After some time spent in a distant cannonade, the British moved forward to a closer conflict, in the most cool and orderly manner, under a dreadful discharge from the whole of the enemy's artillery of grape and cannister shot, of old locks, pieces of broken muskets, and every thing which they could cram into their guns. They advanced until a space of only 20 yards divided the hostile armies, when the Americans gave way; and thus we find this battle, like the last, a striking illustration of the distinction between veteran troops and new levies. The author concludes his account of the action, with several anecdotes in favour of the British, and de-

rogatory to the American character. His standing reproach against them, is that of duplicity and cunning; yet the head and front of their offending seems to be, that in order to deceive their enemies, they resorted to some of the ordinary stratagems of war.

The subsequent operations of the British army in this quarter may be shortly related. In advancing on Baltimore, they came in sight of the main American army, amounting to 20,000 men, strongly entrenched on a ridge of hills, with a numerous artillery. Not judging it prudent to attack this position, the army was ordered to retreat; and being safely re-embarked, arrived at Port Royal in Jamaica in the beginning of November.

The British Ministers being resolved to persevere in carrying war into the American territory, a new and more formidable armament was fitted out against New Orleans, the capital of Louisiana. This expedition, whether we consider the natural difficulties of the enterprise, the exemplary patience and fortitude of the troops under the severe trials to which they were exposed; the talent and ready sagacity with which resources were still devised to meet each new difficulty; or, finally, the consummate skill with which the naval and military means were combined, affords ample matter for interesting description, as well as for study and speculation. The town of New Orleans, as our readers are no doubt aware, is situated on the east bank of the Mississippi, about 100 miles from its mouth, in a country which is periodically inundated by this vast river and its tributary streams. In this track of level ground, which, at New Orleans, is 80 miles broad, the overflowing waters form innumerable rivers, canals, lakes, and swamps, which render all communication imposssible, except by water. The canals, and rivers, however, are skirted by small strips of fertile land, from one to two miles broad, which rise above the level of the inundation; and it is on one of these that the town of New Orleans is built, having on the west the river, while on the east, the strip of high ground is bounded for six or eight miles by an impassable swamp, and afterwards by the shallow lake Pontchartrain, from twelve to six feet deep, which communicates, through lake Borgne, with the sea. Such being the situation, its means of defence require little explanation. It cannot be approached by the river, owing to the rapidity of the stream and its winding course; while its navigation is further defended by impregnable forts constructed amid the swamps. A hostile army can only, therefore, land from the lake, the banks of which being one

continued swamp which would scarcely bear infantry, far less artillery, it is only at the two points or creeks of St John and Catiline, running through the swamp, that a disembarkation can be effected.—But the invaders land only to encounter new difficulties. The ground on which they arrive is a dead flat, without one particle either of wood or of broken ground to conceal or protect their movements. It is from one to three miles broad, and may, in the course of two or three days, be covered with entrenchments; which being secured on the right by the river, and on the left by the morass, can only be carried by an attack in front; while the assailants may be galled by a close and deadly cannonade from armed vessels on the river, or from batteries on the opposite shore.

Of all these dangers the conductors of the present expedition, Sir A. Cochrane and General Keane, were fully aware; but, trusting to the secrecy of their operations, they resolved to effect a landing on the shores of the lake, and to advance on New Orleans before any preparations could be made for its defence. In carrying their plans into effect, they encountered incredible difficulties. 1*st*, They had a desperate battle to fight, for the free navigation of the lake, with an American flotilla, which was fitted out for its defence, and which was attacked and taken by 50 British boats. 2*d*, They had all the troops to transport, in open boats, to a small desert island about 30 miles distant, called Pine Island, where, without either food, fuel, or shelter of any sort, they were exposed to a pelting rain during the day, and to chilling frosts during the night. From this island, where the whole British army was assembled on the 21st January, they had to cross in open boats to the American shore, a distance of 80 miles, and to disembark at the creek, or Bay de Catiline. Not being able, for want of boats, to transport above one third of their force at once, they had to land in divisions, and were thus exposed to an attack in detail. The first division, however, consisting of 1600 men, succeeded, under all these difficulties, in effecting a landing, having surprised and taken the American sentinels fast asleep.

It was resolved, at first, to remain concealed until they were joined by the other divisions of their force. But the general, deceived by the accounts of deserters, who represented the people as favourably disposed towards the British, and that they had only to show themselves to insure submission, advanced into the open country; and having reached the main road which leads directly to Orleans, ordered the troops to encamp about noon, on a spot of ground near the Mississippi. No enemy being near, they began to light fires, and to make themselves

comfortable. Spreading themselves over the country, they entered every house, bringing away hams, fowls, and wines of various descriptions, which being shared equally, all fared well. It was now about three o'clock in the afternoon, and all was quiet. The troops, having finished their meal, lay stretched beside their fires, or refreshed themselves by bathing in the river; and, with the exception of a slight alarm, which soon subsided, every thing bore the appearance of tranquillity, and held out to the wearied soldier the prospect of at least one night's repose. But this deceitful calm was of short duration. The Americans were watching every motion of the invading troops; they were fully aware of their exact strength and position; and they were preparing a desperate attack on their divided force, both by land and water. The day went down in apparent quiet and security; but the night was destined to usher in the most tragical and bloody scenes. The first attack on the British was by an American schooner, which took its station on the Mississippi, exactly opposite their encampment. We have, in the narrative before us, a most interesting description of this formidable and unexpected attack.

'In this manner the day passed without any farther alarm; and darkness having set in, the fires were made to blaze with increased splendour, our evening meal was eat, and we prepared to sleep. But about half-past seven o'clock, the attention of several individuals was drawn to a large vessel, which seemed to be stealing up the river till she came opposite to our camp; when her anchor was dropped, and her sails leisurely furled. At first we were doubtful whether she might not be one of our own cruisers which had passed the port unobserved, and had arrived to render her assistance in our future operations. To satisfy this doubt, she was repeatedly hailed, but returned no answer; when an alarm spreading through the bivouac, all thought of sleep was laid aside. Several musket shots were now fired at her with the design of exacting a reply, of which no notice was taken; till at length having fastened all her sails, and swung her broadside towards us, we could distinctly hear some one cry out in a commanding voice, 'Give them this for the honour of America.' The words were instantly followed by the flashes of her guns, and a deadly shower of grape swept down numbers in the camp.' pp. 283–284.

Against this dreadful fire, the British, being without any kind of artillery, had nothing to oppose; and they were forced, therefore, to seek shelter from the storm of iron hail which flew thick around them, under the dike or embankment of the Mississippi. Here they remained listening in painful silence to the pattering of the grape-shot among their huts, and to the shrieks and groans of those who lay wounded beside them.

Even this miserable shelter they were not permitted long to enjoy. The night was now as dark as pitch; the fires, beat about by the enemy's shot, began to burn red and dull, and, except where the flashes of the guns cast a momentary glare, not an object could be distinguished at the distance of a yard. In this helpless state, the British lay for upwards of an hour, when a straggling fire of musketry was heard in front. It was doubtful at first from what cause this proceeded; but the matter was soon put beyond all doubt. 'The dropping fire' (we are told) 'having paused for a few moments, was succeeded by 'a fearful yell, and the heavens were illuminated on all sides 'by a semicircular blaze of musketry.' It was now clear, that the British were surrounded by a superior force, and that they must either surrender or beat off the enemy. A deadly combat accordingly ensued, in which, from the darkness and confusion, it was scarcely possible to distinguish friends from foes. All order and discipline was lost; and each officer, as he was able to collect twenty or thirty men, advanced into the middle of the enemy, where 'the battle was fought' (says our author) 'hand to hand, bayonet to bayonet, and sword to sword, with 'all the tumult and ferocity of one of Homer's combats.' In the end, the Americans were repulsed after a long and obstinate contest, which cost the victors 500 men, among whom were many of their finest soldiers and bravest officers.

As soon as day-light began to appear, the wearied troops were again forced to seek the shelter of the bank from the fire of the vessel on the river. Here, while they lay for hours worn out with fatigue, and shivering in the cold air of a frosty morning, the writer of this narrative stole away, with two or three men, to find out and bury the body of a friend, who was among the slain. The field of battle, over which he wandered for this purpose, presented everywhere the most shocking spectacles. Friends and foes lay together in groups of four or six; they had received their death-wounds from the bayonet or the sabre, and, in many cases, from heavy blows, and with the butt-ends of muskets. Hence they were not only disfigured by frightful wounds, but their very countenances exhibited the most savage and ghastly expressions. So close had been the strife, that, in one or two places, an English and an American soldier might be seen with the bayonet of each fastened in the other's body. Having found the object of which he was in search, we have the following touching account of the obsequies of this unfortunate soldier. Amid the horrors of war, it is pleasing to find such redeeming traits of tenderness and humanity.

'Having searched for some time in vain, I at length discovered my friend lying behind a bundle of reeds, where, during the action, we had separated; and shot through the temples by a rifle bullet so remarkably small, as scarcely to leave any traces of its progress. I am well aware that this is no fit place to introduce the working of my own personal feelings, but he was my friend, and such a friend as few men are happy enough to possess. We had known and loved each other for years; our regard had been cemented by a long participation in the same hardships and dangers; and it cannot therefore surprise, if even now I pay that tribute to his worth and our friendship, which, however unavailing it may be, they both deserve.

'When in the act of looking for him, I had flattered myself that I should be able to bear his loss with something like philosophy, but when I beheld him pale and bloody, I found all my resolution evaporate. I threw myself on the ground beside him, and wept like a child. But this was no time for the indulgence of useless sorrow. Like the royal bard, I knew that I should go to him, but he could not return to me, and I could not tell whether an hour would pass before my summons would arrive. Lifting him, therefore, upon a cart, I had him carried down to head-quarter house, now converted into an hospital, and having dug for him a grave at the bottom of the garden, I laid him there as a soldier should be laid, arrayed, not in a shroud, but in his uniform. Even the very privates, whom I brought with me to assist at his funeral, mingled their tears with mine; nor are many so fortunate as to return to the parent dust more deeply or more sincerely lamented.' pp. 294–295.

Returning from the performance of this melancholy duty, our author visited the hospital, and he gives a most heart-rending description of the situation of the wounded. Every room in the house (he mentions) was crowded with mangled wretches in the most excruciating agonies. 'Prayers, groans,' (he continues), 'and, I grieve to add, the most horrid exclamations, 'smote upon the ear wherever I turned. Some lay at length 'upon straw, with eyes half-closed, and limbs motionless;— 'some endeavoured to start up shrieking with pain, while the 'wandering eye, and incoherent speech of others, indicated 'the loss of reason, and usually foretold the approach of 'death.' We will not shock the humanity of our readers by entering farther into these details. Yet they are not without their use, serving as they do to strip war of its false glory, and to present a true picture of its effects.

The British now found that they had been egregiously deceived by deserters and spies; that, in place of an easy conquest, they were to meet with the most vigorous opposition, and the most determined hostility; and that, so far from a trifling affair, more likely, as they were persuaded to fill their pockets than to add to their renown, they were already surrounded with difficulty and danger. In these circumstances, their drooping

spirits were revived by the arrival of Sir Edward Pakenham, who was to take the chief command, and General Gibbs, and they greeted their officers with a hearty cheer. It being Christmas day, a number of officers clubbed their little stock of provisions, and resolved to dine together, in memory of former times. There is something extremely characteristic and touching in the account of this dinner party of hardy soldiers, thus laughing, as it were, at fortune's frowns, and catching a short gleam of social enjoyment even within reach of the enemy's cannon. But it is thus that men are moulded by the habits of war, and that a long acquaintance with its bloody business must ever give to real soldiers an irresistible superiority over every other species of troops.

Sir Edward Pakenham having, by means of a battery which fired red-hot shot, at last destroyed the schooner which had so long raked the British position, and forced another larger vessel which had come to her assistance to withdraw, advanced on the 27th with his whole force for the purpose of attacking the enemy. The troops, though they had been harassed during the whole night by the attacks of riflemen, and had enjoyed no sound or refreshing sleep, moved forward nevertheless in a merry mood, bandying many rude jests and careless words. After marching four or five miles, they came in view of the enemy's army, advantageously posted, their front defended by a canal about 40 yards broad, and by breast-works, not yet completed, but still formidable. The road was commanded by powerful batteries, while the ship, which had escaped with a large flotilla of gun-boats, flanked the whole position. It was on the right that the enemy was first discovered. On the left his force was entirely concealed by a few houses built at a turning of the road, and it was only when the troops passed there, and discovered the muzzles of the guns pointed towards them, that they were aware of their danger. Instantly a deadly fire was opened upon them from the batteries and the shipping. Scarce a bullet fell short of its mark; but all striking full into the ranks occasioned terrible havock. The shrieks of the wounded, we are told, the crash of firelocks, and the rapid fall of such as were killed, caused at first some little confusion. The British artillery were brought up, but they were overpowered by the superiority of the enemy's fire; and the infantry being checked by the canal, of which the depth was not known, the attack was abandoned for that day, and the troops unavoidably withdrawn.

The three succeeding days, namely, the 28th, 29th, and 30th December, were spent by the British commander in doubtful and anxious deliberation, while the enemy was busily employed in strengthening his lines, and in increasing his force. It was

at length resolved to attack these works as if they were regular fortifications. Heavy batteries were accordingly constructed in the night within 300 yards of the American works, and opening as the day dawned, spread a temporary dismay through the enemy's camp. The troops were at length rallied, and order restored, when the American artillery opened with great effect; and a number of guns being landed from the flotilla, they overwhelmed the British, as before, by the superiority of their fire, and compelled them to retreat.

The troops now began to murmur. They were exposed to incessant hardships. The enemy's cannon and mortars played both day and night on their camp; which was, besides, exposed to a deadly fire from the batteries on the opposite shore, so that, for the last two nights, no one had closed an eye, except such as were cool enough to sleep amid showers of cannon-ball. The murmurs of the soldiers were not, that they might escape from the dilemma in which they were placed by any means. 'On the contrary (to use this writer's expressive 'words) they resembled rather the growling of a chained dog, 'who sees his adversary and cannot reach him.'

The British general was evidently placed in a situation of extreme difficulty. To assail the entrenched position of the enemy in front, was an enterprise of great peril, and of very doubtful issue. Yet he seemed to have no other alternative. With the swamp on the right, and the river on the left, it could not be turned. It will be remembered how the French army, previous to the memorable battle of Wagram, was placed in a situation somewhat similar; and by what an admirable device Bonaparte avoided the dilemma of attacking in front the Austrian position, covered as it was by the river, and the most formidable entrenchments, which could not have been stormed without imminent hazard, and a great and certain loss. Deceiving the enemy by a false attack in front, he crossed the river during the night, by means of moveable bridges made on purpose at a different point; and thus turning the position of the Austrians, he reduced them to fight on equal terms. But Sir Edward Pakenham had no such scope for manœuvring on the narrow spot of ground to which he was confined. In order, however, to relieve as far as was possible the disadvantages of a front attack, he adopted an expedient that was at once bold and original. He resolved to dig a canal across the neck of land on which the armies were encamped, from the Creek de Catiline to the Mississippi; by means of this canal to bring a number of his boats to the river, and transporting part of his force across, to attack the enemy's batteries on the opposite bank; to turn these on his main position on the right

of the river, while it was at the same time to be attacked in front by the great body of the British force. It is now unnecessary to dwell particularly on the circumstances which occasioned the failure of this bold and well concerted enterprise. Various accidents contributed to obstruct the passage of the troops across the river, and to delay the attack on the enemy's batteries beyond the time appointed, which was day-break, while the main attack was frustrated by the want of fascines to fill up the ditch, and of scaling ladders to mount the parapet, which the 44th regiment had neglected to bring into the field. Thus delay was occasioned; the assailants being in the meantime exposed to a dreadful fire of musketry and cannon, which mowed them down in whole companies. Sir Edward Pakenham was killed. Generals Gibbs and Keane were both borne wounded from the field; after which all was confusion and dismay, and the troops every where fled in great disorder.

After this action, an armistice of two days was agreed upon for the burial of the dead; and parties of soldiers were immediately sent out to collect and bury their fallen comrades. The writer of this narrative, prompted by curiosity, rode to the front, where he saw, within the small compass of 500 yards, nearly 1000 bodies in British uniforms, and an American officer coolly smoking a segar and counting the slain. Grieved by this humiliating spectacle, he returned to the camp, and he gives the following picture of the agitated feelings of the soldiers.

'But the change of expression, visible there in every countenance, no language can pourtray.—Only twenty hours ago, and all was life and animation; wherever you went, you were enlivened by the sound of merriment and raillery; while the expected attack was mentioned in terms indicative not only of sanguine hope, but of the most perfect confidence as to its result. Now gloom and discontent every where prevailed. Disappointment, grief, and indignation and rage, succeeded each other in all bosoms; nay, so completely were the troops overwhelmed by a sense of disgrace, that, for a while, they retained their sorrow without so much as hinting at its cause. Nor was this dejection occasioned wholly by the consciousness of laurels tarnished. The loss of comrades was to the full as afflicting as the loss of honour; for out of more than 7000 men brought on this side into the field, no fewer than 2000 had fallen. Among these were two generals (for Gibbs survived his wound but a few hours) and many officers of courage and ability; besides which hardly an individual survived, who had not to mourn the loss of some particular and well-known companion.' pp. 333–334.

In these unhappy circumstances, General Lambert, on whom the command now devolved, wisely resolved on a retreat, which was effected with little molestation from the enemy. The troops,

after suffering incredible hardships in their march through the swamps, were safely embarked on board the transports, and finally quitted the American shore.

Such is war. And such was the issue of this attempt, the last, we trust, that ever will be made on the territory of the United States with a British force. The writer of the narrative before us, commenting on this enterprise, dwells on the accidental causes of its failure, and generally on the impolicy of warring against America with a handful of British troops. —But what would it avail though we were to send double or triple the number; though we were to send 15,000 troops in place of 5000—or 30,000 instead of 10,000? A momentary success is all that we could ever expect; and this, too, only if we contrived to surprise the Americans. But they are now prepared for our reception. We pointed out to them, by our last invasion, the vulnerable points of their coast. These are now covered by fortifications; and we could scarcely even land with safety on any part of the American shore. We marvel much that this judicious officer should recommend another expedition against New Orleans, when he considers by what unlooked-for chance it was that the British even effected a landing. Does he again count on the singular good luck of surprising the American sentinels asleep at their post, or of finding the only point at which a force could land, namely, the Creek de Catiline in a defenceless state? It cannot be concealed, and it ought not to be concealed, that we have not the least chance of making any impression on America by a land-war. . . . . Past experience gives no encouragement to enterprises of this nature; and, it will now be universally admitted, we suppose, that we can never have the least chance of being joined by any part of the population. In the event of a quarrel between the two countries, therefore we have nothing to look to but a naval war. The two nations would exhaust their blood and treasure in a vain contest for the sovereignty of the seas, and, after years of trouble and vexation, they would probably end where they began. Great Britain could scarcely hope, by the mere damage of a naval war, to coerce her proud rival into submission. Her fleets would no doubt occasion serious loss, and a grievous interruption to trade. But these injuries, besides that they would be retaliated, would only tend to exasperate and inflame a high-spirited people to fresh exertions; and thus the war would degenerate into a system of useless vexation, and might be protracted for years, without any ground being laid for peace in the humiliation of either party: And when we contemplate for a moment the misery, loss, and devastation which such a war

must produce, is there any event which the friends of freedom and humanity would have reason more deeply to deplore? One of its first consequences would be to annihilate the trade between the two countries, which is of the last importance, not merely to the happiness and comfort, but to the subsistence of thousands. Great Britain and America are now placed exactly in that relation to each other which leads to the largest interchange of produce. The one a growing country, having neither labour nor capital to cultivate her half-desert territory, is abundantly supplied with rude produce, while she is comparatively deficient in the finished manufactures, which are the produce of labour and capital. The other, again, rich in capital, and still more in the art and industry of her numerous artisans, with a well cultivated territory and a crowded population, abounds in the finer manufactures. These being exchanged for the rude produce of the agricultural country, the one is supplied with the fruits of that labour and capital, of which she stands in need, while the other finds a ready outlet for the surplus produce of her improved industry. A war would destroy this most beneficial intercourse, which not only adds to the national wealth, but diffuses happiness and comfort through the remotest districts of both countries. In another view also, such a war would be a heavy calamity. Great Britain and America hold out, each after its own fashion, a great practical example of the benefits of a free constitution. They may be considered, therefore, as the two standing lights of the political world —the two great bulwarks against the inroads of despotism, backed as it is by the military array of all the great European powers. The voice of freedom may for a time be silenced in Europe, by bayonets and cannon; and there are, in its recent history, some melancholy examples of its being actually so put down. But in Great Britain and America its sacred banner is still displayed. Those two countries afford an asylum to the persecuted patriot, from whatever land he comes. What a spectacle, then, would a vindictive and sanguinary contest between those two enlightened nations present to the world! How cheering to despotism to see the resources of freedom squandered away in destructive wars; and how discouraging, on the other hand, to the progress of political improvement! It is proper, however, to add, that we have no apprehensions on the subject. The rulers of both countries are far too cautious and moderate in their views, lightly to put to hazard the blessings of peace. Ever since the conclusion of the last war, accordingly, their policy has been, on the whole, most pacific and friendly; and under its healing influence, past animosities have been gradually dying away in the body of both commu-

nities. Situated as they both are, with every great interest inciting them to harmony and peace, we cannot bring ourselves to apprehend that any paltry disputes about boundaries or colonial trade can ever interfere with the good understanding they are so loudly called on to maintain—or that two nations, bound as they are to each other by the peculiar ties of kindred—by similar institutions, laws, manners, and language, can ever deliberately choose to be other than friends.

ART. VI. 1. *Papers relating to Captured Negroes. No. I. Tortola Schedules.* Ordered by the House of Commons to be printed, 16th March 1825.

2. *Further Papers relating to Captured Negroes. No. II. Separate Report of* JOHN DOUGAN, *Esq. No. III. Separate Report of Major* THOMAS MOODY. Ordered by the House of Commons to be printed, 16th March 1825.

3. *Second Part of* MAJOR MOODY'S *Report.* Ordered by the House of Commons to be printed, 24th February 1826.

IT was not till a short time back that we entertained the slightest intention of criticising the speculations of Major Moody. We had supposed that they would of course pass in their infancy to that Limbo which is ordained for Laureate Odes, old Court Kalendars, and Sermons printed at the request of congregations. That a Commissioner should write a dull Report, and that the Government should give him a place for it, are events by no means so rare as to call for notice. Of late, however, we have with great surprise discovered, that the books of the Major have been added to the political canon of Downing-Street, and that it has become quite a fashion among statesmen who are still in their noviciate, to talk about physical causes and the philosophy of labour. As the doctrines which, from some inexplicable cause, have acquired so much popularity, appear to us both false and pernicious, we shall attempt, with as much brevity as possible, to expose their absurdity.

There are stars, it is said, of which the light has not yet travelled through the space that separates them from the eye of man; and it is possible that the blaze of glory which dazzles all the young politicians between Charing-Cross and Westminster Hall may not yet have reached our more remote readers. In order, therefore, that our remarks on the Report of Major Moody may be clearly understood, we shall give a short account of the circumstances under which it appeared.

By the Act which abolished the trade in slaves, the King was empowered to make regulations for the employment and

support of Negroes, who, under the provisions of that Act, or in the course of hostilities with foreign States, might be rescued from their kidnappers. Some of the liberated Africans were, in consequence, admitted into the army and the navy. Others were bound apprentices in the colonies: and of these last many were settled at Tortola.

In the year 1821, the House of Commons presented an address to the King, requesting that commissioners might be sent to ascertain the condition of these people, and to report it to the Government. Major Moody was selected for this purpose by the Colonial Office. Mr Dougan, a gentleman to whose talents and integrity the Major bears the highest testimony, was joined with him in the commission. But Mr Dougan, whatever his good qualities may have been, was under the influence of some unhappy prejudices, from which his colleague appears to have been wholly free. He had been led to adopt the extravagant notion that the Africans were his fellow-creatures; and this delusion betrayed him into errors which Major Moody, to his eternal honour, endeavours to palliate, but which a less candid and amiable censor would have stigmatized with the severest reprehension. Our readers will be shocked to hear that an English gentleman actually desired a black apprentice, during a long examination, to take a seat! and they will be touched by the delicacy and generosity of the Major, who mentions this disgraceful occurrence 'only,' as he says, 'to show the bias on the mind of his colleague when one 'of the African race was concerned with a white person.'*

At length some female Africans in the service of a person named Maclean, were brought before the Commissioners. By their statement, and by the confession of the master himself, it appeared that they had been cruelly treated. Maclean, too, it appeared, had no legal right to them: For they had been originally apprenticed to another person, and the indentures had never been transferred. Mr Dougan thought it desirable to take advantage of this circumstance, and at once to place them in a more comfortable situation; and he prevailed on his colleague to concur with him in recommending the case to the particular consideration of the collector. In the mean time, however, Maclean wrote to the Commissioners, requesting them to revise their proceedings, and most impudently telling them, at the same time, *that he had whipped the apprentices with tamarind switches for daring to bear evidence against him!* Mr Dougan seems to have imagined

* First Part of Major Moody's Report, page 103.

that such conduct was grossly insulting to the Commissioners, and to the government which employed them. He probably thought too, that to re-examine persons who had been flogged for what they had stated on a former examination, would be to violate every principle of equity and reason. On this point, it appears that Major Moody was of a different opinion; and conceived that truth was likely enough to be obtained from a witness who had just learned that if his evidence be disagreeable to the accused party, he will undergo severe chastisement. A rupture took place. The apprentices, we should perhaps say the slaves, remained with Maclean; and Mr Dougan returned to England.

But we really cannot continue to speak ironically on a subject so serious. We do earnestly and gravely assure Major Moody, that we think his conduct, on this occasion, most unjust and unreasonable. Lord Bathurst seems to have entertained the same opinion: For in consequence of orders sent out from England, the wretched women were taken from Maclean and apprenticed to another master.

Mr Dougan now returned to the West Indies; and the disputes between him and his colleague recommenced. At length both were recalled. Mr Dougan drew up a report of the proceedings under the commission. The Major refused to concur in it, and presented a separate statement in answer to it. Mr Dougan, while labouring under a fatal malady, prepared a reply. This document has, since his death, been transmitted to the Colonial Office, and will, of course, be published with all expedition.

Mr Dougan thought it sufficient to perform the duty with which he was charged. His report is therefore, what it professes to be, an account of the condition of the liberated Africans. But the genius of the Major was not to be confined within limits so narrow. He had command, without stint, of the public paper and the public type. He conceived that the opportunity was not to be lost—that now or never was the time to be a philosopher like his neighbours, and to have a system of his own, which might be called after his name. The history of the liberated Africans forms, therefore, a mere episode in his plan. His report is, in substance, a defence of West Indian slavery, on certain new principles, which constitute what he is pleased to call the Philosophy of Labour.

His theory has met with a very flattering reception from those who are favourably inclined to the Colonial system, because they dread innovation, because they hate the saints, or because they have mortgages on West Indian plantations.

Unable themselves to defend their opinion, but obstinately determined not to renounce it, they are pleased with a writer who abounds in phrases which sound as if they meant something, and which, in the chat of a drawing-room, or in the leading article of a newspaper, supply the place of a reason very creditably.

We come to the consideration of the Report with no such bias upon our minds, and we have, therefore, formed a very different estimate of it. We think that it is, in matter and manner, the worst state-paper that we ever saw. The style is the jargon of a tenth-rate novelist, engrafted on that of a tenth-rate pamphleteer. It abounds with that vague diction which the political writers of France have invented, and by which they often contrive to keep up appearances in spite of the most abject mental poverty. At certain distances, and in certain lights, this paste and pinchbeck logic serves its purpose respectably; and to this, unquestionably, the Major owes the greater part of his reputation. The highest compliment which we can, with any sincerity, pay to him, is to say, that he has some faults in common with Montesquieu—a writer whom he evidently regards with great admiration. He calls one of the silliest remarks of the lively President profound—an epithet which would have amazed us if we had not recollected that the terms in which we describe magnitudes, whether material or intellectual, are only relative,—that the Grildrig of Brobdignag may be the Quinbus Flestrin of Lilliput. The theories of Montesquieu are gone where the theories of the Major will soon go. But though Montesquieu could not keep his doctrines alive, he understood how to embalm them. Their mummies are beyond all price. The mouldering remains are valued, for the sake of the intricate folds in which they are swathed up, the sweet and pungent spices with which they are seasoned, and the gilded hieroglyphics with which they are emblazoned. The Major has no such skill. Abundance of italics, and occasional flowers of speech from the Emmelines and Adelines of the Minerva Press, are the only ornaments which set off his speculations. If our object were to render him ridiculous, we could easily fill our pages with solecisms, with affected phrases, with sentences of which the obscurity would leave the most sagacious interpreter at a fault. But this is not our intention. We shall direct our attacks against the great principles of his theory. To find these out, indeed, is no easy task: For the work has neither beginning nor end. The author, instead of taking the trouble to state his propositions, and class his arguments for himself, has left the whole of that task to his opponents, and has made it as

difficult as possible by the most elaborate artifice of disorder. We shall do our best, however, to perform it faithfully, and to separate the most important passages from much curious matter concerning the feudal system—the chisel of Phidias—the marriage in Cana of Galilee—the difference between Theory and Practice—the choice of Hercules—the peace and happiness of rural life—the rape of the Sabines—the Supreme Being—and Major Moody himself.

The first great principle, then, which the Major professes to have discovered is this, that there exists between the White and Black races an Instinctive and unconquerable aversion, which must for ever frustrate all hopes of seeing them unite in one society on equal terms. We shall consider in succession the facts from which he draws this bold conclusion.

By the constitution of Hayti, it seems, no white man of any nation can be a master or proprietor in that island. From this circumstance the Major deduces the following inferences.

'It seems as if each party, when in power, acts as if it was mutually thought the two races could not exist together, in the same community, with equal political powers, from the operation of some powerful causes, which do not appear to have been felt in England in former ages, when her inhabitants were composed of freemen and slaves, or when national distinctions among people living in the same country formed a political barrier between Britons and Romans, or Saxons and Normans.' *

Moreover a young Haytian, named Moyse, about thirty years ago, complained of the attention which Toussaint Louverture paid to the interests of the Europeans, and declared that he should never like the whites till they should restore to him the eye which he had lost in battle with them! This last important anecdote the Major prints in italics, as quite decisive. † The poor Haytian must have been best acquainted with the origin of his own feelings; and, as he ascribed them to a cause which might well account for them, it is difficult to divine why any other should be assigned. The liberality of Toussaint, also, is at least as strong an argument against the hypothesis of Major Moody, as the animosity of Moyse can be in its favour.

From the law which declares white men incapable of becoming proprietors in Hayti, nothing can be inferred. Such prohibitions are exceedingly foolish; but they have existed, as every person knows who knows any thing of history, in cases

* Major Moody's Second Report, p. 29.

† Ibid. p. 45.

where no Natural antipathy can be supposed to have produced them. We need not refer to the measures which the Kings of Spain adopted against their Moorish subjects—to that tyranny of nation over nation which has, in every age, been the curse of Asia—or to the jealous policy which excludes strangers, of all races, from the interior of China and Japan. Our own country will furnish an example strictly in point. By the common law of England, no alien whatever can hold land, even as a tenant. The natives of Scotland remained under this incapacity, till the two divisions of the island were united under James the First: and even then, the national prejudice was strong against the removal of the disability. The House of Commons was decidedly averse to it. The Court, in consequence, had recourse to a measure grossly unconstitutional. The Judges were persuaded to *declare* that to be law which the Parliament could not be persuaded to *make* law; and even thus it was found impossible to remove the restriction from Scotchmen born before the Union of the Crowns.

The Major ought to be well acquainted with these proceedings. For Lord Bacon, of whom he professes himself a disciple, appeared as counsel for the post-nati. It is amusing to consider what the feelings of that illustrious man would have been, if some half-taught smatterer of his philosophy had risen to oppose him with such arguments as these. 'The English 'can never amalgamate with any foreign nation. The exis- 'tence and the popularity of such a law as this sufficiently 'prove that *some* powerful cause operates upon our countrymen, 'which does not act elsewhere. Our ancestors always felt 'that, although in other countries foreigners may be permitted 'and even encouraged by the natives to settle among them, no 'such mixture could take place here. I have been credibly 'informed also, that a Scotchman whose eye was struck out 'in a fray forty years back, swore that he never could bear the 'sight of a Southern after.' With what a look would Sir Francis have risen to annihilate such an argument! What mirth would have shone in his eyes! What unsavoury similitudes would have risen to his lips! With what confusion would the dabbler in experimental science have shrunk from a conflict with that all-embracing and all-penetrating mind, which fancy had elevated but not inebriated, which professional study had rendered subtle, but could not render narrow. As the Major seems very willing to be an experimental philosopher, if he knew how to set about it, we will give him one general rule, of which he seems never to have heard. It is this. When the phenomena can be explained by circumstances

which, on grounds distinct from those phenomena, we know to exist, we must not resort to hypothetical solutions. We are not entitled to attribute the hatred which the Haytian Blacks may have felt towards the Whites to any latent physical cause, till we have shown that the ordinary principles of human nature will not explain it. Is it not natural, then, that men should hate those by whom they have been held in slavery, and to whom they have subsequently been opposed in a war of peculiar ferocity? Is it not also perfectly agreeable to that law of association, from which so large a portion of our pains and pleasures is derived, that what we have long regarded as a distinguishing badge of those whom we hate should itself become hateful to us? If these questions be answered in the affirmative, the aversion which the Haytian Negroes are said to entertain towards the Whites is at once explained.

The same remark applies to all that the Major has said respecting the state of public feeling in North America. The facts of the case he has stated quite correctly. It is true that, even in those States of the Union which have abolished slavery, the free Blacks are still regarded with disgust and contempt. The most benevolent inhabitants of New England and New York, conceive that liberty itself will scarcely be a blessing to the African, unless measures be taken for removing him to some country where he may not be reminded of his inferiority by daily insults and privations. Hence Major Moody thought himself, as he tells us,

— ' justified in the inference, that some powerful causes must be in action, and that those of a physical nature had not been overcome by mere legal exactments.' *

It cannot be doubted that some powerful cause has been in action. But that it is a physical cause, is not quite so clear. The old laws have no doubt produced a state of public feeling, which their repeal cannot at once correct. In all the States the Negro colour *has been* the livery of servitude. In some it still *is* so. The connexion between the different commonwealths of the confederation is so close, that the state of feeling in one place must be influenced by the state of the laws in another. This consideration is surely sufficient to explain all the circumstances to which the Major refers. It is for him to show, that an aversion for which *slavery* alone will sufficiently account is really the effect of *blackness*. He would, we believe, find it as easy to prove that there is something *naturally* and universally loathsome in the cut and colour of a prison uniform.

* Second Part of Major Moody's Report, page 27.

That the complexion of the free African renders his condition more unfortunate, we acknowledge. But why does it produce this effect? Not, surely, because *it is* the degrading circumstance, but because it is clear, instantaneous, and irrefragable *evidence* of the degrading circumstance. It is the only brand which cannot be counterfeited, and which cannot be effaced. It is borne by slaves and their descendants; and it is borne by no others. Let the Major prove, that, in any society where personal bondage has never existed, the whites and blacks have felt this mutual dislike. Till he can show this, he does nothing.

But, it seems, an anonymous writer in South America, some years ago, declared, that the blacks never could amalgamate with the whites. * That a man who had passed his life among negro *slaves* should transfer to their colour the feelings of contempt with which he regarded their condition, and the mean vices to which that condition necessarily gave birth, was perfectly natural. That he should suppose a feeling, of which he could not remember the origin, to be instinctive, was also natural. The most profound thinkers have fallen into similar errors. But that a man in England should believe all this, only because a man at Bogota chose to write it, argues a strange degree of credulity. Such vague authority is not sufficient to establish a fact. To quote it in support of a general proposition, is an insult to common sense. The expressions of this Columbian prove only, what the refusal of the Major to let a negro sit in his presence proves as satisfactorily, that there are very weak and very prejudiced people in the world.

Feelings exactly similar to those which are unhappily so common among the whites of the United States, have often existed in cases where it is impossible to attribute them to physical causes. From a time beyond the researches of historians, an impassable gulf has separated the Brahmin from the Paria. The Jews were long regarded by the Spaniards and Portuguese with as much contempt and hatred as the white North American feels for the man of colour. The cases, indeed, are strikingly similar. The national features and rites of the Hebrews, like the black skin and woolly hair of the Africans, visibly distinguished them from the rest of the community. Every individual of the race bore about him the badges of the synagogue. Baptism itself could not wash away the distinction. Conversion might save him from the flames; but the stigma was indelible —he bore it to the grave—he bequeathed it to his children—

* Second Part of Major Moody's Report, p. 23.

his descendants, as long as their genealogy could be traced, were objects of scorn to the poorest Castilian peasant, who gloried in the name of an old Christian.

But we will not multiply examples in a case so plain. We hasten to another argument, on which Major Moody dwells with peculiar complacency. At this, indeed, we do not much wonder. It is entirely his own. He is the first writer who ever used it, and we venture to prophecy that he will be the last. We speak of his remarks on the influence of the sexual passion. We will give his own words :—

'In such communities as I have referred to, an observer will not fail to discover the want of a certain class of sympathies, which are daily seen in action when men of the same race live together, even in republics, like the United States of America, although a portion of the community consisted of men of different nations and habits, but yet resembling each other in external form, colour, features, &c.

'I allude to the extraordinary rarity of virtuous unions having taken place between the males and females of the pure Negroes and the pure Whites in America. I certainly have heard of such unions as in certain classes of society are seen in London; but in America, they were considered rather as very extraordinary occurrences, particularly if the male should be a pure negro, and the female a pure white. On the other hand, when the female is an African, lust, aided by fear or avarice, has often led to an illicit union between the sexes.....

'In the New World of America, virtuous unions between the extreme colours of black and white are always considered something in violation of the ordinary sympathies which spring from a pure affection, and therefore derogatory to the feelings of caste; for even the free coloured females, I understand, would have a reluctance, if advanced in civilization, to form a virtuous union with a pure negro.....

'Some of the intelligent free negroes of the United States, with whom I often conversed, for the express purpose of personal observation, felt the ban under which they were put, by the influence of prejudice, as they considered it, after the laws of the country had declared them free, and equal to any other citizen of the State; and, in the confidence inspired by my inquiries about their situation, I was often asked if, in England, white women did not marry black men? And, with apparent simplicity, it was inquired why the American white women were so prejudiced against black men? ...

'Those who merely refer the degraded state of the free Africans or Blacks to their having been formerly slaves, and leave out of their consideration the consequences arising from physical differences in form, colour, feature and smell, influencing those general ideas of beauty, creating that passion of love that most commonly leads to a

virtuous union of the sexes of different nations, must be considered as having taken a very narrow view of the question, from the prevalent custom of merely referring to moral causes alone, and omitting all references to those of a physical nature, though still more powerful in their effect.' *

This extraordinary argument is concluded by a touching representation of the refinement which modesty gives to pleasure, and of the happiness of being cherished and beloved, which, we hope, will edify the young gentlemen of the Colonial Office, but which has, we think, little to do with the question. This, therefore, we omit, as well as the pious appeal to the God of Truth, which follows it.

Is it possible that the Major does not perceive how directly all his statement leads towards a conclusion, diametrically opposite to that at which, by some inconceivable process, he has managed to arrive? We will give him an answer. But we really hope that he is the only one of our readers who will need it.

The passion of the sexes is a natural appetite. Marriage is a civil and religious institution. Where, therefore, between two classes of people, the passion exists, but marriage is not practised, it is evident that nature impels them to unite, and that acquired feelings only keep them asunder.

Now, Major Moody just reverses this mode of reasoning. Because the Whites form with the Blacks those illicit unions, to which the motive is physical, but do not form those legitimate unions to which the motive is moral, he actually infers that the cause which separates the races is not moral, but physical! In the same manner, we presume, he would maintain, that a man who dines heartily without saying grace, is deficient, not in devotion, but in appetite.

The story which he tells respecting the free blacks, with whom he conversed in the United States, is alone sufficient to show the absurdity of his hypothesis. From his own account, it is plain that these blacks had no antipathy to white women. The repugnance was all on one side. And on which side? On that of the privileged class, of those whose superiority was till lately recognised by law, and is still established by custom. Is this a phenomenon so extraordinary that we must have recourse to a new instinct to account for it? Or may it not be explained into the same causes which in England prevent a lady from marrying a tinker, though the tinker would gladly marry the lady?

In the last century, the dissipated nobles of France lavished

* Second Part of Major Moody's Report, pages 19 and 20.

their wealth with the wildest profusion on actresses and opera girls. The favour of a distinguished heroine of this class, was thought to be cheaply purchased at the price of jewels, gilded coaches, palaces blazing with mirrors, or even of some drops of aristocratic blood. Yet the poorest gentleman in the kingdom would not have married Clairon. This, Major Moody would say, proves that men who wear swords, feathers, and red-heeled shoes, entertain a natural aversion to women who recite verses out of Andromaque and Tartuffe. We think that we could hit on a different explanation.

It happens, indeed, rather unluckily, that, of the phenomena which the Major recounts, there is none which cannot be satisfactorily explained into moral causes, and none which can possibly be explained into physical causes. White women, says he, much more rarely form licentious connexions with black men, than white men with black women. And this is a proof that the aversion of the two races is natural. Why, if it were natural, does it not influence both sexes alike? The principles to which these facts must be referred, are principles which we see in daily operation among ourselves. Men of the highest rank in our country are frequently engaged in low amours. The wife or daughter of an English gentleman very seldom forgets herself so far. But who ever thought of attributing this to physical causes?

The Major, however, is resolved not to leave himself unrefuted in any point. 'Even the free *coloured* females,' says he, 'would 'have a reluctance, if *advanced in civilization*, to form a virtu-'ous union with a pure negro.' He cannot pretend to believe that any physical cause operates here: and, indeed, distinctly attributes the reluctance of the coloured female to her advancement in civilization. That is to say, he distinctly acknowledges that certain acquired habits, and certain advantages of rank and education, are alone sufficient to produce those effects which, according to his own theory laid down in the same page, can only result from natural organization.

The Major tells us, that the colour, the features, and the other peculiarities of the black race, excite the disgust of Europeans. Here his testimony is at variance with that of almost all the writers on the subject with whom we are acquainted. Travellers and historians innumerable, have asserted, that white men, in the torrid zone, generally prefer black females to those of their own country. Raynal, if we remember rightly, gives a very rational explanation of the circumstance. It is needless, however, to attack the Major with authorities from other writers. He may easily be refuted out of his own mouth. How can the physical peculiarities of the African race be more

offensive in the wife than in the concubine? It is quite needless to inquire into the origin of the different opinions which people, in different situations, form on the subject of beauty. It is quite enough for us at present to discover, that if a man does not think a woman too ugly to make her his mistress, it cannot surely be on account of her ugliness that he does not make her his wife.

In England white women not unfrequently marry black men. We have ourselves known several such instances. Yet if the external appearance of the negro were such as naturally to inspire aversion, that feeling would be more strongly excited in a country of which the inhabitants are not familiarized by use to the revolting spectacle. This consideration alone would satisfy us that the real cause of the horror with which the Whites in some other countries shrink from the thought of marriage with an African is to be found, not in physical, but in political and moral circumstances. We entertain little doubt, that when the laws which create a distinction between the races shall be completely abolished, a very few generations will mitigate the prejudices which those laws have created, and which they still maintain. At that time, the black girl, who, as a slave, would have attracted a white lover, will, when her father has given her a good education, and can leave her a hundred thousand dollars, find no difficulty in procuring a white husband.

We have perhaps dwelt too long on the feeble and inconsistent arguments which the Major has urged in support of his hypothesis. But we were desirous, before we entered on that part of his work which relates to questions of more difficulty, to furnish our readers with a specimen of his logical powers. They will perhaps be inclined to suspect, that a man who reasons thus on one subject, is not very likely to reason justly on any.

We now come to the second great principle which Major Moody conceives himself to have established. It may be stated thus. The inhabitants of countries lying within the torrid zone can be induced to engage in steady agricultural labour only by necessity. The barrenness of the soil, or the density of the population may create that necessity. In Hindostan, for example, the peasant must work or starve. But where a few inhabitants are thinly scattered over a fertile country, they will be able to procure a subsistence with very little exertion. With a subsistence they will be content. The heat renders agricultural labour so painful that those who are their own masters will prefer the enjoyment of repose to any of the comforts which they might be able to procure by regular industry. For this

evil the only remedy is coercion, or, in other words, slavery. Such are the elements of the new philosophy of labour.

It may be doubted whether these doctrines, if admitted, would amount to a vindication of slavery. It does not appear to us quite certain that we are justified in compelling our fellow-creatures to engage in a particular employment, merely because that employment gives them exquisite pain. If a large portion of the human race be really placed in regions where rest and shade are the most delightful luxuries which they can enjoy, a benevolent man may perhaps be of opinion that they ought to be suffered to doze in their huts, except when necessity may drive them to employ an occasional hour in angling, gathering berries, or scattering a little rice in the marshes. We are entitled to demand that this point shall be saved to us; but we do not foresee that we shall need it. We assert, and will prove, that Major Moody has not established his theory; that he has not even raised a presumption in its favour; and that the facts on which he relies are either such as have no relation to the question, or such as occur daily in every climate of the globe.

We will begin with the case with which Major Moody would have done well both to begin and end—the case of the liberated Africans who were placed in Tortola. We must premise, that no experiment was ever made under circumstances less favourable. The Negroes, when received from the holds of the slave-ships, were in a state of extreme weakness and disease. Of six hundred and seventeen Blacks who were taken from the Venus and the Manuella, two hundred and twenty-two died before they could be settled as apprentices. * The constitutions of many who survived were completely broken. By the masters to whom they were apprenticed, they were frequently treated with inhumanity. The laws and institutions of Tortola, framed for a society made up of masters and slaves, were, as the Major himself states, by no means fitted for the regulation of such a class of persons as the apprenticed Africans. The poorer freemen of every colour felt an enmity towards people who were about to intrude themselves into those trades of which they possessed a monopoly. The planters were not inclined to look with favour on the first fruits of the abolition. Apprentices are, in every part of the world, noted for idleness. The degree of that idleness is in general proportioned to the length of the term for which they are bound to an unrequited service. The man who expects soon to be his own master, may exert himself to acquire skill in the business by which he is to sub-

* Mr Dougan's Report, page 7.

sist. He, on the other hand, who expects to waste half of his life in labour without remuneration, will generally do as little as he possibly can. The liberated Africans were most injudiciously apprenticed for fourteen years, and some even for a longer time. They had neither the motive of the freeman, nor that of the slave. They could not legally demand wages. They could not legally be subjected to the driver. Under these disadvantages was the trial made. And what was the result?

Major Moody examined into the conduct of sixty-one apprenticed negroes who had been rescued from the Manuella. The masters and mistresses were carefully interrogated. It appears from the schedules signed by the Major himself, that good characters were given to forty. Nine only appeared to be idle and disorderly. With respect to twelve, no decisive information was obtained. A similar inquiry took place respecting fifty-five apprentices who had formed part of the cargo of the Venus. Good accounts were received of forty. Only six were described as idle and disorderly.

Among sixty-five negroes who had been taken from the Candelario, there was not a single instance of grossly bad conduct. Fifty-seven received fair characters for honesty and industry.

Lastly, of one hundred and ten negroes who had been on board of the Atrevido, only four are characterized as decidedly worthless. Nine may be considered as doubtful. A favourable report is given of the remaining ninety-seven.

These facts, as we have said, we find in the papers signed by the Major himself. He has not, it is true, thought it necessary to give us the result of his inquiries in the Report so compendiously as we now exhibit it. He dwells at great length on particular cases which prove nothing. He fills page after page with the nonsense of planters who had no apprentices, who evidently knew nothing about the apprentices, and who, in general terms, proving nothing but their own folly and malevolence, characterized the whole race as idle, disorderly, quarrelsome, drunken, greedy. But, from the beginning to the end of the Report, he has not been able to spare three lines for the simple fact, that four-fifths of these vilified people received excellent characters from their actual employers, from those who must have been best acquainted with their disposition, and who would have lost most by their idleness. Whoever wishes to know how Daniel Onabott broke his wife's nose—how Penelope Whan whipped a slave who had the yaws, how the Major, seventeen years ago, went without his supper in Guiana—how the arts and sciences proceeded north-

ward from Carthage till they were stopped by the frozen zone, may find in the Report all this interesting information, and much more of the same kind. But those who wish to know that which Major Moody was commissioned to ascertain, and which it was his peculiar duty to state, must turn over three hundred folio pages of schedules. The Report does not, as far as we have been able to discover, give the most distant hint of the discoveries which they will make there.

We have no idea of charging the Major with intentional unfairness. But his prejudices really seem to have blinded him as to the effect of the evidence which he had himself collected. He hints that his colleague had privately prepared the apprentices for the examination. Of the justice of this charge we shall be better able to judge, when the answer of Mr Dougan shall make its appearance. But be it well founded or not, it cannot affect *our* argument. The Major does not pretend to insinuate, that any arts were practised with *the masters*, and it is on the testimony of the masters alone that we are willing to rest our case. Indeed, the evidence which was collected by the Major in the absence of his colleague, and which we must therefore suppose to be perfectly pure, tends to the same effect, and would alone be sufficient to show, that the apprentices have, as a body, conducted themselves in a manner which, under any circumstances, would have been most satisfactory.

It is perfectly true, that a knot of slave-owners, forming the legislature of Tortola, petitioned the Government to remove these apprentices from the island. From internal evidence, from the peculiar cant in which the petition abounds, and from the sprinkling of bad grammar which adorns it, we are half inclined to suspect that it is the Major's own handywork. At all events, it is curious to see how he reasons on it. It is curious to see how the Major reasons on this fact:—

'Doubtless the legislature of Tortola may be mistaken in their opinions; but the mere fact of their agreeing to sign such a petition, shows they really did think, that the labour of the African apprentices, when free, would not be useful to them or the colonists generally.

'And this fact alone, my Lord, is calculated to excite important reflections, as to the character of the free Africans, for industry in West Indian agriculture.

'Is it probable, that mere prejudice against the colour of a man's skin could ever induce any body of people, like the Tortola petitioners, to make a request so apparently absurd, as that of removing from their colony a numerous body of Africans, consisting of able bodied men and women, if they were as willing as they were capable

of working, and increasing the value of the land now given to pasturage, for want of cultivators to be employed therein?' *

We earnestly request our readers to observe the consistency of Major Moody. When his object is to prove, that whites and blacks cannot amalgamate on equal terms, in one political society, he exaggerates every circumstance which tends to keep them asunder. The physical differences between the races, he tells us, practically defeat benevolent laws. No Act of Parliament, no order in Council, can surmount the difficulty. † Where these differences exist, the principles of republican equality are forgotten by the strongest republican. Marriage becomes an unnatural prostitution. The Haytian refuses to admit the white to possess property within the sphere of negro domination. The most humane and enlightened citizen of the United States, can discover no means of benefiting the free African, but by sending him to a distance from men of European blood. 'I should ill perform my duty,' says the Major, 'if I suppressed all mention of a physical cause like this, which in practice 'is found to have an effect so powerful, however the philanthropist or the philosopher may regret it, and however, it may be 'beyond their power to remove it by legislative means.' ‡ But, when it is desirable to prove the idleness of the free African, this omnipotent physical cause, this instinct against which the best and wisest men struggle in vain, which counteracts the attraction of sex, and defies the authority of law, sinks into a 'mere prejudice against the colour of a man's skin,' an idle fancy, which never could induce any body of people to remove able bodied men and women from their country, if those men and women were willing to work. Are all the free negroes of North America infirm, or are they all unwilling to work? They live in a temperate climate, and to them the Major's theory does not apply. Yet the whites are subscribing to transport them to another country. Why should we suppose the planters of Tortola to be superior to feelings, which some of the most respectable men in the world are disposed to gratify, by sending thousands of people, at a great expense, from a country greatly understocked with hands?

It is true that the apprenticed Africans were not employed in the cultivation of the soil. The cause is evident. They could not legally be so employed. The Order in Council under the authority of which they were put out to service, provided

* First Part of Major Moody's Report, p. 125.

† Second Part of Major Moody's Report, p. 20. and 21.

‡ Second Part of Major Moody's Report, page 21.

that no woman should be employed in tillage. The blank form of indenture sent out by the government contained a similar restriction with regard to the males.

We are, however, inclined to believe with the Major, that these people, if they had been left to take their own course, would not have employed themselves in agriculture. Those who have become masters of their time, rarely do so employ themselves. We will go further. We allow that very few of the free blacks in our West Indian islands, will undergo the drudgery of cultivating the ground. Major Moody seems to think that, when this is granted, all his principles follow of course. But we can by no means agree with him. In order to prove that the natives of tropical countries entertain a peculiar aversion to agricultural labour, it is by no means sufficient to show that certain freemen, living in the torrid zone, do not choose to engage in agricultural labour. It is, we humbly conceive, necessary also to show, that the wages of agricultural labour are, at the place and time in question, at least as high as those which can be obtained by industry of another description. It by no means follows, that a man feels an insurmountable dislike to the business of setting canes, because he will not set canes for sixpence a day, when he can earn a shilling by making baskets. We might as well say, that the English people dislike agricultural labour, because Major Moody prefers making systems to making ditches.

Obvious as these considerations are, it is perfectly clear that Major Moody has overlooked them. From the Appendix to his own Report it appears, that in every West Indian island the wages of the artisan are much greater than those of the cultivator. In Tortola, for example, a carpenter earns three shillings sterling a day, a cartwright or a cooper four shillings and sixpence, a sawyer six shillings; an able-bodied field negroe, under the most advantageous circumstances, nine pounds a year, about seven pence a day, allowing for holidays. And because a free African prefers six shillings to sevenpence, we are told that he has a natural and invincible aversion to agriculture!—because he prefers wealth to poverty, we are to conclude that he prefers repose to wealth. Such is the mode of reasoning which the Major designates as the philosophy of labour.

But, says the Major, all employments, excepting those of the cultivator and the domestic servant, are only occasional. There is little demand for the labour of the carpenter, the cooper, and the sawyer. Let us suppose the demand to be so incredibly small, that the carpenter can obtain work only one day in six, the cooper one day in nine, and the sawyer one day

in twelve; still the amount of their earnings will be greater than if they broke clods almost daily through the whole year. Of two employments which yield equal wages, the inhabitants of all countries, both within and without the tropics, will choose that which requires the least labour. Major Moody seems throughout his Report to imagine, that people in the temperate zone work for the sake of working; that they consider labour, not as an evil to be endured for the sake of a good produced by it, but as a blessing, from which the wages are a sort of drawback; that they would rather work three days for a shilling, than one day for half a crown. The case, he may be assured, is by no means such as he supposes. If he will make proper inquiries he will learn, that, even where the thermometer stands at the lowest, no man will choose a laborious employment, when he can obtain equal remuneration with less trouble in another line. But it is unnecessary to resort to *this* argument; for it is perfectly clear, on Major Moody's own showing, that the demand for mechanical industry, though occasional and small, is still sufficient to render the business of an artisan much more lucrative than that of a field labourer.

'I have shown,' says he, 'that the sugar-planter himself, obtaining 287 days labour on the very cheapest terms, could not have afforded to give more than about 9*l*. per annum for labourers, and therefore, that he never could hope to induce any liberated African to work steadily for such wages, when the liberated African could obtain from 15*l*. to 21*l*. per annum by the irregular labour of occasionally cutting firewood, grass, or catching fish, &c.' . . . . . .

'This is the most favourable view of the case; for the fact is, the sugar-planter, on the very best soils in Tortola, could only afford to give 9*l*. per annum; but in soils of average fertility, he could only afford 6*l*. 15s. per annum to the labourer, even if the planter gave up all profits on his stock, consisting of lands, buildings, and machinery. If the liberated Negro would not labour steadily for 9*l*. per annum, it is clear he would be less likely to work for 6*l*. 15s. per annum; but if he did not work for less than that sum, the planter in Tortola could obtain no profit on stock, and consequently could have no motive for employing any person to work for such wages. The white race, being unable to work, must in this, as in all similar cases, perish, or abandon their country and property to the blacks, who can work, but who, as I have shown, are not likely to make use of more voluntary steady exertion than will afford the means of subsistence in the lowlands of the torrid zone, where the pleasure of repose forms so great an ingredient in the happiness of mankind, whether whites, blacks, or Indians.' *

* Second Part of Major Moody's Report, p. 72.

We really stand aghast at the extravagance of a writer who supposes that the principle which leads a man to prefer light labour and twenty-one pounds, to hard labour and six pounds fifteen shillings, is a principle of which the operation is confined to the torrid zone! But the matter may be put on a very short issue. Let Major Moody find any tropical country in which the inhabitants prefer mechanical trades to field labour, when higher advantages are offered to the field labourer than to the mechanic. He will then have done what he has not done hitherto. He will have adduced one fact bearing on the question.

If the circumstances which we have been considering prove any thing, they appear to prove the inexpediency of the coercive system. The effect of that system in the West Indies has been to produce a glut of agricultural labour, and a scarcity of mechanical dexterity. The discipline of a plantation may stimulate a sluggish body; but it has no tendency to stimulate a sluggish mind. It calls forth a certain quantity of muscular exertion; but it does not encourage that ingenuity which is necessary to the artisan. This is the only explanation which at present occurs to us of the enormous price which skilled labour fetches in a country in which the cultivator can barely obtain a subsistence. We offer it, however, with diffidence, as the result of a very hasty consideration of the subject. But it is with no feeling of diffidence that we pronounce the whole argument of the Major absurd. That he has convinced himself, we do not doubt. Indeed he has given the best proof of sincerity: For he has acted up to his theory; and left us, we must confess, in some doubt whether to admire him more as an active or as a speculative politician.

Many of the African apprentices emigrated from Tortola to the Danish island of St Thomas, some with the consent of their masters, and others without it. Why they did so, is evident from the account which the Major himself gives. The wages were higher in St Thomas than in Tortola. But such theorists as the Major are subject to illusions as strange as those which haunted Don Quixote. To the visionary Knight every inn was a castle, every ass a charger, and every basin a helmet. To the Major every fact, though explicable on ten thousand obvious suppositions, is a confirmation of his darling hypothesis. He gives the following account of his opinions and of his consequent measures.

'The occupations followed by the apprentices in the Danish island of St Thomas, on these occasions were generally the irregular and occasional industry of porters, servants on board vessels, &c.,

in which they often got comparatively high wages, which enabled them to work for money at one time in order to live, without working for a longer or shorter period; such a mode of existence being more agreeable to them than steady and regular industry affording employment during the whole year.

'From this irregular application to certain kinds of labour and dislike to that of agriculture, it was my wish to turn the attention of the African apprentices, and therefore I was anxious to prevent their running away to the Danish island of St Thomas, or being sent there. His Excellency Governor Van Scholton afforded me every facility in removing them; but they soon returned again, as the proximity of the islands, and the frequent intercourse rendered it impossible to prevent those Africans from going who might wish it, either from the severe treatment of their employer, or their own wish to be masters of their time. It will also be seen that in St Thomas they were liable to be taken up and sold as slaves, as was actually the case with one apprentice. It is not undeserving of remark, that not one of the apprentices who thus withdrew themselves from Tortola ever hired themselves to agricultural labour for any fixed period.'

'The occasional high wages in irregular kinds of industry, however uncertain, appear to have pleased them better than the permanent rewards procured by an employment less exposed to uncertainty, but which required a steady exertion.' †

What the permanent rewards of agricultural labour were in Tortola, we have seen. The planter would have found it ruinous on most estates to give more than six pounds fifteen shillings a year, or about fourpence a day. Unless, therefore, they were much higher in St Thomas, it is surely not extraordinary that they did not induce these apprentices to quit the employments to which, not by their own choice, but by the orders of the Government, they had been trained, for a pursuit uncongenial to all their habits. How often is it that an Englishman, who has served his apprenticeship to an artisan, hires himself to agricultural labour when he can find work in his own line?

But we will pass by the absurdity of condemning people for preferring high wages with little labour, to low wages with severe labour. We have other objections to make. The Major has told us that the African apprentices could not legally be employed in agriculture on the island of Tortola. If so, we wish to know how their dislike of agricultural labour could be their motive for quitting Tortola, or how, by bringing them back to Tortola, he could improve their habits in that respect? To bring a man by main force from a residence which he likes, and to place him in the hands of an employer acknow-

† First Part of Major Moody's Report, page 57.

ledged to be cruel, for fear that he may possibly be made a slave, seems to us also a somewhat curious proceeding, and deserves notice, as being the only indication of zeal for liberty which the Major appears to have betrayed during the whole course of his mission.

The Major might perhaps be justified in exerting himself to recover those apprentices who had emigrated without the consent of their masters. But with regard to the rest, his conduct appears to have been equally absurd and mischievous. He repeatedly tells us that Tortola is a poor island. It appears from the schedules, that he was in the habit of asking the masters and mistresses, whether their apprentices, after the term of service should have expired, would be able to support themselves. In the case of some most respectable and industrious workmen, the answer was, that they possessed all the qualifications which would enable them to earn a livelihood; but that Tortola was too poor to afford them an adequate field: And this was evidently the cause which induced so many to transport themselves to St Thomas. Of all the innumerable instances in which public functionaries have exposed their ignorance by officiously meddling with matters of which individuals ought to be left to judge for themselves, we remember none more conspicuous than that which Major Moody has thus recorded against himself.

But it seems the industry of these emigrants, and indeed of the free Blacks generally, is not regular or steady. These are words of which Major Moody is particularly fond, and which he generally honours with Italics. We have, throughout this article, taken the facts as he states them, and contented ourselves with exposing the absurdity of his inferences. We shall do so now. We will grant that the free blacks do not work so steadily as the slaves, or as the labourers in many other countries. But how does Major Moody connect this unsteadiness with the climate? To us it appears to be the universal effect of an advance in wages, an effect not confined to tropical countries, but daily and hourly witnessed in England by every man who attends to the habits of the lower orders. Let us suppose, that an English manufacturer can provide himself with those indulgencies which use has rendered necessary to his comfort for ten shillings a week, and that he can earn ten shillings a week by working steadily twelve hours a day. In that case, he probably will work twelve hours a day. But let us suppose that the wages of his labour rise to thirty shillings. Will he still continue to work twelve hours a day, for the purpose of trebling his present enjoyments, or of laying up a hoard against bad times? Notoriously not.

He will perhaps work four days in the week, and thus earn twenty shillings, a sum larger than that which he formerly obtained, but less than that which he might obtain if he chose to labour as he formerly laboured. When the wages of the workman rise, he every where takes out, if we may so express ourselves, some portion of the rise in the form of repose. This is the real explanation of that unsteadiness on which Major Moody dwells so much—an unsteadiness which cannot surprise any person who has ever talked with an English manufacturer, or ever heard the name of Saint Monday. It appears by his own report, that a negro slave works from Monday morning to Saturday night on the sugar grounds of Tortola, and receives what is equivalent to something less than half-a-crown in return. But he ceases to be a slave, and becomes his own master; and then he finds that by cutting firewood, an employment which requires no great skill, he can earn *eight* shillings and fourpence a week. By working every other day he can procure better food and better clothes than ever he had before. In no country from the Pole to the Equator, would a labourer under such circumstances work steadily. The Major considers it as a strange phenomenon, peculiar to the torrid zone, that these people lay up little against seasons of sickness and distress—as if this were not almost universally the case among the far more intelligent population of England—as if we did not regularly see our artisans thronging to the alehouse when wages are high, and to the pawnbroker's shop when they are low—as if we were not annually raising millions, in order to save the working classes from the misery which otherwise would be the consequence of their own improvidence.

We are not the advocates of idleness and imprudence. The question before us is, not whether it be desirable that men all over the world should labour more steadily than they now do; but whether the laws which regulate labour within the tropics, differ from those which are in operation elsewhere. This is a question which never can be settled, merely by comparing the quantity of work done in different places. By pursuing such a course, we should establish a separate law of labour for every country, and for every trade in every country. The free African does not work so steadily as the Englishman. But the wild Indian, by the Major's own account, works still less steadily than the African. The Chinese labourer, on the other hand, works more steadily than the Englishman. In this island, the industry of the porter or the waterman, is less steady than the industry of the ploughman. But the great general principle is the same in all. All will work extremely hard rather than miss the comforts to which they have been habituated;

and all, when they find it possible to obtain their accustomed comforts with less than their accustomed labour, will not work so hard as they formerly worked, merely to increase them. The real point to be ascertained, therefore, is, whether the free African is content to miss his usual enjoyments, not whether he works steadily or not; for the Chinese peasant would work as irregularly as the Englishman, and the Englishman as irregularly as the negro, if this could be done without any diminution of comforts. Now, it does not appear from any passage in the whole Report, that the free blacks are retrograding in their mode of living. It appears on the contrary, that their work, however irregular, does in fact enable them to live more comfortably than they ever did as slaves. The unsteadiness, therefore, of which they are accused, if it be an argument for coercing them, is equally an argument for coercing the spinners of Manchester and the grinders of Sheffield.

The next case which we shall notice is, that of the native Indians within the tropics. That these savages have a great aversion to steady labour, and that they have made scarcely any advances towards civilization, we readily admit. Major Moody speaks on this subject with authority; for it seems that, when he visited one of their tribes, they forgot to boil the pot for him, and put him off with a speech, which he has reported at length, instead of a meal. † He, as usual, attributes their habits to the heat of the climate. But let us consider that the Indians of North America, with much greater advantages, live in the same manner. A most enlightened and prosperous community has arisen in their vicinity. Many benevolent men have attempted to correct their roving propensities, and to inspire them with a taste for those comforts which industry alone can procure. They still obstinately adhere to their old mode of life. The independence, the strong excitement, the occasional periods of intense exertion, the long intervals of repose, have become delightful and almost necessary to them. It is well known, that Europeans, who have lived among them for any length of time, are strangely fascinated by the pleasures of that state of society, and even by its sufferings and hazards. Among ourselves, the Gypsey race, one of the most beautiful and intelligent on the face of the earth, has lived for centuries in a similar manner. Those singular outcasts have been surrounded on every side by the great works of human labour. The advantages of industry were forced upon their notice. The roads on which they travelled, the hedges under which they rested, the

† Second Part of Major Moody's Report, p. 63.

hen-roosts which furnished their repast, the silver which crossed their palms—all must have constantly reminded them of the conveniences and luxuries which are to be obtained by steady exertion. They were persecuted under a thousand pretexts, whipped for vagrants, imprisoned for poachers, ducked for witches. The severest laws were enacted against them. To consort with them was long a capital offence. Yet a remnant of the race still preserves its peculiar language and manners—still prefers a tattered tent and a chance-meal of carrion to a warm house and a comfortable dinner. If the habits of the Indians of Guiana prove that slavery is necessary within the tropics, the habits of the Mohawks and Gypsies will equally prove, that it is necessary in the temperate zone. The heat cannot be the cause of that which is found alike in the coldest and in the hottest countries.

Major Moody gives a long account of the Maroon settlements near Surinam. These settlements were first formed by slaves, who fled from the plantations on the coast, about the year 1667. The society was, during the following century, augmented from time to time by fresh reinforcements of fugitive negroes. This supply, however, has now been for many years stopped. It is perfectly true, that these people were long contented with a bare subsistence, and that little of steady agricultural industry has ever existed amongst them. The Major again recurs to physical causes, and the heat of the sun. A better explanation may be given in one word, insecurity. During about one hundred years, the Maroons were absolutely run down like mad dogs. It appears from the work of Captain Stedman, to which the Major himself alludes, that those who fell into the hands of the whites were hung up by hooks thrust into their ribs, torn to pieces on the rack, or roasted on slow fires. They attempted to avoid the danger, by frequently changing, and carefully concealing their residence. The accidental crowing of a cock, had brought destruction on a whole tribe. That a people thus situated should labour to acquire property which they could not enjoy—that they should engage in employments which would necessarily attach them to a particular spot, was not to be expected. Their habits necessarily became irregular and ferocious. They plundered the colony—they plundered each other—they lived by hunting and fishing. The only productions of the earth which they cultivated, were such as could be speedily reared, and easily concealed. But during the last fifty years, these tribes have enjoyed a greater degree of security; and from the statement of Major Moody, who has himself visited that country, and who, though a wretched logi-

cian, is an unexceptionable witness, it appears, that they are rapidly advancing in civilization; that they have acquired a sense of new wants, and a relish for new pleasures; that agriculture has taken a more regular form; and that the vices and miseries of savage life are disappearing together.

'The young men among the Maroons acknowledged, that the conduct of the chiefs had become much better, in respect of not interfering with the wives of others, and that every body now could have his own wife.' . . . . .

'I observed, that they had adopted the system of sometimes domesticating wild animals, and rearing those already domesticated for food; that instead of always boucaning their meats, like the Indians, they now often used salt when they could get it; and, finally, that instead of depending on the forests for fruits, or cultivating roots which were soon reaped, and could easily be concealed, they had generally adopted the banana and plantain as a food, which requires about twelve months to produce its fruits, and the tree obtains a considerable height.' . . . . .

'I also found, that a certain degree of occasional industry had taken place among the Maroons. Some of these young men had devoted a few days in the year to cutting down trees which nature had planted. From such occasional labour they were enabled to procure finery for a favourite female, a better gun, or a new axe.' †

Surely this statement is most encouraging. No sooner was security given to these Maroons, than improvement commenced. A single generation has sufficed to change these hunters into cultivators of the earth, to teach them the use of domestic animals, to awaken among them a taste for the luxuries and distinctions of polished societies. That their labour is still only occasional, we grant. But this, we cannot too often repeat, is not the question. If occasional labour will supply the inhabitant of the temperate zone with comforts greater than those to which he is accustomed, he will labour only occasionally. These negroes are not only willing to work rather than forego their usual comforts, but are also willing to make some addition to their labour, for the sake of some addition to their comforts. Nothing more can be said for the labourers of any country. The principle which has made England and Holland what they are, is evidently at work in the thickets of Surinam.

That the habits of the fugitives were altogether idle and irregular till within the last fifty years, is nothing to the purpose. How much of regular industry was formerly to be found among the outlawed moss-troopers of our Border, or in the proscribed clan of the Macgregors? Down to a very late period, a large

† Second Part of Major Moody's Report, pages 49, 50, 52.

part of the Scotch people was as averse to steady industry as any tribe of Maroons. In the year 1698, Fletcher of Saltoun called the attention of the Scottish Parliament to this horrible evil. 'This country,' says he, 'has always swarmed with such numbers of idle vagabonds as no laws could ever restrain. There 'are at this day in Scotland two hundred thousand people 'begging from door to door, living without any regard or subjection to the laws of the land, or to even those of God and nature. No magistrate could ever discover or be informed 'which way one in a hundred of these wretches died, or that 'ever they were baptised.' He advises the Government to set them to work; but he strongly represents the difficulty of such an undertaking. 'That sort of people is so desperately wicked, 'such enemies of all work and labour, and, which is yet more 'amazing, so proud in esteeming their own condition above 'that which they will be sure to call slavery, that, unless prevented by the utmost industry and diligence, upon the first 'publication of any orders for putting in execution such a design, they will rather die with hunger in caves and dens, and 'murder their young children.' Fletcher was a brave, honest, and sensible man. He had fought and suffered for liberty. Yet the circumstances of his country shook his faith in the true principles of government. He looked with dismay on the mountains occupied by lawless chiefs and their gangs, and the lowlands cursed by the depredations of some plunderers and the protection of others. Every where he saw swarms of robbers and beggars. He contrasted this desolate prospect with the spectacle which Holland presented, the miracles which human industry had there achieved, a country rescued from the ocean, vast and splendid cities, ports crowded with ships, meadows cultivated to the highest point, canals along which hundreds of boats were constantly passing, mercantile houses of which the daily payments exceeded the whole rental of the Highlands, an immense population whose habits were sober and laborious, and who acquired their comforts, not by injuring, but by benefiting their neighbours. He did not sufficiently consider that this state of things sprung from the wisdom and vigour of a government, which insured to every man the fruits of his exertions, and protected equally the pleasures of every class, from the pipe of the mechanic to the picture-gallery and the tulip-garden of the Burgo-master;—that in Scotland, on the contrary, the police was feeble, and the gentry rich in men and destitute of money; that robbery was in consequence common; that people will not build barns to be burned, or rear cattle to be lifted; that insecurity produced idleness, and idleness crimes; that

these crimes again augmented the insecurity from which they had sprung. He overlooked these circumstances, and attributed the evil to the want of coercion. He censured the weak humanity of those fathers of the church who had represented slavery as inconsistent with Christianity. He cited those texts with which the controversies of our own times have rendered us so familiar. Finally, he proposed to convert the lower classes into domestic bondsmen. His arguments were at least as plausible as those of Major Moody. But how signally has the event refuted them! Slavery was not established in Scotland. On the contrary, the changes which have taken place there have been favourable to personal liberty. The power of the chiefs has been destroyed. Security has been given to the capitalist and to the labourer. Could Fletcher now revisit Scotland, he would find a country which might well bear a comparison with his favourite Holland.

The history of the Maroons of Surinam appears to us strictly analogous to that of the Scottish peasantry. In both cases insecurity produced idleness. In both security produces industry. The African community indeed, in the middle of the last century was far more barbarous than any part of the Scotch nation has ever been since the dawn of authentic history. Not one of the fugitives had ever been taught to read and write. The traces of civilization which they brought from the colony were very slight, and were soon effaced by the habits of a lawless and perilous life. Of late, however, their progress has been rapid. Judging of the future by the past, we entertain a strong hope that they will soon form a flourishing and respectable society. At all events, we are sure that their condition affords no ground for believing that the labourer, within the tropics, acts on principles different from those which regulate his conduct elsewhere.

We now come to the case of Hayti, a case on which Major Moody and his disciples place the strongest reliance. The Report tells us, that Toussaint, Christophe and Boyer, have all found it necessary to compel the free negroes of that island to employ themselves in agriculture—that exportation has diminished—that the quantity of coffee now produced is much smaller than that which was grown under the French government—that the cultivation of sugar is abandoned—that the Haytians have not only ceased to export that article, but have begun to import it—that the men indulge themselves in repose, and force the women to work for them; and, finally, that this dislike of labour can be explained only by the heat of the climate, and can be subdued only by coercion.

Now we have to say, in the first place, that the proofs which the Major brings refute each other. If, as he states, the Haytians are coerced, and have been coerced during the last thirty years, their idleness may be an excellent argument against slavery, but can be no argument against liberty. If it be said that the coercion employed in Hayti is not sufficiently severe, we answer thus:—We never denied, that of two kinds of coercion, the more severe is likely to be the more efficient. Men can be induced to work only by two motives, hope and fear; the former is the motive of the free labourer, the latter of the slave. We hold that, in the long run, hope will answer best. But we are perfectly ready to admit, that a strong fear will stimulate industry more powerfully than a weak fear. The case of Hayti, therefore, can at most only prove that severe slavery answers its purpose better than lenient slavery. It can prove nothing for slavery against freedom. But the Major is not entitled to use two contradictory arguments. One or the other he must abandon. If he chuses to reason on the decrees of Toussaint and Christophe, he has no right to talk of the decrease of production. If, on the other hand, he insists on the idleness of the Haytians, he must admit their liberty. If they are not free, their idleness can be no argument against freedom.

But we will do more than expose the inconsistency of the Major. We will take both suppositions successively, and show that neither of them can affect the present question.

First, then, let it be supposed that a coercive system is established in Hayti. Major Moody seems to think that this fact, if admitted, is sufficient to decide the controversy.

'The annexed regulations,' says he, 'of Toussaint, Desfourmeau, and Christophe, as well as those of President Boyer, intended for people in circumstances similar to those of the liberated Africans, appear to prove practically that some such measures are necessary as those which I have submitted as the result of my own personal observation and experience, in the control of human labour in different climes, and under various circumstances.' §

We must altogether dissent from this doctrine. It does not appear to us quite self-evident, that every law which every government may choose to make is necessarily a wise law. We have sometimes been inclined to suspect that, even in this enlightened country, legislators have interfered in matters which should have been left to take their own course. An English

§ Second Part of Major Moody's Report, page 90.

Parliament formerly thought fit to limit the wages of labour. This proceeding does not perfectly satisfy us, that wages had previously been higher than they should have been. Elizabeth, unquestionably the greatest sovereign that ever governed England, passed those laws for the support of the poor, which, though in seeming and intention most humane, have produced more evil than all the cruelties of Nero and Maximin. We have just seen that, at the close of the seventeenth century, a most respectable and enlightened Scotch gentleman thought slavery the only cure for the maladies of his country. Christophe was not destitute of talents. Toussaint was a man of great genius and unblemished integrity, a brave soldier, and in many respects a wise statesman. But both these men had been slaves. Both were ignorant of history and political economy. That idleness and disorders should follow a general civil war, was perfectly natural. That rulers, accustomed to a system of compulsory labour, should think such a system the only cure for those evils, is equally natural. But what inference can be drawn from such circumstances?

The negligence with which Major Moody has arranged his Appendix, is most extraordinary. He has, with strange inconsistency, given us no copy of the decree of Toussaint in the original, and no translation of the decree of Christophe. The decree of Boyer, the most important of the three, he has not thought fit to publish at all; though he repeatedly mentions it in terms which seem to imply that he has seen it. Our readers are probably aware, that the decree of Toussaint, or rather the Major's translation of it, was retouched by some of the statesmen of Jamaica, docked of the first and last paragraphs, which would at once have betrayed its date, and sent over by the Assembly to England, as a new law of President Boyer. This forgery, the silliest and most impudent that has been attempted within our remembrance, was at once exposed. The real decree, if there be such a decree, is not yet before the public.

The decree of Toussaint was issued in a time of such extreme confusion, that even if we were to admit its expediency, which we are very far from doing, we should not be bound to draw any general conclusion from it. All the reasonings which Major Moody founds on the decree of Christophe, may be refuted by this simple answer—that decree lays at least as many restraints on the capitalist as on the labourer. It directs him to provide machinery and mills. It limits the amount of his live stock. It prescribes the circumstances under which he may form new plantations of coffee. It enjoins the manner in which he is to press his canes and to clean his cotton. The Major reasons

thus: Christophe compelled the field-negroes to work. Hence it follows, that men who live in hot climates will not cultivate the soil steadily without compulsion. We may surely say, with equal justice, Christophe prescribed the manner in which the proprietor was to employ his capital. It is, therefore, to be inferred, that a capitalist in a hot climate cannot judge of his own interests, and that the government ought to take the management of his concerns out of his hands. If the Major will not adopt this conclusion, he must abandon his own. All our readers will admit, that a Prince who could lay the capitalist under such restrictions as those which we have mentioned, must have been ignorant of political science, and prone to interfere in cases where legislative interference is foolish and pernicious. What conclusion, then, can be justly drawn from the restraints imposed by such a ruler on the freedom of the peasant?

We have thus disposed of the first hypothesis, namely, that the Haytians are coerced. We will proceed to the second. Let it be supposed, that the Haytians are not coerced. In that case we say, that if they do not export as much as formerly, it will not necessarily follow that they do not work as much as formerly; and that, if they do not work as much as formerly, it still will not follow that their idleness proceeds from physical causes, or forms any exception to the general principles which regulate labour.

The first great cause which depresses the industry of the Haytians, is the necessity of keeping up large and costly establishments. All who, since the expulsion of the French, have governed that country, have wisely and honourably sacrified every other consideration to the preservation of independence. Large armies have been kept up. A considerable part of the population has consequently been supported in an unproductive employment; and a heavy burden has been laid on the industry of the rest. Major Moody quotes the following passage from the narrative of a most respectable and benevolent American, Mr Dewey:—

'Throughout the island the women perform the principal part of the labour in the field and in the house . . . . I was often moved with pity for their lot, though I rejoiced that the burden was now voluntary, and admired the spirit of women who could so readily perform the work of the men, that the men may be employed in the defence and preservation of their liberties.'

The Major pounces on the fact stated by Mr Dewey; but, with the amiable condescension of a superior nature, gently corrects his inferences.

'That Mr Dewey, and pious persons like him, do state the facts which he observed correctly, I am quite convinced; but when he, and those who reason in his manner, assign causes as solely producing the effect, it is then that error glides into their statements.' *

We are not so completely convinced as the Major seems to be, that all pious persons state correctly such facts as Mr Dewey has observed: but we are sure, that Mr Dewey must be the most ungrateful of men, if he is not grateful for such compliments. Indeed, the style which the Major always adopts towards philanthropists reminds us of Dogberry patting Verges on the back:—'A good old man, Sir! He will be talking. Well 'said, i' faith, neighbour. An two men ride of a horse, one 'must ride behind. An honest soul, i' faith, as ever broke 'bread. But God is to be worshipped. All men are not 'alike.' But we must go on with the argument of our philosophical commissioner.

'Any person who has travelled among people in a backward state of knowledge and social civilization, people who never experienced what slavery was, must have observed, as I have done, that the burden of agricultural labour is generally imposed on the females, by the arbitrary power exercised over them by the males . . . . .'

'Whilst an examination into the actual population of Hayti, and the real number of the males actually withdrawn from agricultural pursuits for those of military service, at the time Mr Dewey made his observations, would show, *that*, though the cause assigned by him might have some effect, *that*, in point of fact, a more powerful influence would probably be found in the action of causes springing from a different source *than that* assigned by him as the true cause; and whilst these other powerful causes are left in action, little practical good is effected by the removal of a minor influence.' †

We have not time to notice the innumerable beauties of this headless and endless sentence, in which a double allowance of *thats* compensates for the absence of a nominative case and a verb:—those who study the works of the Major must take such grammar as they can get, and be thankful. But, does he advance any reason, or the shadow of any reason, for dissenting from the opinion formed by a man whose honesty he acknowledges, on a point on which it is scarcely possible to be mistaken? No man of common sense can live three days in a country without finding out, whether it is by idleness, or by military duties, that the males are prevented from working. But Major Moody reasons thus—Savages, from their propensity to indolence, make their women work for them. The Haytians make

* Second Part of Major Moody's Report, p. 38.
† Ibid. p. 39.

their women work for them; therefore the Haytians are indolent savages;—an exquisite specimen of syllogistic reasoning! Horses are quadrupeds: but a pig is a quadruped; therefore a pig is a horse. The dullest of the gravediggers in Hamlet would have been ashamed of such an argal.

The Major surely does not mean to deny, that, in civilized and industrious nations, circumstances similar to those which exist in Hayti, have compelled the women to engage in agricultural labour. History abounds with such instances. When, fourteen years ago, the Prussians rose against the French, almost the whole harvest of Silesia and Upper Saxony was gathered in by females. The conscriptions of Buonaparte frequently produced the same effect. The Major says, indeed, or rather we, endowing his purposes with Syntax, say for him, that if the numbers of the Haytian people and of the Haytian army were ascertained, the causes assigned by Mr Dewey would be found to have produced only part of the effect. But what evidence does he offer? Where are his facts, and his reasonings on these facts? Does he know what the population of Hayti may be? Does he know how large its army may be? If he knows, why does he not tell us? If he does not know, how can he tell what might be the result of an examination into those particulars? It is something too much that a writer, who, when he tries to demonstrate, never demonstrates anything but his own ignorance of the art of reasoning, should expect to be implicitly believed, when he merely dogmatizes.

We grant, that the Haytians do not rear any great quantity of sugar. But can this circumstance be explained only by supposing that they are averse to the labour necessary for that purpose? When capital is withdrawn from a particular trade, a political economist is commonly inclined to suspect, that the profits are smaller than those which may be obtained in other lines of business. Now, it is a notorious fact, that the profits which the cultivation of sugar yields are, in all our West Indian islands, extremely low; that the business is carried on only because a large quantity of capital has already been fixed in forms useless for every other purpose; and that, if this fixed capital were to be suddenly destroyed, no fresh investment would take place. A man who has purchased a costly apparatus for the purpose of carrying on a particular manufacture, will not necessarily change his business because he finds that his gains are smaller than those which he might obtain elsewhere. He will generally prefer a small profit to a dead loss, and rather take two per cent. upon his first investment than let that investment perish altogether, suf-

fer his machinery to lie idle, and turn the remains of his fortune to a pursuit in which he might make five per cent. This, we believe, is the only cause which keeps up the cultivation of sugar in Jamaica and Antigua.

In Hayti this cause has ceased to operate. Most of the fixed capital necessary for the sugar-trade was destroyed by the war which followed the liberation of the negroes. The machinery which remained was employed as formerly. But it was not replaced as it fell to decay. This at once explains the gradual decrease of production. A similar decrease, from similar causes, is taking place in our oldest colonies. But let us even suppose that the cultivation of sugar was likely, under ordinary circumstances, to flourish in Hayti, it still remains to be considered what security capital invested in that business would have enjoyed. A short time back it seemed by no means improbable that France would assert her rights to the sovereignty of the island by arms. In the year 1814, the strongest apprehensions were entertained. A murderous and devastating war, a war in which quarter would neither have been given nor taken, was to be expected. The plan of defence which the rulers of Hayti contemplated was suited to so terrible a crisis. It was intended to turn the coast into a desert, to set fire to the buildings, to fall back on the interior fastnesses of the country, and by constant skirmishes, by hunger, and by the effects of a climate so fatal to Europeans, to wear out the invading army. This design was avowed by the Government in publications which have found their way to England. It was justified by circumstances, and it could scarcely have failed of success. But it is evident that the remotest prospect of such an emergency would alone have deterred any capitalist from sinking his property in the extensive and valuable machinery necessary to a sugar-planter.

It is true that there is a diminution in the quantity of coffee exported from Hayti. But the cause of the diminution is obvious. The taxes on that article are exorbitantly high. The territorial impost raised on the plantation, and the customs which must be paid previous to exportation, make up a duty of sixty per cent. on the prime cost. If the Haytians are to be free, they must have an army. If they are to have an army, they must raise money; and this may possibly be the best way of raising it. But it is evidently impossible that a commodity thus burdened can maintain a competition with the produce of countries where no taxes exist.

We therefore think it by no means improbable that the Haytians may have abandoned the cultivation of sugar and coffee, not

from idleness, but from prudence; that they may have been as industriously employed as their enslaved ancestors, though in a different manner. All the testimony which we have ever been able to procure tends to prove that they are at least industrious enough to live comfortably, and multiply rapidly under the weight of a very heavy taxation.

We have shown that the decrease in the exports of Hayti does not necessarily prove a decrease in the industry of the people. But we also maintain, that, even if we were to admit that the Haytians work less steadily than formerly, Major Moody has no right to attribute that circumstance to the influence of climate. His error in this and in many other parts of his work proceeds from an utter ignorance of the habits of labourers in the temperate zone. What those habits are, we have already stated. If an English labourer, who has hitherto been unable to obtain the enjoyments to which he is accustomed without working three hundred days a year, should find himself able to obtain those enjoyments by working a hundred days a year, he will not continue to work three hundred days a year. He will make some addition to his pleasures, but he will abate largely of his exertions. He will probably work only on the alternate days. The case of the Haytian is the same. As a slave he worked twelve months in the year, and received perhaps as much as he would have been able to raise in one month, if he had worked on his own account. He was liberated—he found that, by working for two months, he could procure luxuries of which he had never dreamed. If he worked unsteadily, he did only what an Englishman, in the same circumstances, would have done. In order to prove that labour in Hayti follows a law different from that which is in operation among onrselves, it is necessary to prove, not merely that the Haytian works unsteadily, but that he will forego comforts to which he is accustomed, rather than work steadily.

This Major Moody has not even asserted of the Haytians, or of any other class of tropical labourers. He has, therefore, altogether failed to show, that the natives of the torrid zone cannot be safely left to the influence of those principles which have most effectually promoted civilization in Europe. If the law of labour be everywhere the same, and he has said nothing which induces us to doubt that it is so, that unsteadiness of which he speaks will, at least in its extreme degree, last only for a time, which, compared with the life of a nation, is but as a day in the life of man. The luxuries of one generation will become the necessaries of the next. As new desires are awakened, greater exertions will be necessary. This cause, coope-

rating with that increase of population of which the Major himself admits the effect, will, in less than a century, make the Haytian labourer what the English labourer now is.

The last case which we shall consider is, that of the free negroes who emigrated from North America to Hayti. They were in number about six thousand. President Boyer undertook to defray the whole expense of their passage, and to support them for four months after their arrival—a clear proof that the people of Hayti are industrious enough to place at the disposal of the Government funds more than sufficient to defray its ordinary charges. We give the sixth and seventh article of Boyer's instruction to the agent employed by him on this occasion, as Major Moody states them. It is on these that his whole argument turns.

'Article VI.—To regulate better the interests of the emigrants, it will be proper to let them know in detail, what the government of the republic is disposed to do, to assure their future well-being and that of their children, on the sole condition of their being good and industrious citizens. You are authorized, in concert with the agents of the different societies, and before civil authority, to make arrangements with heads of families, or other emigrants who can unite twelve people able to work, and also to stipulate that the government will give them a portion of land sufficient to employ twelve persons, and on which may be raised coffee, cotton, maize, peas, and other vegetables and provisions; and after they have well improved the said quantity of land, which will not be less than thirty-six acres in extent, or twelve carreaces, government will give a perpetual title to the said land to these twelve people, their heirs, and assigns.

'Article VII.—Those of the emigrants who prefer applying themselves individually to the culture of the earth, either by renting lands already improved, which they will till, or by working in the field to share the produce with the proprietor, must also engage themselves by a legal act that, on arriving in Hayti, they will make the above mentioned arrangements; and this they must do before judges of the peace; so that, on their arrival here, they will be obliged to apply themselves to agriculture, and not be liable to become vagrants.' *

On these passages the Major reasons thus—

'In Hayti, even at present, under the judicious government of President Boyer, we find the free and intelligent American Blacks receiving land for nothing, having their expenses paid, and the produce of the land to be for their own advantage, obliged, by a legal act, to apply themselves to a kind of labour which is manifestly and clearly intended to better their condition.

'Why should a free man be thus obliged to act in a manner which

* Second Part of Major Moody's Report, p. 30.

the most ignorant person might discover was a duty incumbent on him and that the result would be for his advantage? The legal act and its penalties, after such a grant of land, would appear pre-eminently absurd in England.' *

We, for our own parts, can conceive nothing more pre-eminently absurd, than for a man to quote and comment on what he has never read. This is clearly the case with the Major. The emigrants who were to be obliged by a legal act to apply themselves to labour, were *not* those who were to receive land for nothing, but those who were to rent it, or to hire themselves out as labourers under others. The Major has applied the provisions of the Seventh Article to the class mentioned in the Sixth. So disgraceful an instance of carelessness we never saw in any official document.

Whether the President acted well or ill, is not the question. The principle on which he proceeded cannot be mistaken. He was about to advance a considerable sum for the purpose of transporting these people to Hayti. He appears, as far as we can judge from these instructions, to have exacted no security from the higher and most respectable class. But he thought it probable, we suppose, that many of those idle and profligate persons who abound in all great cities, and who are peculiarly likely to abound in a degraded caste, beggars and thieves, the refuse of the North American bridewells, might accept his proposals, merely that they might live for some months at free cost, and then return to their old habits. He therefore naturally required some assurance that the poorer emigrants intended to support themselves by their industry before he would agree to advance their subsistence.

The Major proceeds thus:—

'Your Lordship may observe, in the instructions of the President, that only certain modes of rewarding the labour of the free American Black are mentioned, viz. renting land already improved, working in the field to share the produce with the labourer, or, by being proprietors of land, to cultivate on their own account without either rent or purchase, having land from the free gift of the Government.

'The ordinary mode of rewarding the labourer by the payment of wages, as in England or the East Indies, where the country is fully peopled, is never once mentioned or alluded to by President Boyer, who may be fairly supposed to understand the situation of the country which he governs.' †

For the sake of the Haytians, we hope that Boyer understands the country which he governs better than the Major un-

* Second Part of Major Moody's Report, p. 32. † Ibid.

understands the subject on which he writes. Who, before, ever thought of mentioning the renting of land as a mode of rewarding the labourer? The renting of land is a transaction between the proprietor of the soil and the capitalist. Can Major Moody possibly imagine, that, in any part of the world, the labourer, as a labourer, pays rent, or receives it? He surely must know, that those emigrants who rented land, must have rented it in the capacity, not of labourers, but of capitalists; that they must have paid the rent out of the profits of their stock, not out of the gains of their labour; that even when a man works on his own account, the gains of his labour, though not generally called wages, are wages to all intents and purposes, and, though popularly confounded with his profits, follow a law altogether different. But Boyer, says Major Moody, never mentions wages. How can wages be better defined, than as the share of the produce allowed to the labourer? Does Major Moody conceive that wages can be paid only in money, or that money wages represent any thing but that share of the produce of which the President speaks? He goes on, however, floundering deeper and deeper in absurdity at every step.

'In the present constitution of Hayti, as administered by President Boyer, in 'Titre sur l'Etat Politique des Citoyens,' I find, under the 47th act, that the rights of citizenship are suspended, as regards domestics working for wages ('par l'état de domestique à gages'), in that very republican country, where a person, ignorant of the effect of physical causes, would naturally conclude that it would be most unjust to deprive a man of his right of citizenship, because he preferred one mode of subsisting himself to another, which the Government wished to encourage.' *

Physical causes again! We should like to know whether these physical causes operate in France. In the French Constitution of the year 1791, we find the following Article.

'To be an active citizen, it is necessary not to be in a me-'nial situation, namely, that of a servant receiving wages.'

It seems, therefore, that this law which, in the opinion of Major Moody, nothing but the heat of the torrid zone will explain—this law, which any person, ignorant of physical causes, would consider as grossly unjust, is copied from the Institutions of a great and enlightened European nation. We can assure him, that a little knowledge of history is now and then very useful to a person who undertakes to speculate on politics.

We must return for a moment to the North American emigrants. Much mismanagement seems to have taken place with

* Second Part of Major Moody's Report, page 32.

respect to them. They were received with cordiality, and pampered with the utmost profusion, by the liberal inhabitants of Port-au-Prince. They had left a country where they had always been treated as the lowest of mankind; they had landed in a country where they were overwhelmed with caresses and presents. The heads of many were turned by the change. Many came from cities, and, totally unaccustomed to agricultural labour, found themselves transported into the midst of an agricultural community. The Government, with more generosity than wisdom, suffered them to eat their rations in idleness. This is a short summary of the narrative of Mr Dewey, who was himself on the spot. He continues thus.

'Although these and other circumstances damped the ardour of some of the emigrants, and rendered them dissatisfied with their situation, yet I have uniformly found the industrious and the most respectable, and such as were fitted to be cultivators of the soil, contented with their condition and prospects, and convinced that great advantages were put within their reach. By far the greater part of the emigrants I saw were satisfied with their change of country, and many were so much pleased that they would not return on any consideration, and said, that they never felt at home before, that they have never felt what it was to be in a country where their colour was not despised. But these were such as went out expecting to meet difficulties, and not to live in the city; and they are so numerous, and pursuing their course with so much enterprise, that I feel there is no more reason for surprise at the industry and contentment which they exhibit, than at the dissatisfaction which has brought back 200, and will perhaps bring back a few more.'*

All this statement the Major quotes as triumphantly as if it were favourable to his hypothesis, or as if it were not of itself sufficient to refute every syllable that he has written. Those who came from towns shrunk from agricultural labour. Is this a circumstance peculiar to any climate? Let Major Moody try the same experiment in this country with the footmen and shopmen of London, and see what success he will have. But those who were accustomed to tillage, applied themselves to it with vigour; and this though they came from a cold country, and must therefore be supposed to have been peculiarly sensible of the influence of tropical heat. It is clear, therefore, that their desire to better their condition surmounted that love of repose which, according to the new philosophy of labour, can, in warm, fertile, and thinly peopled countries, be surmounted only by the fear of punishment.

We have now gone through the principal topics of which the

* Second Part of Major Moody's Report, Page 35.

Major has treated. We have done him more than justice. We have arranged his chaotic mass of facts and theories; we have frequently translated his language into English; we have refrained from quoting the exquisitely ridiculous similitudes and allusions with which he has set off his reasonings; we have repeatedly taken on ourselves the burden of the proof in cases where, by all the rules of logic, we might have imposed it on him. Against us, he cannot resort to his ordinary modes of defence. He cannot charge us with ignorance of local circumstances, for almost all the facts on which we have argued are taken from his own report. He cannot sneer at us as pious, benevolent people, misled by a blind hatred of slavery, eager in the pursuit of a laudable end, but ignorant of the means by which alone it can be attained. We have treated the question as a question purely scientific. We have reasoned as if we had been reasoning, not about men and women, but about spinning-jeanies and power-looms.

Point by point we have refuted his whole theory. We have shown that the phenomena which he attributes to the atmosphere of the torrid zone, are found in the most temperate climates; and that, if coercion be desirable in the case of the West Indian labourer, the stocks, the branding iron, and the forty stripes save one, ought to be, without delay, introduced into England.

There are still some parts of the subject on which, if this article were not already too long, we should wish to dwell. Coercion, according to Major Moody, is necessary only in those tropical countries in which the population does not press on the means of subsistence. He holds, that the multiplication of the species will at length render it superfluous. It would be easy to show that this remedy is incompatible with the evil; that the deadly labour, or, as he would call it, the steady labour, which the West Indian sugar-planter exacts, destroys life with frightful rapidity; that the only colonies in which the slaves keep up their numbers are those in which the cultivation of sugar has altogether ceased, or has greatly diminished; and that, in those settlements in which it is extensively and profitably carried on, the population *decreases* at a rate which portends its speedy extinction. To say, therefore, that the negroes of the sugar colonies must continue slaves till their numbers shall have greatly increased, is to say, in decent and humane phraseology, that they must continue slaves till the whole race is exterminated.

At some future time we may resume this subject. We may

then attempt to explain a principle, which, though established by long experience, still appears to many people paradoxical, namely, that a rise in the price of sugar, while it renders the slave more valuable, tends at the same time to abridge his life. We may then also endeavour to show how completely such a system is at variance with the principles on which alone colonization can be defended. When a great country scatters, in some vast and fertile wilderness, the seeds of a civilized population, fosters and protects the infant community through the period of helplessness, and rears it into a mighty nation, the measure is not only beneficial to mankind, but may answer as a mercantile speculation. The sums which were advanced for the support and defence of a few emigrants, struggling with difficulties and surrounded by dangers, are repaid by an extensive and lucrative commerce with flourishing and populous regions, which, but for those emigrants, would still have been inhabited only by savages and beasts of prey. Thus, in spite of all the errors which our ancestors committed, both during their connexion with the North American provinces, and at the time of separation, we are inclined to think that England has, on the whole, obtained great benefits from them. From our dominions in New South Wales, if judiciously governed, great advantages may also be derived. But what advantage can we derive from colonies in which the population, under a cruel and grinding system of oppression, is rapidly wasting away? The planter, we must suppose, knows his own interest. If he chooses to wear his slave to death by exacting from him an exorbitant quantity of work, we must suppose that he gains more by the work than he loses by the death.

But his capital is not the only capital which has been sunk in those countries. Who is to repay the English nation for the treasure which has been expended in governing and defending them? If we had made Jamaica what we have made Massachussets, if we had raised up in Guiana a population like that of New York, we should indeed have been repaid. But of such a result under the present system there is no hope. It is not improbable that some who are now alive may see the last negro disappear from our Transatlantic possessions. After having squandered a sum, which, if judiciously employed, might have called into existence a great, rich, and enlightened people, which might have spread our arts, our laws, and our language from the banks of the Maragnon to the Mexican sea, we shall again leave our territories deserts as we found them, without one memorial to prove that a civilized man ever set foot on their shores.

But we must absolutely conclude. This subject is far too extensive to be fully discussed at present; and we have another duty to perform. With the Major we began, and with the Major we mean to end. That he is a very respectable officer, and a very respectable man, we have no reason to doubt. But we do, with all seriousness and good-will, assure him, that he has no vocation to be a philosopher. If he has set his heart on constructing theories, we are sorry for him; for we cannot flatter him with the faintest hope of success. A few undigested facts, and a few long words that mean nothing, are but a slender stock for so extensive a business. For a time he may play the politician among philosophers, and the philosopher among politicians. He may bewilder speculative men with the cant of office, and practical men with the cant of metaphysics. But at last he must find his level. He is very fit to be a collector of facts, a purveyor of details to those who know how to reason on them; but he is no more qualified to speculate on political science, than a bricklayer is to rival Palladio, or a nurseryman to confute Linnæus.

ART. VII. 1. *A Plain Statement in support of the Political Claims of the Roman Catholics; in a Letter to the Rev. Sir George Lee, Bart.* By LORD NUGENT, Member of Parliament for Aylesbury. London, Hookham. 1826.

2. *A Letter to Viscount Milton, M. P.* By one of his Constituents. London, Ridgway. 1827.

3. *Charge by the Archbishop of Cashel.* Dublin, Milliken.

IF a poor man were to accept a guinea upon the condition that he spoke all the evil he could of another whom he believed to be innocent, and whose imprisonment he knew he should prolong, and whose privations he knew he should increase by his false testimony, would not the person so hired be one of the worst and basest of human beings? And would not his guilt be aggravated, if, up to the moment of receiving his *aceldama*, he had spoken in terms of high praise of the person whom he subsequently accused? Would not the latter feature of the case prove him to be as much without shame, as the former evinced him to be without principle? Would the guilt be less, if the person so hired were a man of education? Would it be less, if he were above want? Would it be less, if the profession and occupation of his life were to decide men's rights, or to teach them morals and religion? Would it be

less by the splendour of the bribe? Does a bribe of 3000*l.* leave a man innocent, whom a bribe of 30*l.* would cover with infamy? You are of a mature period of life, when the opinions of an honest man ought to be, and are fixed. On Monday you were a barrister or a country clergyman, a serious and temperate friend to religious liberty and Catholic emancipation. In a few weeks from this time you are a bishop, or a dean, or a judge—publishing and speaking charges and sermons against the poor Catholics, and explaining away this sale of your soul by every species of falsehood, shabbiness, and equivocation. You may carry a bit of ermine on your shoulder, or hide the lower moiety of the body in a silken petticoat—and men may call you Mr Dean, or My Lord; but you have sold your honour and your conscience for money; and, though better paid, you are as base as the witness who stands at the door of the judgment-hall, to swear whatever the suborner will put into his mouth, and to receive whatever he will put in his pocket. *

When soldiers exercise, there stands a goodly portly person out of the ranks, upon whom all eyes are directed, and whose signs and motions, in the performance of the manual exercise, all the soldiers follow. The Germans, we believe, call him a *Flugelman.* We propose Lord Nugent as a political flugelman;—he is always consistent, plain and honest, steadily and straightly pursuing his object without hope or fear, under the influence of good feelings and high principle. The House of Commons does not contain within its walls a more honest, upright man.

We seize upon the opportunity which this able Pamphlet of his Lordship's affords us, to renew our attention to the Catholic question. There is little new to be said; but we must not be silent, or, in these days of baseness and tergiversation, we shall be supposed to have deserted our friend the Pope; and they will say of us, *Prostant venales apud Lambeth et Whitehall.* God forbid it should ever be said of us with justice—it is pleasant to loll and roll, and to accumulate—to be a purple and fine linen man, and to be called by some of those nick-names which frail and ephemeral beings are so fond of accumulating upon each other;—but the best thing of all is to live like honest men, and to add something to the cause of liberality, jus-

* It is very far from our intention to say that all who were for the Catholics, and are now against them, have made this change from base motives; it is equally far from our intention not to say that many men of both professions have subjected themselves to this shocking imputation.

tice, and truth. As for ourselves, we exist upon a little, and tell truth—we cultivate literature upon oatmeal.

Musam meditamur avenâ.

The Letter to Lord Milton is very well and very pleasantly written. We were delighted with the liberality and candour of the Archbishop of Cashel. The charge is in the highest degree creditable to him. He must lay his account for the furious hatred of bigots, and the incessant gnawing of rats.

There are many men who (thoroughly aware that the Catholic question must be ultimately carried) delay their acquiescence till the last moment, and wait till the moment of peril and civil war before they yield. That this moment is not quite so remote as was supposed a twelvemonth since, the events now passing in the world seem to afford the strongest proof. The truth is, that the disaffected state of Ireland is a standing premium for war with every cabinet in Europe which has the most distant intention of quarrelling with this country for any other cause. '*If we are to go to war, let us do so when the discon-*
'*tents of Ireland are at their greatest height, before any spirit*
'*of concession has been shown by the British Cabinet.*' Does any man imagine that so plain and obvious a principle has not been repeatedly urged on the French Cabinet?—that the eyes of the Americans are shut upon the state of Ireland—and that that great and ambitious Republic will not, in case of war, aim a deadly blow at this most sensitive part of the British empire? We should really say, that England has fully as much to fear from Irish fraternization with America as with France. The language is the same; the Americans have preceded them in the struggle; the number of emigrant and rebel Irish is very great in America; and all parties are sure of perfect toleration under the protection of America. We are astonished at the madness and folly of Englishmen, who do not perceive that both France and America are only waiting for a convenient opportunity to go to war with this country; and that one of the first blows aimed at our independence would be the invasion of Ireland.

We should like to argue this matter with a regular Tory Lord, whose members vote steadily against the Catholic question. 'I
'wonder that mere fear does not make you give up the Catholic
'question! Do you mean to put this fine place in danger—the
'venison—the pictures—the pheasants—the cellars—the hot-
'house and the grapery? Should you like to see six or seven
'thousand French or Americans landed in Ireland, and aided
'by a universal insurrection of the Catholics? Is it worth your
'while to run the risk of their success? What evil from the
'possible encroachment of Catholics, by civil exertions, can

'equal the danger of such a position as this? How can a man 'of your carriages, and horses, and hounds, think of putting 'your high fortune in such a predicament, and crying out, like 'a school-boy or a chaplain, "Oh, we shall beat them! we '"shall put the rascals down!" No Popery, I admit to your 'Lordship, is a very convenient cry at an election, and has 'answered your end; but do not push the matter too far: to 'bring on a civil war, for no Popery, is a very foolish proceed-'ing in a man who has two courses, and a remove! As you 'value your side-board of plate, your broad ribbon, your pier 'glasses—if obsequious domestics and large rooms are dear 'to you—if you love ease and flattery, titles and coats of arms '—if the labour of the French cook, the dedication of the ex-'pecting poet, can move you—if you hope for a long life of 'side-dishes—if you are not insensible to the periodical arrival 'of the turtle fleets, emancipate the Catholics! Do it for your 'ease, do it for your indolence, do it for your safety—emanci-'pate and eat, emancipate and drink—emancipate, and pre-'serve the rent-roll and the family estate!'

The most common excuse of the *Great Shabby* is, that the Catholics are their own enemies,—that the violence of Mr Oh Connel and Mr Oh Shiel have ruined their cause—that, but for these boisterous courses, the question would have been carried before this time. The answer to this nonsense and baseness is, that the very reverse is the fact. The mild and the long-suffering may suffer for ever in this world. If the Catholics had stood with their hands before them simpering at the Earls of Liverpool and the Lords Bathurst of the moment, they would not have been emancipated till the year of our Lord four thousand. As long as the patient will suffer, the cruel will kick. No treason—no rebellion—but as much stubbornness and stoutness as the law permits,—a thorough intimation that you know what is your due, and that you are determined to have it if you can *lawfully* get it. This is the conduct we recommend to the Irish. If they go on withholding, and forebearing, and hesitating whether this is the time for the discussion or that is the time, they will be laughed at for another century as fools—and kicked for another century as slaves. 'I must 'have my bill paid, (says the sturdy and irritated tradesman), 'your master has put me off twenty times under different pre-'tences. I know he is at home, and I will not quit the pre-'mises till I get the money.' Many a tradesman gets paid in this manner, who would soon smirk and smile himself into the Gazette, if he trusted to the promises of the great.

Can any thing be so utterly childish and foolish as to talk of the

bad taste of the Catholic Leaders?—as if, in a question of conferring on, or withholding important civil rights from seven millions of human beings, any thing could arrest the attention of a wise man but the good or evil consequences of so great a measure. Suppose Mr Shiel does smell slightly of tobacco—admit Mr Lawless to be occasionally stimulated by rum and water—allow that Mr Flanagan was unfeeling in speaking of the Duke of York: What has all this nonsense to do with the extinction of religious hatred and the pacification of Ireland? Give it if it is right, refuse it if it is wrong. How it is asked, or how it is given or refused, are less than the dust of the balance.

What is the real reason why a good honest Tory, living at ease on his possessions, is an enemy to Catholic Emancipation? He admits the Catholic of his own rank to be a gentleman, and not a bad subject—and about theological disputes an excellent Tory never troubles his head. Of what importance is it to him whether an Irish Catholic or an Irish Protestant is a judge in the King's Bench at Dublin? None; but *I am afraid for the Church of Ireland*, says our Alarmist. Why do you care so much for the Church of Ireland, a country you never live in?—*Answer—I do not care so much for the Church of Ireland, if I was sure the Church of England would not be destroyed.*—And is it for the Church of England alone that you fear?—*Answer—Not quite to that, but I am afraid we should all be lost, that every thing would be overturned, and that I should lose my rank and my estate.* Here then, we say, is a long series of dangers, which (if there were any chance of their ever taking place) would require half a century for their development; and the danger of losing Ireland by insurrection and invasion, which may happen in six months, is utterly overlooked, and forgotten. And if a foreign influence should ever be fairly established in Ireland, how many hours would the Irish Church, how many months would the English Church, live after such an event? How much is any English title worth after such an event—any English family—any English estate? We are astonished that the brains of rich Englishmen do not fall down into their bellies in talking of the Catholic question—that they do not reason through the cardia and the pylorus—that all the organs of digestion do not become intellectual. The descendants of the proudest noblemen in England may become beggars in a foreign land from this disgraceful nonsense of the Catholic question—fit only for the patient females of a market town.

What alarms us in the state of England is the uncertain basis on which its prosperity is placed—and the prodigious mass of hatred which the English government continues, by its obsti-

nate bigotry to accumulate—eight hundred and forty millions Sterling of debt. The revenue depending upon the demand for the shoes, stockings and breeches of Europe—and seven millions of Catholics in a state of the greatest fury and exasperation. We persecute as if we did not *owe* a shilling—we spend as if we had no disaffection. This, by possibility, may go on; but it is dangerous walking—the chance is, there will be a fall. No wise man should take such a course. All probabilites are against it. We are astonished that Lord Hertford and Lord Lowther, shrewd and calculating Tories, do not see that it is nine to one against such a game.

It is not only the event of war we fear in the military struggle with Ireland; but the expense of war, and the expenses of the English government, are paving the way for future revolutions. The world never yet saw so extravagant a government as the Government of England. Not only is economy not practised—but it is despised; and the idea of it connected with disaffection, Jacobinism, and Joseph Hume. Every rock in the ocean where a cormorant can perch, is occupied by our troops—has a governor, deputy-governor, store-keeper, and deputy-store-keeper—and will soon have an arch-deacon and a bishop. Military colleges, with 34 professors, educating seventeen ensigns per annum, being half an ensign for each professor, with every species of nonsense, athletic, sartorial and plumigerous. A just and necessary war costs this country about one hundred pounds a minute; whipcord fifteen thousand pounds; red tape seven thousand pounds; lace for drummers and fifers, nineteen thousand pounds; a pension to one man who has broken his head at the Pole; to another who has shattered his leg at the Equator; subsidies to Persia; secret service-money to Thibet; an annuity to Lady Henry Somebody, and her seven daughters—the husband being shot at some place where we never ought to have had any soldiers at all; and the elder brother returning four members to Parliament. Such a scene of extravagance, corruption and expense as must paralyze the industry, and mar the fortunes of the most industrious, spirited people that ever existed.

Few men consider the historical view which will be taken of present events. The bubbles of last year; the fishing for half crowns in Vigo Bay; the Milk Muffin and Crumpet Companies; the Apple, Pear, and Plum Associations; the National Gooseberry and Currant Company; will all be remembered as instances of that partial madness to which society is occasionally exposed. What will be said of all the intolerable trash which is issued forth at public meetings of No-Popery? The follies of one century are scarcely credible in that which suc-

ceeds it. A grandmamma of 1827 is as wise as a very wise man of 1727. If the world lasts till 1927, the grandmammas of that period will be far wiser than the tip-top No-Popery men of this day. That this childish nonsense will have got out of the drawing-room, there can be no doubt. It will most probably have past through the steward's room—and butler's pantry into the kitchen. This is the case with ghosts. They no longer loll on couches and sip tea; but are down on their knees scrubbing with the scullion—or stand sweating, and basting with the cook. Mrs Abigail turns up her nose at them, and the housekeeper declares for flesh and blood, and will have none of their company.

It is delicious to the persecution-fanciers to reflect that no general bill has past in favour of the Protestant Dissenters. They are still disqualified from holding any office—and are only protected from prosecution by an annual indemnity act. So that the sword of Damocles still hangs over them—not suspended indeed by a thread, but by a cart-rope—still it hangs there an insult, if not an injury, and prevents the painful idea from presenting itself to the mind of perfect toleration, and pure justice. There is the larva of tyranny, and the skeleton of malice. Now this is all we presume to ask for the Catholics—admission to Parliament, exclusion from every possible office by law, and annual indemnity for the breach of law. This is surely much more agreeable to feebleness, to littleness, and to narrowness, than to say, the Catholics are as free, and as eligible as ourselves.

The most intolerable circumstance of the Catholic dispute is, the conduct of the Dissenters. Any man may dissent from the Church of England, and preach against it, by paying sixpence. Almost every tradesman in a market town is a preacher. It must absolutely be ride and tye with them; the butcher must hear the baker in the morning, and the baker listen to the butcher in the afternoon, or there would be no congregation. We have often speculated upon the peculiar trade of the preacher from his style of action. Some have a tying-up or parcel-packing action; some strike strongly against the anvil of the pulpit; some screw, some bore, some act as if they were managing a needle. The occupation of the preceding week can seldom be mistaken. In the country, three or four thousand Ranters are sometimes encamped, supplicating in religious platoons, or roaring psalms out of waggons. Now, all this freedom is very proper; because, though it is abused, yet in truth there is no other principle in religious matters, than to let men alone as long as they keep the peace. Yet we should imagine this unbounded license of Dissenters should teach them a little charity towards the Ca-

tholics, and a little respect for their religious freedom. But the picture of sects is this—there are twenty fettered men in a jail, and every one is employed in loosening his own fetters with one hand, and rivetting those of his neighbour with the other.

'"If, then," says a minister of our own Church, the Reverend John Fisher, rector of Wavenden, in this county, in a sermon published some years ago, and entitled, "The Utility of the Church Establishment, and its Safety consistent with Religious Freedom"—"If, then, the Protestant religion could have originally worked its way in this country against numbers, prejudices, bigotry, and interest; if, in times of its infancy, the power of the Prince could not prevail against it; surely, when confirmed by age, and rooted in the affections of the people—when invested with authority, and in full enjoyment of wealth and power—when cherished by a Sovereign who holds his very throne by this sacred tenure, and whose conscientious attachment to it well warrants the title of Defender of the Faith—surely any attack upon it must be contemptible, any alarm of danger must be imaginary."'—*Lord Nugent's Letter*, p. 18.

To go into a committee upon the state of the Catholic Laws, is to reconsider, as Lord Nugent justly observes, passages in our domestic history, which bear date about 270 years ago. Now, what human plan, device or invention, 270 years old, does not require reconsideration? If a man drest as he drest 270 years ago, the pug-dogs in the streets would tear him to pieces. If he lived in the houses of 270 years ago, unrevised and uncorrected, he would die of rheumatism in a week. If he listened to the sermons of 270 years ago, he would perish with sadness and fatigue; and when a man cannot make a coat or a cheese, for 50 years together, without making them better, can it be said that laws made in those days of ignorance, and framed in the fury of religious hatred, need no revision, and are capable of no amendment?

We have not the smallest partiality for the Catholic religion; quite the contrary. That it should exist at all—that all Catholics are not converted to the Protestant religion, we consider to be a serious evil; but there they are, with their spirit as strong, and their opinions as decided as your own; the Protestant part of the Cabinet have quite given up all idea of putting them to death; what remains to be done? We all admit the evil; the object is to make it as little as possible. One method commonly resorted to, we are sure, does not lessen, but increase the evil; and that is, to falsify history, and deny plain and obvious facts, to the injury of the Catholics. No true friend to the Protestant religion, and to the Church of England, will ever have recourse to such disingenuous arts as these.

'Our histories have not, I believe, stated what is untrue of Queen Mary, nor perhaps have they very much exaggerated what is true of

her; but our arguers, whose only talk is of Smithfield, are generally very uncandid in what they conceal. It would appear to be little known, that the statutes which enabled Mary to burn those who had conformed to the Church of her father and brother, were Protestant statutes, declaring the common law against heresy, and framed by her father Henry the Eighth, and confirmed and acted upon by Order of Council of her brother Edward the Sixth, enabling that mild and temperate young sovereign to burn divers misbelievers, by sentence of commissioners, (little better, says Neale, than a Protestant Inquisition) appointed to "examine and search after all Anabaptists, Heretics, or contemners of the Book of Common Prayer." It would appear to be seldom considered, that her zeal might very possibly have been warmed by the circumstance of both her chaplains having been imprisoned for their religion, and herself arbitrarily detained, and her safety threatened, during the short but persecuting reign of her brother. The sad evidences of the violence of those days are by no means confined to her acts. The faggots of persecution were not kindled by Papists only, nor did they cease to blaze when the power of using them as instruments of conversion ceased to be in Popish hands. Cranmer himself, in his dreadful death, met with but equal measure for the flames to which he had doomed several who denied the *spiritual* supremacy of Henry the Eighth; to which he had doomed also a Dutch Arian, in Edward the Sixth's reign; and to which, with great pains and difficulty, he had persuaded that prince to doom another miserable enthusiast, Joan Bocher, for some metaphysical notions of her own on the divine incarnation. "So that on both sides" (says Lord Herbert of Cherbury) "it grew a bloody time." Calvin burned Servetus at Geneva, for "discoursing concerning the Trinity, contrary to the sense of the whole Church; and thereupon set forth a book wherein he giveth an account of his doctrine, and of whatever else had passed in this affair, and teacheth that the sword may be lawfully employed against heretics." Yet Calvin was no Papist. John Knox extolled in his writings, as "the godly fact of James Melvil," the savage murder by which Cardinal Beaton was made to expiate his many and cruel persecutions; a murder to which, by the great popular eloquence of Knox, his fellow-labourers in the vineyard of reformation, Lesly and Melvil, had been excited: and yet John Knox, and Lesly, and Melvil, were no Papists. Henry the Eighth, whose one virtue was impartiality in these matters, (if an impartial and evenly balanced persecution of all sects be a virtue,) beheaded a Chancellor and a Bishop, because, having admitted his civil supremacy, they doubted his spiritual. Of the latter of them Lord Herbert says, "The Pope, who suspected not, perchance, that the Bishop's end was so near, had, for more testimony of his favour to him as disaffection to our King, sent him a cardinal's hat; but unseasonably, his head being off." He beheaded the Countess of Salisbury, because at upwards of eighty years old she wrote a letter to Cardinal Pole, her own son;

and he burned Barton, the "Holy Maid of Kent," for a prophecy of his death. He burned four Anabaptists in one day for opposing the doctrine of infant baptism; and he burned Lambert, and Anne Ascue, and Belerican, and Lassells, and Adams, on another day, for opposing that of transubstantiation; with many others of lesser note, who refused to subscribe to his Six Bloody Articles, as they were called, or whose opinions fell short of his, or exceeded them, or who abided by opinions after he had abandoned them; and all this after the Reformation. And yet Henry the Eighth was the sovereign who first delivered us from the yoke of Rome.

'In later times, thousands of Protestant dissenters of the four great sects were made to languish in loathsome prisons, and hundreds to perish miserably, during the reign of Charles the Second, under a Protestant High Church Government, who then first applied, in the prayer for the Parliament, the epithets of "most religious and gracious," to a sovereign whom they knew to be profligate and unprincipled beyond example, and had reason to suspect to be a concealed Papist.

'Later still, Archbishop Sharpe was sacrificed by the murderous enthusiasm of certain Scotch Covenanters, who yet appear to have sincerely believed themselves inspired by Heaven to this act of cold-blooded barbarous assassination.

'On subjects like these, silence on all sides, and a mutual interchange of repentance, forgiveness, and oblivion, is wisdom. But to quote grievances on one side only, is not honesty.'—*Lord Nugent's Letter*, pp. 24—27.

Sir Richard Birnie can only attend to the complaints of individuals; but no cases of swindling are brought before him so atrocious as the violation of the Treaty of Limeric, and the disappointment of those hopes, and the frustration of that arrangement; which hopes, and which arrangements, were held out as one of the great arguments for the Union. The chapter of English Fraud comes next to the chapter of English Cruelty, in the history of Ireland—and both are equally disgraceful.

Nothing can be more striking than the conduct of the parent Legislature to the Legislature of the West Indian islands. 'We cannot leave you to yourselves upon these points' (says the English Government); 'the wealth of the planter, and the 'commercial prosperity of the islands, are not the only points 'to be looked to. We must look to the general rights of 'humanity, and see that they are not outraged in the case of the 'poor slave. It is impossible we can be satisfied, till we know 'that he is placed in a state of progress, and amelioration.' How beautiful is all this! and how wise, and how humane and affecting are our efforts throughout Europe to put an end to the Slave Trade! Wherever three or four negotiators are gathered together, a British diplomate appears among them, with

some article of kindness and pity for the poor negro. All is mercy and compassion, except when wretched Ireland is concerned. The saint who swoons at the lashes of the Indian slave, is the encourager of No-Popery Meetings, and the hard, bigotted, domineering tyrant of Ireland.

See the folly of delaying to settle a question, which, in the end, must be settled, and, ere long, to the advantage of the Catholics. How the price rises by delay! This argument is extremely well put by Lord Nugent.

'I should observe that two occasions have already been lost of granting these claims, coupled with what were called securities, such as never can return. In 1808, the late Duke of Norfolk and Lord Grenville, in the one House, and Mr Ponsonby and Mr Grattan, in the other, were authorized by the Irish Catholic body to propose a negative to be vested in the Crown upon the appointment of their bishops. Mr Perceval, the Chancellor, and the Spiritual Bench, did not see the importance of this opportunity. It was rejected; the Irish were driven to despair; and, in the same tomb with the question of 1808, lies for ever buried the Veto. The same was the fate with what were called the "wings" attached to Sir Francis Burdett's bill of last year. I voted for them, not for the sake certainly of extending the patronage of the Crown over a new body of clergy, nor yet for the sake of diminishing the popular character of elections in Ireland, but because Mr O'Connel, and because some of the Protestant friends of the measure who knew Ireland the best, recommended them; and because I believed, from the language of some who supported it only on these conditions, that they offered the fairest chance for the measure being carried. I voted for them as the price of Catholic emancipation, for which I can scarcely contemplate any Irish price that I would not pay. With the same object, I would vote for them again; but I shall never again have the opportunity. For these also, if they were thought of any value as securities, the events of this year in Ireland have shown you that you have lost for ever. And the necessity of the great measure becomes every day more urgent and unavoidable.'—*Lord Nugent's Letter*, pp. 71–2.

Can any man living say that Ireland is not in a much more dangerous state than it was, before the Catholic Convention began to exist?—that the inflammatory state of that country is not becoming worse and worse?—that those men whom we call demagogues and incendaries have not produced a very considerable. and alarming effect upon the Irish population? Where is this to end? But the fool lifteth up his voice in the coffee-house, and sayeth, 'We shall give them an hearty thrash-'ing: let them rise, the sooner the better, we will soon put 'them down again.' The fool sayeth this in the coffee-house, and the greater fool praiseth him. But does Lord Stowell say this? does Mr Peel say this? does the Marquis of Hertford say

this? do sensible, calm and reflecting men like these, not admit the extreme danger of combatting against invasion and disaffection, and this with our forces spread in active hostility over the whole face of the globe? Can they feel this vulgar, hectoring certainty of success, and stupidly imagine that a thing cannot be, because it has never yet been?—because we have hitherto maintained our tyranny in Ireland against all Europe, that we are always to maintain it? And then, what if the struggle does at last end in our favour? Is the loss of English lives and of English money not be taken into account? Is this the way in which a nation overwhelmed with debt, and trembling whether its looms and ploughs will not be overmatched by the looms and ploughs of the rest of Europe? Is this the way in which such a country is to husband its resources? Is the best blood of the land to be flung away in a war of hassocks and surplices? Are cities to be summoned for the Thirty-nine Articles, and men to be led on to the charge by professors of divinity? The expense of *keeping* such a country must be added to all other enormous expenses. What is really possest of a country so subdued? four or five yards round a sentry-box, and no more. And in twenty years time it is all to do over again—another war—another rebellion, and another enormous and ruinously expensive contest, with the same dreadful uncertainty of the issue! It is forgotten too that a new feature has arisen in the history of this country. In all former insurrections in Ireland no democratic party existed in England. The efforts of Government were left free and unimpeded. But suppose a stoppage in your manufactures coincident with a rising of the Irish Catholics, when every soldier is employed in the sacred duty of Papist-hunting. Can any man contemplate such a state of things without horror? Can any man say that he is taken by surprise for such a combination? Can any man say that any danger to Church or State is comparable to this? But for the prompt interference of the military in the early part of 1826, three or four hundred thousand starving manufacturers would have carried ruin and destruction over the north of England, and over Scotland. These dangers are inseparable from an advanced state of manufactures—but they need not the addition of other and greater perils, which need not exist in any country, too wise and too enlightened for persecution.

Where is the weak point in these plain arguments? Is it the remoteness of the chance of foreign war? Alas! we have been at war 35 minutes out of every hour since the peace of Utrecht. The state of war seems more natural to man than the state of peace; and if we turn from general probabilities to

the state of Europe—Greece to be liberated—Turkey to be destroyed—Portugal and Spain to be made free—the wounded vanity of the French, the increasing arrogance of the Americans, and our own philopolemical folly, are endless scenes of war. We believe it is at all times a better speculation to make ploughshares into swords than swords into ploughshares. If war is certain, we believe insurrection to be quite as certain. We cannot believe but that the French or the Americans would, in case of war, make a serious attempt upon Ireland, and that all Ireland would rush, tail foremost, into insurrection.

A new source of disquietude and war has lately risen in Ireland. Our saints or evangelical people, or serious people, or by whatever other name they are to be designated, have taken the field in Ireland against the Pope, and are converting in the large way. Three or four Irish Catholic prelates take a post-chaise, and curse the converters and the converted. A battle royal ensues with shillelas: the policeman comes in, and, reckless of Lambeth or the Vatican, makes no distinction between what is perpendicular, and what is hostile, but knocks down every body, and every thing which is upright; and so the feud ends for the day. We have no doubt but that these efforts will tend to bring things to a crisis much sooner between the parties, than the disgraceful conduct of the Cabinet alone would do.

'It is a charge not imputed by the laws of England, nor by the oaths which exclude the Catholics; for those oaths impute only spiritual errors. But it is imputed, which is more to the purpose, by those persons who approve of the excluding oaths, and wish them retained. But, to the whole of this imputation, even if no other instance could be adduced, as far as a strong and remarkable example can prove the negative of an assumption which there is not a single example to support—the full, and sufficient, and incontestable answer is Canada. Canada, which, until you can destroy the memory of all that now remains to you of your sovereignty on the North American continent, is an answer practical, memorable, difficult to be accounted for, but blazing as the sun itself in sight of the whole world, to the whole charge of divided allegiance. At your conquest of Canada, you found it Roman Catholic; you had to choose for her a constitution in Church and State. You were wise enough not to thwart public opinion. Your own conduct towards Presbyterianism in Scotland was an example for imitation; your own conduct towards Catholicism in Ireland was a beacon for avoidance; and in Canada you established and endowed the religion of the people. Canada was your only Roman Catholic colony. Your other colonies revolted; they called on a Catholic power to support them, and they achieved their independence. Catholic Canada, with what Lord Liverpool would call her half-allegiance, *alone* stood by you.

She fought by your side against the interference of Catholic France. To reward and encourage her loyalty, you endowed in Canada bishops to say mass, and to ordain others to say mass, whom, at that very time, your laws would have hanged for saying mass in England; and Canada is still yours, in spight of Catholic France, in spight of her spiritual obedience to the Pope, in spight of Lord Liverpool's argument, and in spight of the independence of all the states that surround her. This is the only trial you have made. Where you allow to the Roman Catholics their religion undisturbed, it has proved itself to be compatible with the most faithful allegiance. It is only where you have placed allegiance and religion before them as a dilemma, that they have preferred (as who will say they ought not?) their religion to their allegiance. How then stands the imputation? Disproved by history, disproved in all states where both religions co-exist, and in both hemispheres, and asserted in an exposition by Lord Liverpool, solemnly and repeatedly abjured by all Catholics, of the discipline of *their* church.'—*Lord Nugent's Letter*, pp. 35–6.

Can any man who has gained permission to take off his strait-waistcoat, and been out of Bedlam three weeks, believe that the Catholic question will be set to rest by the conversion of the Irish Catholics to the Protestant religion? The best chance of conversion will be gained by taking that care the point of honour is not against conversion.

'We may, I think, collect from what we know of the ordinary feelings of men, that, by admitting all to a community of political benefits, we should remove a material impediment that now presents itself to the advances of proselytism to our established mode of worship; particulary assuming, as we do, that it is the purest, and that the disfranchised mode is supported only by superstition and priestcraft. By external pressure and restraint, things are compacted as well in the moral as in the physical world. Where a sect is at spiritual variance with the Established Church, it only requires an abridgment of civil privileges to render it at once a political faction. Its members become instantly pledged, some from enthusiasm, some from resentment, and many from honourable shame, to cleave with desperate fondness to the suffering fortunes of an hereditary religion. Is this human nature, or is it not? Is it a natural or an unnatural feeling for the representative of an ancient Roman Catholic family, even if in his heart he rejected the controverted tenets of his early faith, to scorn an open conformity to ours, so long as such conformity brings with it the irremoveable suspicion that faith and conscience may have bowed to the base hope of temporal advantage. Every man must feel and act for himself: but, in my opinion, a good man might be put to difficulty to determine whether more harm is not done by the example of one changing his religion to his worldly advantage, than good by his openly professing conformity from what we think error to what we think truth.'—*Ibid.* pp. 54–5.

'We will not be bullied out of the Catholic question.' This is a very common text, and requires some comment. If you mean that the sense of personal danger shall never prevent you from doing what you think right—this is a worthy and proper feeling, but no such motive is suspected, and no such question is it issue. Nobody doubts but that any English gentleman would be ready to join his No-Popery corps, and to do his duty to the community, if the Government required it; but the question is, is it worth while in the Government to require it? Is it for the general advantage that such a war should be carried on for such an object? It is a question not of personal valour, but of political expediency. Decide seriously if it is worth the price of civil war to exclude the Catholics, and act accordingly; taking it for granted that you possess, and that every body supposes you to possess, the vulgar attribute of personal courage; but do not draw your sword like a fool, from the unfounded apprehension of being called a coward.

We have great hopes of the Duke of Clarence. Whatever else he may be, he is not a bigot—not a person who thinks it necessary to show respect to his Royal father, by prolonging the miseries, and incapacities of six millions of people. If he ascends the throne of these realms, he must stand the fire of a few weeks clamour, and unpopularity. If the measure is passed by the end of May, we can promise his Royal Highness it will utterly be forgotten before the end of June. Of all human nonsense, it is surely the greatest to talk of respect to the late King—respect to the memory of the Duke of York—by not voting for the Catholic Question. Bad enough to burn widows when the husband dies—bad enough to burn horses, dogs, butlers, footmen and coachmen, on the funeral pile of a Scythian warrior—but to offer up the happiness of seven millions of people to the memory of the dead, is certainly the most insane sepulchral oblation of which history makes mention. The best compliment to these deceased princes, is to remember their real good qualities, and to forget (as soon as we can forget it) that these good qualities were tarnished by limited and mistaken views of religious liberty.

Persecuting gentlemen forget the expense of persecution; whereas, of all luxuries, it is the most expensive. The Ranters do not cost us a farthing, because they are not disqualified by ranting. The Methodists and Unitarians are gratis. The Irish Catholics, supposing every alternate year to be war, as it has been for the last century, will cost us, within these next twenty years, forty millions of money. There are 20,000 soldiers there in time of peace; in war, including the militia, their numbers

will be doubled—and there must be a very formidable fleet in addition. Now, when the tax paper comes round, and we are to make a return of the greatest number of horses, buggys, poneys, dogs, cats, bull-finches, and canary birds, &c. and to be taxed accordingly; let us remember how well and wisely our money has been spent, and not repine that we have purchased, by severe taxation, the high, and exalted pleasures of intolerance and persecution.

It is mere unsupported, and unsupportable nonsense, to talk of the exclusive disposition of the Catholics to persecute. The Protestants have murdered, and tortured, and laid waste as much as the Catholics. Each party, as it gained the upper hand, tried death as the remedy for heresy—both parties have tried it in vain.

A distinction is set up between civil rights, and political power, and applied against the Catholics: the real difference between these two words is, that civil comes from a Latin word, and political from a Greek one; but if there is any difference in their meaning, the Catholics do not ask for political power, but for eligibility to political power. The Catholics have never prayed, or dreamt of praying, that so many of the Judges and King's Counsel should necessarily be Catholics; but that no law should exist which prevented them from becoming so, if a Protestant King chose to make them so. Eligibility to political power is a civil privilege, of which we have no more right to deprive any man than of any other civil privilege. The good of the State may require that all civil rights may be taken from Catholics; but to say that eligibility to political power is not a civil right, and that to take it away without grave cause, would not be a gross act of injustice, is mere declamation. Besides, what is called political power, and what are called civil rights, are given, or withholden, without the least reference to any principle, but by mere caprice. A right of voting is given—this is political power; eligibility to the office of Alderman or Bank Director is refused—this is a civil right: the distinction is perpetually violated, just as it has suited the state of parties for the moment. And here a word or two on the manner of handling the question. Because some offices might be filled with Catholics, all would be: this is one topic. A second is, because there might be inconvenience from a Catholic King or Chancellor, that therefore there would be inconvenience from Catholic Judges, or Sergeants. In talking of establishments, they always take care to blend the Irish, and English establishments, and never to say which is meant—though the circumstances of both are as different as possible. It is always presumed, that sects holding opinions

contrary to the Establishment, are *hostile* to the Establishment; meaning by the word hostile, that they are combined, or ready to combine for its destruction. It is contended that the Catholics would not be satisfied by these concessions; meaning thereby that many would not be so—but forgetting to add, that many *would* be quite satisfied—all *more* satisfied, and less likely to run into rebellion. It is urged that the mass of Catholics are indifferent to the question; whereas (never mind the cause) there is not a Catholic plough-boy, at this moment, who is not ready to risk his life for it, nor a Protestant stable-boy, who does not give himself airs of superiority over any papistical cleaner of horses, who is scrubbing with him under the same roof.

The Irish were quiet under the severe code of Queen Anne—so the half-murdered man left on the ground bleeding by thieves is quiet; and he only moans, and cries for help as he recovers. There was a method which would have made the Irish still more quiet, and effectually have put an end to all further solicitation respecting the Catholic question. It was adopted in the case of the Wolves.

They are forming societies in Ireland for the encouragement of emigration, and striving, and successfully striving, to push their redundant population into Great Britain. Our business is to pacify Ireland—to give confidence to capitalists—and to keep their people where they are. On the day the Catholic question was past, all property in Ireland would rise 20 per cent.

Protestants admit that there are sectaries sitting in Parliament, who differ from the Church of England as much as the Catholics; but it is forgotten that, according to the doctrine of the Church of England, the Unitarians are considered as condemned to eternal punishment in another world—and that many such have seats in Parliament. And can any thing be more preposterous, (as far as doctrine has any influence in these matters) than that men, whom we believe to be singled out as objects of God's eternal vengeance, should have a seat in our national councils; and that Catholics, whom we believe may be saved, should not?

The only argument which has any *appearance of weight*, is the question of divided allegiance; and, generally speaking, we should say it is the argument which produces the greatest effect in the country at large. England, in this respect, is in the same state, at least, as the whole of Catholic Europe. Is not the allegiance of every French, every Spanish, and every Italian Catholic, (who is not a Roman), divided? His King is in Paris, or Madrid, or Naples, while his high-priest is at

Rome. We speak of it as an anomaly in politics; whereas, it is the state, and condition of almost the whole of Europe. The danger of this divided allegiance, they admit, is nothing, as long as it is confined to purely spiritual concerns; but it may extend itself to temporal matters, and so endanger the safety of the State. This danger, however, is greater in a Catholic than in a Protestant country; not only on account of the greater majority upon whom it might act; but because there are objects in a Catholic country much more desirable, and attainable, than in a country like England, where Popery does not exist, or Ireland, where it is humbled, and impoverished. Take, for instance, the freedom of the Gallican church. What eternal disputes did this object give birth to? What a temptation to the Pope to infringe in rich Catholic countries! How is it possible his Holiness can keep his hands from picking and stealing? It must not be imagined that Catholicism has been any defence against the hostility, and aggression of the Pope: he has cursed and excommunicated every Catholic State in Europe, in their turns. Let that eminent Protestant, Lord Bathurst, state any one instance where, for the last century, the Pope has interfered with the temporal concerns of Great Britain. We can mention, and his Lordship will remember, innumerable instances where he might have done so, if such were the modern habit and policy of the Court of Rome. But the fact is, there is no Court of Rome, and no Pope. There is a wax-work Pope, and a wax-work Court of Rome. But Popes of flesh and blood have long since disappeared; and in the same way, those great giants of the city exist no more, but their truculent images are at Guildhall. We doubt if there is in the treasury of the Pope change for a guinea—we are sure there is not in his armoury one gun which will go off. We believe, if he attempted to bless any body whom Dr Doyle cursed, or to curse any body whom Dr Doyle blessed, that his blessings and curses would be as powerless as his artillery. Dr Doyle * is the Pope of Ireland; and the ablest ecclesiastic of that country will always be its Pope —and that Lord Bathurst ought to know—most likely does know. But what a waste of life and time, to combat such

* 'Of this I can with great truth assure you; and my testimony, 'if not entitled to respect, should not be utterly disregarded, that 'Papal influence will never induce the Catholics of this country either to continue tranquil, or to be disturbed, either to aid or to 'oppose the Government; and that your Lordship can contribute 'much more than the Pope to secure their allegiance, or to render 'them disaffected.'—Dr Doyle's Letter to Lord Liverpool. 115.

arguments! Can my Lord Bathurst be ignorant? Can any man, who has the slightest knowledge of Ireland, be ignorant, that the portmanteau which sets out every quarter for Rome, and returns from it, is an heap of ecclesiastical matters, which have no more to do with the safety of the country, than they have to do with the safety of the moon—and which, but for the respect to individual feelings, might all be published at Charing-Cross? Mrs *Flanagan*, intimidated by stomach complaints, wants a dispensation for eating flesh. *Cornelius Oh Bowel* has intermarried by accident with his grandmother; and, finding that she is really his grandmother, his conscience is uneasy. *Mr MacTooley*, the priest, is discovered to be married; and to have two sons, *Castor* and *Pollux MacTooley*. Three or four schools-full of little boys have been cursed for going to hear a Methodist preacher. Bargains for shirts and toe-nails of deceased saints—surplices and trencher-caps blessed by the Pope. These are the fruits of double allegiance—the objects of our incredible fear, and the cause of our incredible folly. There is not a syllable which goes to or comes from the Court of Rome, which, by a judicious expenditure of sixpence by the year, would not be open to the examination of every Member of the Cabinet. Those who use such arguments know the answer to them as well as we do. The real evil they dread is the destruction of the Church of Ireland, and, through that, of the Church of England. To which we reply, that such danger must proceed from the regular proceedings of Parliament, or be effected by insurrection and rebellion. The Catholics, restored to civil functions, would, we believe, be more likely to cling to the Church than to Dissenters. If not, both Catholics and Dissenters must be utterly powerless against the overwhelming English interests, and feelings in the House. Men are less inclined to run into rebellion, in proportion as they have less to complain of; and, of all other dangers, the greatest to the Irish and English Church establishments, and to the Protestant faith throughout Europe, is *to leave Ireland in its present state of discontent.*

If the intention is to wait to the last, before concession is made, till the French or Americans have landed, and the Holy standard has been unfurled, we ought to be sure of the terms which can be obtained at such a crisis. This game was played in America. Commissioners were sent in one year to offer and to press what would have been most thankfully received the year before; but they were always too late. The rapid concessions of England were outstripped by the more rapid exactions of the colonies; and the commissioners returned with the melancholy history, that they had humbled themselves

before the rebels in vain. If you ever mean to concede at all, do it when every concession will be received as a favour. To wait till you are forced to treat, is as mean in principle as it is dangerous in effect.

Then, how many thousand Protestant Dissenters are there who pay a double allegiance to the King, and to the head of their Church, who is not the King? Is not Mr William Smith member for Norwich, the head of the Unitarian Church? Is not Mr Wilberforce the head of the Clapham Church? Are there not twenty preachers at Leeds, who regulate all the proceedings of the Methodists? The gentlemen we have mentioned are eminent, and most excellent men; but if any thing at all is to be apprehended from this divided allegiance, we should be infinitely more afraid of some Jacobinical fanatic at the head of Protestant votaries—some man of such character as Lord George Gordon—than we should of all the efforts of the Pope.

As so much evil is supposed to proceed from not obeying the King as head of the Church, it might be supposed to be a very active office—that the King was perpetually interfering with the affairs of the Church—and that orders were in a course of emanation from the Throne which regulated the fervor, and arranged the devotion of all the members of the Church of England. But we really do not know what orders are ever given by the King to the Church, except the appointment of a fast-day once in three or four years;—nor can we conceive (for appointment to Bishoprics is out of the question) what duties there would be to perform, if this allegiance were paid, instead of being withholden. Supremacy appears to us to be a mere name, without exercise of power—and allegiance to be a duty, without any performance annexed. If any one will say what ought to be done which is not done, on account of this divided allegiance, we shall better understand the magnitude of the evil. Till then, we shall consider it as a lucky Protestant phrase, good to look at, like the mottos and ornaments on cake, but not fit to be eaten.

Nothing can be more unfair than to expect, in an ancient Church like that of the Catholics, the same uniformity as in churches which have not existed for more than two or three centuries. The coats and waistcoats of the reign of Henry VIII. bear some resemblance to the same garments of the present day; but, as you recede, you get to the skins of wild beasts, or the fleeces of sheep, for the garments of savages. In the same way, it is extremely difficult for a church, which has to do with the counsels of barbarous ages,

not to be detected in some discrepancy of opinion; while in younger churches, every thing is fair and fresh, and of modern date and figure; and it is not the custom among Theologians to own their church in the wrong. 'No religion can stand, 'if men, without regard to their God, and with regard only to 'controversy, shall rake out of the rubbish of antiquity the 'obsolete and quaint follies of the sectarians, and affront the 'majesty of the Almighty with the impudent catalogue of their 'devices; and it is a strong argument against the proscriptive 'system, that it helps to continue this shocking contest. 'Theologian against theologian, polemic against polemic, 'until the two madmen defame their common Parent, and ex-'pose their common religion.'—*Grattan's Speech on the Catholic Question*, 1805.

A good natured and well conditioned person has pleasure in keeping and distributing any thing that is good. If he detects any thing with superior flavour, he presses and invites, and is not easy till others participate;—and so it is with political and religious freedom. It is a pleasure to possess it, and a pleasure to communicate it to others. There is something shocking in the greedy, growling, guzzling monopoly of such a blessing.

France is no longer a nation of atheists; and therefore, a great cause of offence to the Irish Roman Catholic Clergy is removed. Navigation by steam renders all shores more accessible. The union among Catholics is consolidated; all the dangers of Ireland are redoubled; every thing seems tending to an event fatal to England—fatal (whatever Catholics may foolishly imagine) to Ireland—and which will subject them both to the dominion of France.

Formerly a poor man might be removed from a parish if there was the slightest danger of his becoming chargeable; a hole in his coat or breeches excited suspicion. The church-wardens said, 'He *has* cost us nothing, but he *may* cost us something; and we must not live even in the apprehension of evil.' All this is changed; and the law now says, 'Wait till you are hurt; time enough to meet the evil when it comes; you have no right to do a certain evil to others, to prevent an uncertain evil to yourselves.' The Catholics, however, are told that what they *do* ask is objected to, from the fear of what they *may* ask; that they must do without that which is *reasonable*, for fear they should ask what is *unreasonable*. 'I would give you a penny (says the miser to the beggar), if I was quite sure you would not ask me for half a crown.'

'Nothing, I am told, is now so common on the Continent as to hear our Irish policy discussed. Till of late the extent of the dis-

abilities was but little understood, and less regarded, partly because having less liberty themselves, foreigners could not appreciate the deprivations, and partly because the pre-eminence of England was not so decided as to draw the eyes of the world on all parts of our system. It was scarcely credited that England, that knight-errant abroad, should play the exclusionist at home; that every where else she should declaim against oppression, but contemplate it without emotion at her doors. That her armies should march, and her orators philippize, and her poets sing against continental tyranny, and yet that laws should remain extant, and principles be operative within our gates, which are a bitter satire on our philanthropy, and a melancholy negation of our professions. Our sentiments have been so lofty, our deportment to foreigners so haughty, we have set up such liberty and such morals, that no one could suppose that we were hypocrites. Still less could it be foreseen that a great moralist, called Joseph Surface, kept a "Little Milliner" behind the scenes, we too should be found out at length in taking the diversion of private tyranny after the most approved models for that amusement.'—*Letter to Lord Milton*, pp. 50, 51.

We sincerely hope—we firmly believe—it never will happen; but if it were to happen, why cannot England be just as happy with Ireland being Catholic, as it is with Scotland being Presbyterian? Has not the Church of England lived side by side with the Kirk, without crossing or jostling, for these last hundred years? Have the Presbyterian members entered into any conspiracy for mincing Bishoprics and Deaneries into Synods and Presbyteries? And is not the Church of England tenfold more rich, and more strong, than when the separation took place? But however this may be, the real danger, even to the Church of Ireland, as we have before often remarked, is the refusal of Catholic Emancipation.

It would seem, from the phrenzy of many worthy Protestants, whenever the name of Catholic is mentioned, that the greatest possible diversity of religious opinions existed between the Catholic and the Protestant—that they were as different as fish and flesh—as alkali and acid—as cow and carthorse; whereas it is quite clear, that there are many Protestant sects whose difference from each other is much more marked, both in church discipline, and in tenets of faith, than that of Protestants and Catholics. We maintain that Lambeth, in these two points, is quite as near to the Vatican as it is to the Kirk—if not much nearer.

Instead of lamenting the power of the priests over the lower orders of the Irish, we ought to congratulate ourselves that any influence can affect, or controul them. Is the tiger less formidable in the forest, than when he has been caught and taught to obey a voice, and tremble at an hand? But we over-

rate the power of the priests, if we suppose that the upper orders are to encounter all the dangers of treason and rebellion, to confer the revenues of the Protestant Church upon their Catholic clergy. If the influence of the Catholic clergy upon men of rank and education is so unbounded, why cannot the French and Italian clergy recover their possessions, or acquire an equivalent for them? They are starving in the full enjoyment of an influence which places (as we think) all the wealth and power of the country at their feet—an influence which, in our opinion, overpowers avarice, fear, ambition, and is the master of every passion which brings on change and movement in the Protestant world.

We conclude with a few words of advice to the different opponents of the Catholic question.

To the No-Popery Fool.

You are made use of by men who laugh at you, and despise you for your folly and ignorance; and who, the moment it suits their purpose, will consent to emancipation of the Catholics, and leave you to roar and bellow No Popery! to Vacancy and the Moon.

To the No-Popery Rogue.

A shameful and scandalous game, to sport with the serious interests of the country in order to gain some increase of public power!

To the Honest No-Popery People.

We respect you very sincerely—but are astonished at your existence.

To the Base.

Sweet children of turpitude, beware! the old anti-popery people are fast perishing away. Take heed that you are not surprised by an emancipating King, or an emancipating Administration. Leave a *locus pœnitentiæ!*—prepare a place for retreat—get ready your equivocations and denials. The dreadful day may yet come, when liberality may lead to place and power. We understand these matters here. It is safest to be moderately base—to be flexible in shame, and to be always ready for what is generous, good, and just, when any thing is to be gained by virtue.

To the Catholics.

Wait. Do not add to your miseries by a mad and desperate rebellion. Persevere in civil exertions, and concede all you can concede. All great alterations in human affairs are produced by compromise.

ART. VIII. *Speech of the Right Honourable* WILLIAM HUSKISSON *in the House of Commons, 12th May* 1826, *on the Present State of the Shipping Interest.* pp. 70. London, 1826.

THE clamour that the ship-owners are now setting up against the relaxations that have recently been introduced into the Navigation Laws, and especially against the *Reciprocity* Act, seems to us to be altogether destitute of foundation.* That the Shipping Interest is, at this moment, involved in considerable difficulties, is, we believe, true. But we deny that any evidence has been produced, to show that these difficulties have been occasioned by the measures complained of; and so far indeed from this being the case, it may easily be shown, that, had it not been for these measures, the distress of the ship-owners would have been considerably greater than it is.

The complaint of the Shipping Interest is, that, by relaxing the Navigation Laws, and admitting foreign vessels into our ports, on their paying the same duties that are paid by our own, an undue advantage is given to the foreign ship-owners, who, they affirm, can build, man, and sail their ships at a comparatively cheap rate, and that they are, in consequence, gaining rapidly upon ours. We shall afterwards show what is the real state of the fact with respect to the cheapness of foreign shipping, and its increase in the commerce of the Empire. But assuming, for the present, the facts of the case to be as the ship-owners represent, the real question to be considered is, not whether the Shipping Interest is now depressed but, Whether it is more or less depressed than it would have been had the measures complained of never been carried into effect? We contend, that though the relaxation in the Navigation Laws, and the passing of the Reciprocity statute, were antecedent to the existing distress, they are not, therefore, to be considered as its cause, and that their effect has been to lessen, not to add to, its violence.

Even if our space permitted, it would be unnecessary to enter upon any long exposition of the causes which contributed to give an artificial increase to the mercantile marine of England during the late war. They have been set in the clearest point of view in the unanswered, because unanswerable, speech of Mr Huskisson on the Navigation Laws, quoted at the head of this article, and the most prominent of them must

* The Reciprocity system was first introduced in 1823; but the statute 6th Geo. IV. cap. 1. is the latest and most complete enactment on the subject.

be fresh in the recollection of our readers. With the exception of those belonging to Great Britain and America, the ships of almost all the commercial countries of the world were entirely swept from the sea. We had no competitors in the Old World, and might, therefore, dictate such laws as we chose for the regulation of our traffic with the different European states, and enforce their execution by the terror of our arms. But in 1815 we found ourselves in an entirely new position. The ships of Russia, Prussia, Holland, France, &c. were no longer confined to their harbours; and the flag of Hamburgh or Bremen gave equal security to the merchantman as the flag of Great Britain. This increase of foreign competition, combined with the cessation of the demand for transports at home, and other causes, occasioned a very considerable falling off in the demand for merchant ships, both in this country and America. Our ship-owners were involved in difficulties which were decidedly greater than those by which they are now assailed. Petition after petition was presented to the House of Commons and the Board of Trade, complaining of the depression of the Shipping Interest. And in 1820, in compliance with these petitions, Committees were appointed by the Houses of Lords and Commons to inquire into the state of our foreign trade. Mr Lyall, the present Chairman of the Ship-owners, Mr Buckle, Mr Hall, the Secretary to the St Catherine's Dock Company, and various other gentlemen intimately connected with the Shipping Interest, were examined by the Committee; and it was on their evidence, and in accordance with their suggestions, that Mr Wallace founded his bills for modifying the Navigation Laws, so far as to place all European countries in amity with Great Britain, on the same footing with respect to commerce, and for repealing the well-known regulations with respect to the importation of *enumerated* commodities. * And so satisfied were the gentlemen previously referred to of the propriety and beneficial tendency of these alterations, that, on Mr Wallace's retiring from the Board of Trade, a deputation waited upon him and presented him an address, subscribed by all the principal ship-owners and merchants of London, thanking him—and no one has deserved the thanks of the mercantile part of the community better than Mr Wallace—for the many and great services he had rendered to commerce and navigation, and particularly for the changes he had effected in the Navigation Laws!

* For an account of the changes effected in the Navigation Laws, by the bills introduced by Mr Wallace, see Edinburgh Review, No. 76. Art. 11.

—So much for the share which *theorists* and *visionary calculators* had, in the first and greatest of the recent modifications, made in what has been rather pompously designated, the *Charta Maritima* of England!

Besides the regulations which were repealed by the bills introduced by Mr Wallace, and which had for their object to prevent the vessels of any European country importing into Great Britain any commodities, except those which were the growth or produce of that country, it had been a part of our policy to encourage the employment of our shipping by imposing higher duties on commodities, imported into our harbours in foreign vessels, than were imposed on them when imported in British vessels, and it had also been customary to charge foreign vessels with higher port and light-house duties, &c. This system was always loudly complained of by foreigners; but we had little difficulty in maintaining it, so long as the state of our manufactures enabled us to disregard the retaliatory measures of other powers. But the late unprecedented increase of our manufactures for foreign demand, and the natural desire of other nations to adopt the same system of monopoly and exclusion to which—forgetting our free institutions, the perfect security of property, and freedom of internal industry we have long enjoyed, the equality and fairness of our system of taxation, and the absence of all oppressive feudal privileges—we had falsely ascribed our commercial and maritime superiority, compelled us to adopt a more enlarged and liberal system. The change on our part certainly was not optional; it was forced upon us by necessity. After the United States had succeeded in establishing their independence, they set about framing a code of Navigation Laws; and it was then we found, that restrictive regulations might be wielded by others, and that the same engines by which we had formerly laboured to destroy the trade of Holland, might be brought to operate, by what *we* could not well call an unjust retribution, against ourselves. According to the system established by the American Congress, it was ruled that all foreign ships trading to the United States should pay half a dollar, which was afterwards raised to a dollar, per ton duty, beyond what was paid by American ships: And further, that goods imported in foreign vessels should pay a duty of 10 per cent, over and above what was demandable on the same description of goods imported in American vessels.

This law was avowedly levelled against the navigation of Great Britain; though, as it proceeded on the very same principles on which our Navigation Laws were bottomed, we could not complain of its operation! Under these circumstances, it

would have been sound policy to have at once proposed an accommodation; and instead of attempting to meet retaliation by retaliation, to have offered to modify our Navigation Laws, in so far as American shipping was concerned, on condition of the Americans making reciprocal modifications in our favour. We took, however, a different course. We attempted, by every means in our power, to counteract the navigation system of the United States, without in any degree relaxing our own. But it is unnecessary to say, that we totally failed of our object. And at length it became obvious to every one, that we had engaged in an unequal struggle; and that the real effect of our policy was, to give a bounty on the importation of the manufactured goods of other countries into the United States, and thus, in the long run, to exclude our own manufactures, as well as ships, from the ports of the Republic. So strong, indeed, did the conviction of the necessity of a change ultimately become, that in 1815, during the administration of Mr Vansittart and Mr George Rose, against whom, we believe, no charge of peculiar deference to *visionary theories* has hitherto been preferred, the Reciprocity System was established in the trade between this country and the United States; it having been then agreed that, in future, *equal charges* should be imposed on the ships of either country in the ports of the other, and that *equal duties* should be laid upon all articles the produce of the one country imported into the other, whether such importation was effected in the ships of the one or the other.

It appears, therefore, that the only great modification that has been made in the principle of the old Navigation Laws, was made by the bills introduced by Mr Wallace, at the instigation, and amid the applauses of the merchants and shipowners: And it further appears, that the system of discriminating duties to force the employment of British ships was first given up, and the Reciprocity System established *twelve* years since, in the most important branch of our commerce, that carried on with the United States. What then must be thought of the candour of those who now attempt to excite a prejudice against Mr Huskisson, by representing him as the source and propounder of *all* the changes that have ever been made in the Navigation Laws? Had this representation been true, it would, no doubt, have raised the Right Hon. Gentleman still higher in the estimation of every fair and unprejudiced individual. But it is not true; and Mr Huskisson has too many and well-founded claims on the public esteem, to be under any temptation to appropriate to himself any part of the

credit so justly due to Mr Wallace, or of that which belongs to those who can less afford to spare it—Mr Vansittart and Mr George Rose. All that Mr Huskisson has really done has been, to extend the principles on which his predecessors had already acted. He has established between the Northern Powers and this country the same system of *reciprocity* which the ministers of 1815 had established between this country and the United States, the only power whose maritime greatness can excite the smallest apprehensions in the mind of an Englishman. This is *all* that Mr Huskisson has done; and it was not *choice*, but *necessity*, that compelled him to do this much. As a Minister of Great Britain, he would have been highly censurable, had he made any gratuitous concession to foreigners that could possibly injure any class of persons in this country. So long therefore as the Prussians, Swedes, Danes, &c. chose to submit to our system of discriminating duties on foreign ships, and on the goods imported in them, it was not our part, certainly, to tell them that that system was illiberal and oppressive. But when they found this out without our telling them; and when they declared that, unless we modified our restrictions, they would retaliate on our commerce, and either entirely exclude British commodities from their markets, or load those that were imported in British ships with prohibitory duties; would ministers have been justified had they refused coming to an accommodation with them? Were they to sacrifice the substance to the shadow? To turn away some of our very best customers because they chose to stipulate that their intercourse with us should be conducted either in their ships or in ours, as the merchants thought best?

That this is the true state of the case is known to every one who has ever paid the least attention to the subject, and who is not influenced solely by vulgar clamour. We did not voluntarily throw away what we might have retained without difficulty; but we prudently gave up what was of small value in order to retain what was of great value. We preferred, in short, admitting Prussian vessels, on a footing of reciprocity, into our harbours, to the risk of being entirely excluded from the trade with Prussia.

That this was the alternative under which the British government agreed to the establishment of the Reciprocity System is proved, beyond all question, by the official documents quoted by Mr Huskisson in his speech. The Prussian government issued an Order in Council on the 20th June 1822, by which large additions were made to the port-dues charged on all ships belonging to those nations which did not admit Prussian ships

on a footing of reciprocity;—and it appears from the reports of the Consuls at Dantzic, Köenigsberg, and Memel, that this order had the most injurious operation on British shipping. The Consul at Memel says, in a letter dated 21st August 1822, that 'this difference between British and Prussian ship-'ping' (*i. e.* the difference established by the Decree of 20th of June) 'must drive the carrying trade in British bottoms from 'this port, to the great injury of the British shipping interest; 'for about three hundred British vessels, on an average, load 'here annually with timber for Great Britain, which, of course, 'cannot bear such heavy charges, as cargoes consisting of 'grain, flax, hemp, tallow, &c. &c., and which are of so much 'more considerable value. The merchants here, who are prin-'cipally British, have protested against this new regulation, 'and petitioned the Prussian Government for the repeal 'thereof.'

In consequence of these measures of the Prussian Government, the British merchants and ship-owners immediately applied to our Government for relief. 'We were assailed,' says Mr Huskisson, 'with representations from all quarters, con-'nected with the shipping and trade of the country, against the 'heavy charges imposed upon British ships in the ports of 'Prussia. In such circumstances, what course did his Majes-'ty's Government take? We felt it to be our duty, in the first 'instance, to communicate with the Prussian minister in 'this country; and our minister at Berlin was, I believe, 'also directed to confer with the Prussian Government on 'the subject. I myself had a conference with the Prussian 'minister at this court, and I well recollect the substance of 'his reply to me: "You have," he said, "set us the exam-'ple, by your port and light charges, and your discriminating 'duties on Prussian ships; and we have not gone beyond the 'limits of that example. Hitherto, we have confined the in-'crease of our port and tonnage charges to ships only; *but it 'is the intention of my Government next year*," (and of this he 'showed me the written proof) '*to imitate you still more closely, 'by imposing discriminating duties on the goods imported in your 'ships.* Our object is a just protection to our own navigation; 'and so long as the measure of our protection does not exceed 'that which is afforded in your ports to British ships, we can-'not see with what reason you can complain."

'Against such a reply what remonstrance could we, in fair-'ness, make to the Prussian Government? We might have 'addressed ourselves, it may be said by some, to the friendly 'feelings of that Government;—we might have pleaded long

'usage in support of our discriminating duties;—we might 'have urged the advantages which Prussia derived from her 'trade with England. Appeals like these were not forgot in 'the discussion, but they were of little avail against the fact 'stated by Mr Consul Gibson—that "the Prussian ship-'owners were all going to ruin."

'By others it may be said, "Your duty was to retaliate, by 'increasing your own port charges, and discriminating duties, 'on Prussian shipping." I have already stated generally my 'reasons against the policy of this latter course. We were 'not prepared to begin a system of commercial hostility, which, 'if followed up on both sides to its legitimate consequences, 'could only tend to reciprocal prohibition. In this state of 'things, more prudently, as I contend, we entered upon an 'amicable negociation with the Prussian Government, upon 'the principle of our treaty with the United States,—that of 'abolishing, on both sides, all discriminating duties on the 'ships and goods of the respective countries in the ports of 'the other.

'Having concluded an arrangement with Prussia upon this 'basis, we soon found it necessary to do the same with some other 'of the Northern States. Similar conventions were accordingly 'entered into with Denmark and Sweden. Reciprocity is the 'foundation of all those conventions; but it is only fair to add, 'that they contain other stipulations for giving facility to trade, 'and from which the commerce of this country, I am confident, 'will, in the result, derive considerable advantage.' pp. 42, 43.

Nothing can be more satisfactory, more triumphant, indeed, than this statement.—But could ministers have acted differently? Could they refuse to make the same concessions to a friendly power like Prussia, that they had made to the United States? And how could they have met the complaints of the manufacturers—*a body at least twenty times greater, both in number and importance,* than the shipping interest—had they allowed our commodities to be excluded from such extensive markets as those of Prussia, Denmark, &c. as they certainly would have been, had they refused to act on the fair and equitable maxim of doing by others as we would have others to do by us? The Prussians, and other nations bordering on the Baltic, do not get a single commodity from Great Britain with which they may not be supplied, at a trifling increase of cost, either by their own industry or by importation from others. We can hardly suppose that our practical men are so very ignorant of practical matters, as not to know that it has required very great firmness on the part of the government of Prussia

to prevent the exclusion of British manufactures; and that memorial after memorial has been laid by the native manufacturers before them, representing their condition as wretched in the extreme, ascribing their misery to British competition, and praying that all our manufactured products might be prohibited. And we would beg to ask, Whether any thing half so effectual could have been done to enforce these representations, as a refusal, on the part of our government, to make any modifications in the vexatious and irritating system of discriminating duties?

But it is really unnecessary to enlarge on such a subject. Had Mr Huskisson acted in any other way than he has done, he would have been highly culpable. He had only a choice of difficulties; and he preferred adopting a system which preserved free access for the English manufacturer to the markets of Prussia, and to the English ship-owners an equal chance with the Prussians of being employed in the traffic between the two countries, to a system that would eventually, and at no distant period, have put an end to all intercourse between the two countries, and which had already subjected it to great difficulties.

It is idle, therefore, to tell us that the number of Prussian and other foreign ships entering our ports, has increased since the Reciprocity system was established. Is it not better to maintain a commerce with foreign countries, though it should be partially carried on in ships belonging to them, than to be wholly excluded from their markets? No doubt it would have been desirable that the Prussians should have received our commodities, allowing us at the same time to dictate the mode in which they should be carried to them, and the equivalents brought back. But as the Prussians had a shipping interest as well as ourselves, which they were resolved to place on the same footing with respect to protection on which we had placed ours, were we on that account to proscribe all intercourse with them? Had Mr Huskisson and his colleagues acted thus, they would have been fitter for a cell in Bedlam than for a place in the councils of a great manufacturing nation.

Admitting, therefore, all that the ship-owners have said—admitting that the ships of Prussia and other foreign countries, with whom we have established a System of Reciprocity, are gaining upon us in the intercourse carried on with them—the expediency of the course we have followed is not the less certain. We chose the least of two evils. The establishment of the Reciprocity system was the price we were forced to pay, to prevent the exclusion of our manufactures from the ports of the United States, Prussia, Sweden, &c. And though it were

true that three-fourths of the trade with these countries should in future be carried on by means of foreign ships, still we should say—and where is the ship-owner who will venture to dissent from the statement?—that it is infinitely more for our advantage that it should be so carried on, than that it should be proscribed.

But what, after all, is the amount of that extraordinary increase of foreign shipping frequenting our ports, of which we have heard so much? Let the annexed official statement of the number of British and foreign vessels, with their tonnage, &c. entering our ports in each year from 1814 to 1825, both inclusive, answer this question.

An Account of the Total Number of Vessels, with the amount of their Tonnage, and the Number of Men and Boys employed in navigating the same (including their repeated voyages), that entered inwards into the Ports of Great Britain from all parts of the World, in the several years from 1814 to 1825, both inclusive, distinguishing the British from the Foreign.

YEARS.	BRITISH.			FOREIGN.			TOTAL.		
	Vessels.	Tons.	Men.	Vess.	Tons.	Men.	Vessels.	Tons.	Men.
1814.	16,065	1,846,670	114,049	5,109	566,516	35,581	21,174	2,413,186	149,630
1815.	16,851	1,993,150	120,027	4,919	673,918	39,058	21,770	2,667,068	159,085
1816.	16,754	1,966,890	119,779	2,825	317,577	22,253	19,579	2,284,467	142,032
1817.	18,707	2,240,675	131,901	3,163	401,792	24,745	21,870	2,642,467	156,646
1818.	20,401	2,457,779	143,800	5,898	704,511	40,690	26,299	3,162,290	184,490
1819.	19,851	2,413,019	142,160	3,854	478,220	29,138	23,705	2,891,239	171,298
1820.	18,586	2,270,400	135,195	3,258	408,401	25,472	21,844	2,678,801	160,667
1821.	18,738	2,263,813	134,699	3,091	366,397	24,400	21,829	2,630,210	159,099
1822.	20,212	2,390,238	147,603	3,113	419,694	25,807	23,325	2,809,932	173,410
1823.	20,303	2,469,053	154,958	3,806	534,674	31,329	24,109	3,003,727	186,287
1824.	19,164	2,364,249	142,923	5,280	694,880	38,662	24,444	3,059,129	181,585
1825.	21,786	2,786,844	162,614	6,561	892,601	48,943	28,347	3,679,445	211,557

Office of Registrer General of Shipping,
Custom House, London,
19th May 1826.

Now, from this account it is seen, that the tonnage of all the British vessels entered inwards into the different ports of the empire in 1814, amounted to 1,846,670 tons; and in 1825, two years after the Reciprocity system had been established, the tonnage of the British ships entering our ports, instead of being diminished, as one might suppose had been the case from the out-

cry that has been raised, had increased to 2,786,844 tons, being an increase of about 50 per cent. on its amount at the former period! And from the same account it appears, that the tonnage of the foreign vessels entering the British ports in 1814 amounted to 566,516 tons, and in 1825 to 892,601 tons. What then, may we ask, would the ship-owners have? Is an increase of 50 per cent. in the amount of our mercantile navy, in the course of twelve years, not enough to satisfy their rapacious wishes? And must we, to gratify their inordinate desires, proscribe the trade, with all our best customers, because, in a period of profound peace, 326,085 tons of foreign shipping have entered our ports more than entered them during the last year of the war? That such a circumstance should have been made a ground of complaint, does appear passing strange. The ordinary topics of vituperation must surely be at a heavy discount, when recourse has been had to this.

That the shipping interest has been involved in considerable difficulties during the past year, is true. But is their situation, in this respect, at all peculiar? Are they worse off than the agriculturists or manufacturers? They are depressed, because of previous over trading, and the check given to all sorts of industry and speculation by the recoil that took place in the latter part of 1825. It is not the reciprocity system, but it is the revulsion in the money market, and the destruction of country bank paper, and fictitious bills, that took place in December 1825 and January 1826, and its consequences, that has occasioned a decline in the commerce of the country, and, by consequence, a diminished demand for ships, and a fall of freights.

But it is said, that the Prussians, Swedes, &c. can build, victual, and man ships cheaper than we can do, and that, though their competition may not hitherto have produced all the evils pictured in the creative fancy of the ship-owners, it must do so at no distant period. But even if this statement were true, what would it avail? We say again, as we said before, that it is better—incomparably better—that our intercourse with foreign nations should be carried on exclusively, if it must be so, in their ships, than that it should be put a stop to, which it certainly would be, were we to persevere in the system of discriminating duties. We take leave, however, to doubt the whole statement. We do not believe that the Prussians, or any foreign nation, can build and man ships cheaper than ourselves. And we found this opinion, not on any *speculative* or *visionary hypothesis*, but on the evidence of Mr John Hall, a *practical* gentleman of the highest respectability, who has been all his

life intimately connected with the shipping interest, and who has been recently appointed to the responsible situation of Secretary to the New, or St Catherine's Dock Company. Let us then hear what Mr Hall has to say on this question.

'Much,' says he, 'of the erroneous impression which exists upon this subject, (the comparative cheapness of foreign shipping,) may be traced to the *mode* of estimating the cost of vessels built in foreign countries as compared with those built here. It has been usual to make a comparative estimate between the cost of British and foreign ships according to the rate *per ton*, without referring to the fact, that abroad, the admeasured tonnage of a ship represents her burthen; whereas, according to our mode of admeasurement, a vessel built in this country of 150 tons register, and by which tonnage the price for building is agreed upon, will burthen about 220 tons, being nearly one-half more than her register tonnage. Vessels of a larger description, burthen more in proportion to their tonnage than that already stated; I have known vessels of 400 tons register, carry mixed cargoes of 800 tons. It is a curious fact, that a ship, which, in the port of London, was put into dock for the purpose of being raised upon, so as to increase her capacity of stowage, before going into dock, admeasured more than *after she had been* raised upon, although by those means she acquired the capacity of carrying nearly 100 tons more than she could have done previously to such alteration. On re-survey, she measured less when she came out of dock, than under her old register, although 100 tons larger.

'This is attributable to the mode of admeasurement prescribed by the Act of Parliament, the real depth of the vessel is not taken, but is ascertained artificially, as compared with her breadth. The ship in question in being raised upon was rather narrowed in her width; the consequence of which was, that the increased depth of hold not being included in the calculation of her tonnage, she became less in tonnage by admeasurement to what she was at the time of the original register being granted. The mode of admeasurement adopted in Holland and France, gives the burthen of the ship, and her capacity of stowage, as nearly as possible, so that in the relative calculation, and the estimate of British ship-building per ton, we ought to deduct nearly one half; as, for instance, a brig of 150 tons register, built at the rate of 12*l.* per ton, will carry 220; therefore, in point of fact, her cost at per ton burthen is only 8*l.* per ton. To the British vessel, therefore, I will compare a vessel built in Holland, (that being the country we have always most feared as rival carriers,) and take a brig of 150 tons *burden*, recollecting that the admeasurement conforms thereto; such a vessel, with one suit of sails, cannot be built there under 18,000 florins, to which must be added the fir sheathing, if she is intended for a long voyage and an additional suit of sails, which would cost 3,000 guilders more; if copper-bolted and coppered, 6,000 guilders additional, making altogether 27,000 guilders, or equal to 190 guilders per ton, which, at the exchange of par, is about 17*l.* 10*s.* per ton, or 2,625*l.* Now, a British brig of about 110 to 115

tons, which in burthen is equal to the Dutch brig of 150 tons burthen, might be built and fitted in the country at the same price. A brig, of the like burthen coppered in France, would cost about 56,000 francs, which at par is about 2,400*l.*, or about 16*l.* per ton, or 30 shillings per ton less than in Holland, wages being lower in France is the reason of the difference. The idea with respect to the cheap mode of building abroad is therefore erroneous; for although it is admitted, that vessels in Norway and the Baltic ports can be built cheaper, materials being nearer at hand, it must not be forgotten, that ships in Norway are principally built of fir, and possess no durability; and that *vessels built in the Baltic will not last the time, nor bear the wear nor tear, that a ship built in this country, or in Holland or in France, will do.* In respect to the fitting out, there are only two articles of stores which, at present, are not equally dear in Holland and France, as they are in this country. Shipping beef can be purchased in this country at about 4½d. per pound, and the very best salted meat, at 100 lbs. per barrel, including brine, about 92s. the barrel; so that our shipping in point of victualling labour under no disadvantage; and as to other stores our ships have the same means of acquiring them abroad as the foreigner, and for the purposes of foreign navigation produce equal advantages. Wages to foreign seamen upon long voyages are equal with those paid to the crews of our ships; the crews of their large ships are often composed of more men in proportion to the tonnage than ours; we have on our side also the advantage of despatch, which, upon a long voyage, as, for instance, to the East Indies, I should certainly consider as four to three, namely, that a British ship, a Danish, Swedish, Russian, Dutch, or French ship, engaged in voyages to the East Indies, the first would make four voyages to three performed by the foreigner; in addition to which, the lower premium of insurance paid upon British shipping, to what is paid by a foreign bottom, must be considered. A preference also appears to exist in favour of British ships when loading at distant ports; and it is an indisputable fact, that the freights by alien ships on those voyages have latterly been higher than by British ships on voyages of similar length. Cargoes conveyed by British ships are less subject to average, and complaints of pilferage on board an English ship seldom or ever occur.—*I am therefore of opinion the* ALARM IS IMAGINARY, *and that we may compete with foreign navigation, and have nothing to fear from any attempt that may be made to rival us in our British carrying trade.* I have not named the Americans, as it is I believe admitted they sail quite as expensively as we do. If what has been stated should not be considered sufficient to allay the alarm which has been excited, I hope those who may not be satisfied will have the goodness to explain satisfactorily, why the carrying trade of Europe has not been monopolized by the Northern Powers, whose shipping, it is admitted, can be built cheaper than that of any other country—if they cannot do this, the argument has proved too much, and shows that no real foundation exists for any alarm.' (*Hall on the Warehousing System and Navigation Laws, pp.* 31–32.

In every point of view, therefore, in which this question can

be placed, the wisdom of the course pursued by Ministers, and the groundlessness of the complaints made against it, appear most obvious. We do therefore trust, that they will continue resolutely to act on the principles they have laid down. The clamour that has been raised against them, destitute as it is of even the shadow of a foundation, must speedily subside. And we are satisfied that the period is not far distant, when even the ship-owners will be ready to acknowledge the expediency of the alterations which the force of circumstances have compelled them to make in the old Navigation Laws of the country.

If, however, a concession must be made to the clamour and entreaties of the shipping interest, we would beg to suggest, that it should be made rather by reducing, or even totally repealing, the existing duty on Canada timber, than by trenching on the principles of the Reciprocity System. We admit that this plan is liable to many objections; but, on the whole, it appears to us decidedly less objectionable than any other that has been proposed. The reduction or repeal of the duty on Canada timber involves only a change in the existing regulations with respect to the colony trade; whereas any modification of the Reciprocity System must be a *hostile* measure directed against the commerce and navigation of other countries, which could not fail to lead to retaliatory proceedings on their part. It is true, that a reduction of the duties on Canada timber would have the effect to load our markets with a very inferior article; but if the clamours of the ship-owners are to be appeased, this will be found to be, after all, the least expensive method of doing it.

Art. IX. 1. *The Report made to his Majesty under a Commission, authorizing the Commissioners to make certain Inquiries respecting the Court of Chancery.* London. J. W. and T. Clarke. 1826.

2. *Considerations suggested by the above Report.* London, Hatchard and Son, Picadilly. 1826.

3. *Observations on the Actual State of the English Laws, of Real Property, with the Outlines of a Code.* By James Humphreys Esq. Barrister. London. John Murray, Albemarle Street.

The administration of Justice is the point, at which the Government of a country comes most frequently in contact

with the People; and accordingly, when that is skilfully and impartially conducted—and, we must add, with a reasonable degree of cheapness and expedition—content and satisfaction will always appear as the habitual feelings, and disturbance or excess only as occasional disorders. Our readers will recollect, that Lord Clarendon, in his great historical and philosophical deduction of the causes which led to the civil wars, expressly dates the origin of a settled and rooted animosity against the King's government, from the period when an opinion began to prevail, that the principles and practice of the Law itself had been made to bend to courtly interference and solicitation.—So unbearable is that tyranny, which consists either in having no certain rules of living, or in being compelled to feel that their application is fluctuating and capricious! Even in our own times, has any man ever doubted that the main cause of the violence and disorder, so frequently noticed and lamented in Ireland, is the distrust of the great body of the people in the impartial administration of the Laws, and the alienation and hostility which they consequently feel to the whole system? or how long, even in this country, would our habits of subordination and respect for legal authority, survive the general confidence in the purity and fairness of our tribunals?

These considerations are indeed so obvious, that they have occurred to every one who has at all attended to the subject. It has been well observed, that all the costly apparatus of Government—the Crown—the Navy—the Army—Taxes—Parliaments—Powers and Privileges, are really of very little other use than to maintain the Twelve Judges in due authority at Westminster. Cromwell, with all the energy and terrors of his government, felt himself bound to conform to this prevalent and favourite opinion of the country. If he had been merely a bad man, he would have been content to fill the judgment-seat with pliable and accommodating sycophants, ready to assist in the extension and consolidation of his power. But Cromwell, who, with all his faults, had the spirit of an Englishman, preferred, as is well known, the services of Sir Matthew Hale, who declined acknowledging his title, to those of more obsequious persons—telling that great Judge, that, although his conscientious scruples would not allow him formally to acknowledge his authority, he must proceed to administer justice in his own way, with that intelligence and purity which had uniformly distinguished his course. Napoleon too, the imitator as it has been said of Cromwell, in the midst of his violent and splendid career, found time to digest and new-model the Law; and has

left behind him a proof of his deep feeling of its importance, which, we may venture to predict, will survive, when the most brilliant of his victories shall have been forgotten—or, according to the expression attributed to himself, that he will go down to posterity with the Code in his hand.

And here we may observe, in passing, that the principal part of the machinery by which the connexion between law and the people is effected in this county—we mean the Trial by Jury—is, apart from all its other merits, the most powerful engine that was ever devised to secure the permanency and popularity of a Government. It is not only that a large portion of the people is thus introduced to a practical acquaintance with the laws,—and that too, where they appear in their most attractive shape, from the fairness, candour, and publicity with which they are administered,—but self-importance and vanity are gratified by an opinion, created by this exercise of duty, that they who are engaged in it not only contribute to the support of public affairs, but actually form a part of those who are intrusted with their management. For this reason probably, in conjunction, no doubt, with a sense of obligation, men are uniformly found to submit, in the exercise of this function, to privations and inconveniences of very considerable amount. Never, we will venture to say, was there an instance of so much willing and cheerful alacrity in the discharge of any other anxious and laborious duty: And this alone, if other examples were wanting, would be sufficient to show that our institutions, in general, are favourably viewed from their apparent connexion with this prominent and familiar branch of them, with which all the rest is felt to be amalgamated and virtually bound up. Nor shall we be easily persuaded to discredit the lofty commendations so often bestowed upon the self-sustaining power of the British Constitution, nor the proud predictions of its immortality, as long as this favourite and truly democratic part of our system is not perverted from its original purposes, or overwhelmed and borne down by surrounding corruptions. But we hasten from these preliminary observations—and enter at once upon the task we have now assigned ourselves, which is, to throw together some remarks upon the state of our whole jurisprudence, and to do every endeavour to keep alive that spirit of vigilance and inquiry which has been lately excited by proceedings both in and out of Parliament, and which, we would fain hope, will not be allowed to sleep again, till it has done its work of illumination and reform.

In the last century but one, the Corruption or Subserviency of the Judges was one principal subject of complaint; at pre-

sent, the first is not heard of—and the other but little: But the distinguishing and prevailing evil is the inability of the Courts of Justice, as they now exist, or have been recently administered, to transact with reasonable expedition and cheapness, the judicial business of the country. Whether this has arisen from a gradual deterioration of the law itself, dilated and swollen into a mass so enormous, by multitudinous, and, of necessity, somewhat conflicting decisions, or by the injurious effects of crude, partial, and inconsiderate legislation, or whether the legal establishment of the country is no longer adequate to its increased wealth, population, and consequent demands for justice, we shall not here stop to inquire. Certain, however, it is, that it is but an indifferent compliment to the spirit of improvement in its application to this great and paramount department, that whereas in every other branch of art and science, the most rapid strides have been made towards perfection, the science of Jurisprudence (if indeed its present state in this country yet entitles it to that appellation), has hardly been even approaching with any steady or persevering effort to simplify and reduce the whole into a connected and intelligible system.* Since the celebrated statute of Frauds and Perjuries, which has certainly been eminently successful, and of which, if we mistake not, it has been affirmed that every line is worth a subsidy, hardly an attempt has been made to bring Legislation to bear upon the formal acts and contracts of mankind. In the Courts of Equity successive Chancellors may, indeed, have formed for themselves a set of principles, which those who come after them may observe, if they think proper, but from which they are at liberty to depart whenever they deliberately dissent from the judgment of their predecessors. But there is no immemorial rule—no statute—no code, in short, which those Judges must recognise, or are bound to obey. Even in the courts of common law, the decisions, however binding upon the parties, are not held to constitute the law, but are viewed

* The popularity which has attended Mr Peel's reforms, tends very strongly to show the opinion entertained of the defects we have been pointing out, and the anxiety which prevails on the subject. His principal measure (the Jury Bill), is, in truth, purely instrumental, and affects the machinery only, and in some respects, so far as it regards Special Juries, very questionably. It is the sense of the mischief, rather than the supposed value of what has been done, which has created the feeling. The improvement in the manner of striking special juries is obvious;—the change in the summoning is useful in political cases; but in these there should never be a special jury at all.

merely as expositions of that law, which however is, in most cases, no where to be found in a more authoritative shape than in those very decisions, which are, at all times, questionable, and may be reversed.

It is, however, a matter of no small surprise, that whilst the accumulation of business, from the increase of population, trade, and wealth, is so great, the legal establishment is (with one single exception) upon the same scale as it was five hundred years ago. Twelve was the number of Judges at that, and at a still more remote period—and it is so still. Sir E. Coke, as Sir W. Blackstone informs us, discovered abundance of mystery in this particular number;—Twelve Tribes of Israel—Twelve Apostles—the Laws of the Twelve Tables, and so forth! It is *possible*, that there may be persons even now, who, in support of what is, may not disdain the aid of these happy analogies; but to those who are in the habit of comparing the means with the end, it must seem strange that the very same number should still be supposed capable of transacting the legal concerns of the country, though they may have increased five hundred, or, perhaps, a thousand fold, within the period alluded to. Twelve formed the complement of Judges for the four principal courts of the kingdom, when their leisure was such as to admit of their hearing the adverse litigants state their complaint and defence in their own uninformed and untechnical language, and to assist them in the merely preliminary business of reducing their statements into the orderly form of legal proceedings. Twelve was supposed to be the appropriate complement, when the infinite variety of questions depending upon our foreign and domestic Commerce was unknown; when the doctrine of Bankruptcy, with its fruitful sources of litigation, had not been heard of; when there were no Poor laws, with their hopeful progeny of decisions,—no Appeals from summary convictions before Magistrates, constituting so considerable an item in the present amount of business for the principal Court,—few informations for breaches of Revenue laws, and no Cases (which we think indeed a very questionable employment for persons in their situation) for their *opinion* upon matters connected with that subject. To this may be added the abolition of certain courts, with their appropriate jurisdictions, which, whilst they existed, diminished, in a certain degree, the labour of the rest, by dividing it with them.

Nor, whilst the same number of persons is destined to perform a continually increasing quantity of work, has there been a corresponding care to secure, in the persons appointed, the most efficient service. A notion, on the contrary, seems to have

been growing into fashion, within these last twenty or twenty-five years more particularly, that there is something peculiar in the requisites for Judicial employment, as distinguished from every other department of public or private business. Generally speaking, skill, supported by vigour and activity, is required for any work of importance. It seems, however, to have been discovered, amongst the knowing in such matters, that judicial fitness begins at the very period when fitness for every other employment is universally admitted to end. Experience, and discretion, and gravity have their value, no doubt, and their appropriate praise; but whilst bodily labour must be undergone, and that, too, to an extent not exceeded in any liberal occupation whatever; in a word, whilst the fullest exercise of undiminished powers both of body and mind is absolutely demanded, it does seem like treating the public with rather too little ceremony to call persons into their service at a time, when individuals would cease to employ them, from an opinion of their failure and decline. The Austrians were beaten out of their long continued preference of mere experience and authority by a course of dear-bought experience, which, at length, taught them that their Aloinzis, their Wurmsers, and their Beaulieus, at the age of seventy, were actually less fit for service than men of half that age. It may be, for any thing we know, a fit arrangement hereafter, to provide a Council of Elders in the law, who may deliberately watch over the proceedings of the different courts, and sit in judgment on them. But whilst the present arrangement continues, and the pressing demands of the country require despatch, we must prefer resorting to natural means;—the employment of persons who are not only willing, but *able* to work. We say then that the public has a right to expect the service of the most efficient men; and if those persons cannot now be obtained, a higher price must be offered to tempt them; for we hold it to be of all parsimony the most misplaced, and, in the end, the most adverse to its professed object, to stunt and strain the growth of judicial excellence.

These observations, however, have no longer any bearing on the question. Since the increased provision has lately been made by Parliament, it will be indeed surprising, if an offer of a judicial situation should, hereafter, be often rejected. Nor do we know that it ever has been the case. For really there seems to have been (as we have just observed) an anxiety to prove to the world, that, of all mankind, a lawyer alone is imperishable. At seventy, seventy-five, or even eighty,

these persons are supposed to be fit for their most arduous and responsible duties, though there is not one grocer or mercer in a hundred who does not retire, from a modest sense of incapacity and unfitness, before the earliest of those periods. To speak of persons, now living, who, from any cause, may be supposed to be of doubtful pretensions to their situation, would be invidious, as it surely is unnecessary; and we are most ready to admit that some of them are exceptions to the general rule. But two Judges, now no more, we will venture to mention, because in eminent legal attainments they have never been surpassed, and distinguished services they certainly did perform for the public, notwithstanding the disadvantage of too late an appointment. Sir Alan Chambre, and Sir George Wood were, we believe, about as near the age of seventy as sixty, when they were raised to the Bench; that is, they began their truly useful and honourable career about the very time when they ought to have been entitled to an easy and dignified retreat, after twenty years service, during the last period of their lives. It has indeed been said, and we suspect with some truth, that the latter, after one eye was lost entirely and the other seriously affected, with his hearing much impaired, and his hands so crippled with the gout, as to be disabled from writing, was forcibly continued in office (that office being no less than to sit in judgment upon the lives and fortunes of his fellow-subjects), notwithstanding earnest solicitations, on his own part, to retire. We again repeat, that we would by no means insinuate that these distinguished and meritorious Magistrates did not deserve well of the country. We know, on the contrary, that they did; but we also know that the country ought to have derived still more benefit from them, by the employment of their great and excellent qualities, before they were impaired by time. Sir William Grant did, indeed, set a splendid example of a retreat made in the full vigour of his faculties, and the full zenith of his fame, before any person, except himself, could suspect that there was the slightest failure or decline. But examples of this sort are rare, and above general imitation. In truth, it may be affirmed, that if, on the one hand, the appointment has been absurdly and even ludicrously delayed, the duty of retirement from office has been equally neglected. A man is the last to perceive his own imperfections; his friends are desirous to conceal them; and to bring them distinctly before the public, is an office ungracious in the extreme. Nay, we find that, when this is done, by a petition presented to the House of Commons, stating one fact

perfectly decisive (we mean that the age of a learned judge * of the sister kingdom was then above eighty, and that the necessary infirmities of that age had actually overtaken him), the hint, thus broadly and distinctly given, has not been taken. The retiring pension has been increased, with the express view of operating as a temptation; but whilst there exists such a difference between the salary in and out of office, as there is at present, it will not be found to answer the purpose. General rules, we are quite aware, cannot be applicable to every case, and it is in vain to expect it; but whilst the appointment of judges remains in the breast of a single person, who may exercise it most fantastically, and cannot be controlled, we think it much better, by specific regulation, to prevent the continuance in judicial office beyond a given period (as in some parts of the United States of America), rather than leave the matter to the exercise of a mischievous, because irresponsible, discretion in the one instance, and a blindness and incapacity to discover when the period of unfitness has arrived, in the other.

The increase of business in the Courts of Common Law, generally, has been noticed, and may be accounted for by the altered state of the country. The unequal pressure upon those Courts is, to a certain extent, unavoidable, though the peculiar constitution and exclusive nature of two of them (the Court of Exchequer and the Court of Common Pleas), does certainly contribute towards it. Wherever there is, already, the greatest quantity of business, there is sure to be more—and this is natural, and of course. Fashion determines the preference in this case as much as any other; and we question whether the utmost industry and labour of the meritorious Judges of the Court of King's Bench can keep it down. If not, we agree in the opinion expressed (by Mr Birkensteth) before the Chancery Commissioners, that fresh tribunals should be, from time to time, established, until that object is effected. To meet the alleged increase in the Court of Chancery, a new Judge has been appointed; and though, according to the authority of the Head of that Court and of the law, the measure has failed of success, we have the authority of one of the most extensive practitioners (Mr Heald) for the assertion, that the deputy has decided almost all the causes which, for some years past, have been brought to any decision at all! The increase of the quantity of business coming into that Court, or at least remaining in it, when once got in, is so great as not only to excite surprise, but almost to stagger belief. The following is the account in the

* Lord Norbury.

bank, standing in the name of the Accountant-General of the Court of Chancery, at different periods during the last hundred years.

* 1726.	-	£741,000
1730.	-	1,607,000
1740.	-	1,295,000
1760.	-	3,093,000
1780.	-	7,120,000
1800.	-	17,563,000
1805.	-	21,000,000
1810.	-	25,000,000
1815.	-	32,618,000
1820.	-	34,208,000
1825.	-	39,174,000

That this may still increase to any assignable extent, from the double operation of a jurisdiction limited only by discretion, and an accumulation 'of matters and things' (in the phraseology of that court) sometime or other, nobody knows when to be disposed of, is sufficiently apparent. But that an attempt ought to be made either to abridge the jurisdiction, or expedite the proceeding, or to do both, will, we presume, hardly be denied. How far any steps have been taken towards this desirable end, we shall see hereafter.

The commendations bestowed, chiefly, it must be admitted, by lawyers, upon that system from which they derive most of their importance, and all their emolument, though not quite disinterested, have been constant and liberal in the extreme. For our own part, we can scarcely join in this chorus of panegyric, until we find that a person of moderate fortune may adventure upon the assertion of his rights, without the hazard of encountering such inconvenience, as would induce any reasonable man to decline the experiment. To tell the people of this country that the Courts of Justice are open to their complaints, and that every man is, in the eye of the law, equal, however true in principle and theory, is so utterly at variance with facts, as to have become, in reality, a cruel and insulting mockery. Horne Tooke's famous reply, when told that the Courts of England were always open—'and so is

* Lord Eldon and Mr Peel, upon perusing this statement, may perhaps congratulate each other, and think it a proof of such an increase of business as renders it impossible to despatch it. But it may be hinted, on the other hand, that the same quantity coming in, *and nothing going out*, would account for the accumulation in a manner quite as satisfactory.

'the London tavern—to those who can pay,' has lost none of its point or application. It has been said that men, capable of such purposes, have found an uniform application to the Law, and an uncompromising enforcement of its rules, the very best means of gratifying spleen and resentment, and of perpetrating injustice and oppression upon inferiors and dependents, that malignity itself could devise. If the poorest man in this country could indeed contrive to bring before the appropriate tribunal his claim or demand, whatever it might be, in a shape fit for decision, the chance of success, in his case, would, we doubt not, be equal to that of the proudest nobleman. But to that point, unfortunately, he *cannot* arrive. Practically, the law is *not* open to him. To contest questions of disputed property, is, as the matter now stands, a luxury—a privilege—an indulgence for those who are so far at ease in their circumstances, as to have a certain superfluity for the purchase of expensive gratifications. And if, as we fear must be admitted, these observations are applicable to the present means of procuring redress in any Court, to the state of the Court of Chancery they are applicable infinitely more. No respectable practitioner in that Court, we will venture to say, would recommend any client to insist there in a demand even for so considerable a sum as five hundred pounds; but would advise him to forego his claim, however well-founded, rather than incur the expense, and the waste of patience and comfort, which must accompany his success. The truth of these observations has been, indeed, long notorious and familiar to the suitors in that Court. It has, however, been pressed upon public attention, by the emergency continually increasing—by a tacit admission implied by the appointment of a Vice-Chancellor—by the arrangement made for the disposal of the arrear of business in the House of Lords—and lastly, by the renewed discussions and statements made in the House of Commons, until, at length, concealment and denial have become impossible, and a total neglect of the subject imprudent. The appointment of a Commission, whose Report appears at the head of this article, has been the consequence.

If, in the discussion, and still more in the adjustment of any of these subjects to which the attention of the Commissioners was called, we affected to say that there were but slight difficulties, we should hold the language of ill-advised and short-sighted persons. Should any man entertain this opinion, let him reflect upon the fate of the attempt to introduce synonymous English phrases, in the place of the old barbarous names for process—such as Ca: Sa, Fe: Fa, and so forth;—an attempt,

which, from the intractable nature of habit in such things, perished in its very conception, however reasonable the end proposed might appear to be, and however easy its execution. But what object truly desirable, we ask, can be obtained without encountering difficulties? And what greater benefit can possibly be proposed than the administration of equal justice upon terms accessible to every subject of the realm?—or, if that be a forlorn hope, to remove some portion of the just and grievous obloquy which now attaches to a country above all others boastful of its institutions,—that (if not in all) in one Court at least, which usurps authority and domineers over all the rest, and is gradually, though not slowly, sweeping into its grasp the property of the country, the attainment of justice *is not practicable* for the great body of those who stand most in need of its support and protection? Nor shall we allow ourselves to be put down by the ancient and profound maxim—that it is wisest to leave matters well when they are so. True: But *they are not well;* and it is precisely for that reason that an effort should be made to mend them. That which, under certain circumstances, is dangerous, because, uncalled for and unnecessary innovation, is, in other circumstances, rational and prudent experiment. But, from whatever quarter the light of improvement may break out, we are persuaded that mere practical lawyers will never accomplish this great work. However fit an ingredient a certain proportion of such persons may form in that future commission, which is destined to produce the desired good, sure we are that there must be a large infusion of a very different description of persons from those who are wise only according to authority—of men of more enlargement and comprehensiveness of habit and acquirement, if not of intellect, than those who are trained in one particular system, and who are, at once, staggered and perplexed where there is no precedent on the file to guide and direct them.

But however the Chancery Commission may have been composed, it has, after lucubrations bearing no very contemptible proportion to the prescribed period for the acquisition and digestion of the law, at length produced its learned labours. Of the contracted and limited nature of the inquiry proposed for that commission, we have taken notice on a former occasion: * and the Report made has been in no respect different from the anticipations resulting from its particular formation and prescribed line of duty. Giving, as we do, the

* January 1825.

fullest credit for labour and industry, which we know to have been bestowed by several members of the Commission to their very great personal inconvenience, we must observe, that whatever is proposed is not in the nature of a remedy, but of a palliative. The speeding a cause, by bringing the defendant into Court sooner, and letting him, in certain instances, sooner out of it, comes only to this,—that whereas a Chancery suit now lasts twenty years (and we give that Court every possible advantage by the supposition), and costs 5000*l.*, the alterations and amendments proposed may have the effect, perhaps, of reducing the duration to nineteen years and a half, and the cost to the sum of 4750*l.*, or thereabouts! But upon the great and leading points, not a word. No inquiry (communicated at least) into the conflicting jurisdictions of the Courts of Equity and Common Law, and particularly the assumed power of depriving the plaintiff at law of the benefit of his judgment, when at great, and, perhaps, ruinous cost, he shall have acquired it. No hint of their opinion as to the adequacy of the present tribunals (Mr Peel would not allow them, if so disposed, for a moment to inquire whether the Judges had done their duty) to meet the pressing demands of the country, supposing the quantity of business to remain as it is. No attempt to define and limit the grasping and indefinite authority of this transcendant Court. Nothing with respect to Bankruptcy, except some recommendations, which, if adopted, seem likely, by general assent, to increase litigation, and add to the labour of the Court. Nothing as to the present state of real property (which, if reduced to any thing deserving the name of law or system, would give the Courts of Equity more leisure for the despatch of business) more efficient or consolatory than an intimation, that his Majesty might, perhaps, do no harm if he should refer to some man, or body of men (probably conveyancers), the examination of the following question,—Whether any thing can be done to amend the law of real property? which recommendation the Commissioners have actually had the unparalleled boldness and strength of nerve to make. * These things, with many others which might be mentioned, remain untouched. It must also have

* 'We *venture* to submit to your Majesty's consideration, whether 'it might not be proper to commit to competent persons the task of examining this part of the law, with a view to determining if any improvement may safely be made in it, which might lessen the expense, 'and narrow the field of litigation respecting the transfer of property.' —*Ch. Rep.*

been a matter of some surprise to those who formed any hopes of real amendment from the Report, that the Attorney-General, in his well-considered speech of three hours, forgot (we must presume) to say one word as to how much he proposed to effect by legislation, and how much was to be left to the simple order of the Lord Chancellor. We strongly suspect, that, with the exception of creating fresh patronage, for which payment is to be provided, his Lordship, if he had thought fit, might have anticipated the recommendations of the Commissioners, by orders of his own, some twenty years ago.

The publication of this Report, however, has been the signal for preparation on the part of many persons whose attention has been thus called to the subject. Some of these performances are already before the public, and others, we know, are in a state of forwardness; and by their means a spirit of inquiry will be kept alive, which, we trust, has already gone too far to be stopped. Amongst the rest a Pamphlet has appeared, which, although anonymous, is, avowedly, the production of a† Noble and Learned Lord of great experience in the practice of the Court in question. The execution is, upon the whole, very creditable to the author; and in its general purport and tendency it is, though in terms sufficiently measured and decorous, an unsparing attack upon the whole Report. The propositions contained in it are examined in detail; and the utility of most of them either seriously questioned or directly denied. Some, this writer seems to think, are ill calculated to produce their intended object; and others are likely to create collateral mischiefs unforeseen and unthought of. His great and prevailing objection is the tendency of the propositions to curtail and abridge the authority of the Lord Chancellor over the proceedings of his own Court,—an objection in which, it is probable that the public will not very feelingly participate. Upon many points, however, where information might have been expected, it is not given: and indeed, we have no very precise opinion upon any of the various points as to which we have before had occasion to notice and lament the silence of the Report. Throughout, his Lordship seems to assume, that there is no excessive pressure upon the Courts of Equity, or difficulty in obtaining redress by suitors; but that complaints of this nature are either unfounded or exaggerated, and a part of that 'clamour,' which he gives the Commissioners in general credit for having resisted. In short, the Pamphlet is sufficiently full, so far as it regards the work of the Commissioners, but lamentably defi-

† Lord Redesdale.

cient in another more important point—a communication of the author's own views and opinions on the general subject.

We collect, however, the opinion of Lord Redesdale to be, that every thing connected with the administration of justice has grown to a bulk and dimension which renders the business unmanageable. The solicitors, according to him, are at once above their occupation, and below it:—The briefs (ironically, we presume, so called) are swollen to an extent which renders them unfit for use:—The speeches of counsel, who are sore let and hindered by the quantity submitted to their perusal, are extended upon the principle of compensating for defect of value by amount:—Acts of Parliament are too long, and the speeches thereupon also:—Bills and Answers, Declarations and Pleas, deeds of all descriptions (and Conveyances particularly), are too long:—Judgments are too long; and so are the reports of them. Formerly, in five minutes reading an intelligible point of law was presented to the mind; now you may read an hour or two, and collect no point at all. Every thing, in a word, according to the * Noble and Learned Lord, partakes of this besetting and prevalent vice.

Now, whether any very essential reform can be effected by the abridgments here recommended, may be a matter of doubt; but that something should be attempted, in conformity to the ideas of Lord Redesdale, is, we think, perfectly clear. The language and composition of legal instruments (Acts of Parliament are far from being excepted), are a disgrace to the intelligence and information of the country. Nothing can exceed the cumbrous verbiage, offensive alike to good taste, and to the sense sought to be conveyed, which is every where discoverable. Words are employed, one would think, not to express a meaning, but to hide it. Tautology, the most disgusting, unsparingly heaped together, oppresses and suffocates the few ideas which are, with difficulty, extracted from the bulk under which they labour. The same complaint, though in a very inferior degree, seems to have prevailed in Rome; and Cicero ridicules, with great success, this propensity in the law proceedings of his time. No lawyer of those days would allow the litigant parties to come to the point by the employment of a number of words which the great orator (himself not being remark-

* We are sure that his Lordship is much too good humoured a man to be angry if we remind him, that long speaking at the Bar is not quite a modern invention. We recollect to have heard of a certain learned Solicitor-General who took eight or nine hours to his share, in one trial in 1795.

ably sparing of them) thought sufficient. For instance,—they were not permitted to say—'I, the plaintiff, aver that 'Sabine farm is mine:—No, it is mine,'—says the defendant, and 'thereupon a trial.'* Fundus Sabinus meus est:—immo meus: deinde judicium. But the plaintiff was made to say.—*The farm, which is in the territory which is called the Sabine; that farm, I aver, according to the laws of the people of Rome, is mine*, or, as the form was, according to Cicero, *Fundus, qui est in agro qui Sabinus vocatur,—eum ego, ex jure Quiritium, meum esse aio.* This, however, is very moderate, and certainly much improved on in England. A plaintiff, in the most familiar case—we will suppose a claim for money lent—after stating that the money was lent by him, is not allowed to aver simply that it has not been repaid, which is all that is requisite, but is compelled to break out into the following strain. 'Yet this said 'defendant, not regarding his said several promises and undertakings, in manner and form aforesaid made, but contriving, and fraudulently intending, craftily and subtilly to deceive and defraud the said plaintiff in this behalf, hath not 'yet paid the said plaintiff the several sums of money, or any 'or either of them, or any part thereof, but to pay the same, '&c. &c.' In short, as Cicero observed, Iisdem ineptiis fucata sunt illa omnia.

But what are we to say of Conveyancing,—the mystery of mysteries,—the apocalypse of the law? Suppose a man to purchase an acre of bare land on the top of a mountain, to which water, except from the clouds, could never come, and where there was neither house, bush nor body. In the deed of conveyance the land must be described. And how would the clerk or scrivener acquit himself? Why, first of all, the land would be mentioned by its boundaries, and then would follow—'together with all and singular houses, out-'houses, edifices, buildings, yards, gardens, orchards, lands, 'meadows, pastures, heaths, moors, marshes, folds, feedings, 'parks, warrens, wastes, commons, common of pasture and 'turbary, quarries, mills, multures, tolls, duties, woods, un-'derwoods, waters, water-courses, lakes, pools, fishings, fowl-'ings, Courts Leet, Courts Baron, services, royalties, jurisdic-'tions,' &c. &c. to an extent which we have not patience to go through, but for which if any reader has an appetite, he may gratify it to his heart's content, by referring to a precedent

* Cicero, pro L. Muræna.

contained in the excellent * treatise of Mr Humphreys. But is this rhapsody and effervescence of a dull and uningenious imagination as harmless as it certainly is foolish? Far from it. Instruments of this description are constantly incorporated at length in the proceedings of the Courts, and particularly of the Court of Chancery, where, if we mistake not, Lord Kenyon has declared that every word costs the suitor a shilling, from the number of transcripts or copies which are either required, or pretended to be necessary in the course of a suit. Lord Redesdale gives a very edifying instance of the mischief produced by the multiplication of words, in a case at the Rolls. A question arose upon the contruction of a deed. A decision took place. Against that there was an appeal, and, upon the second hearing, in a nook and corner of the overlooked instrument, was found a provision containing a precise declaration of the intention and meaning of the parties, which put an end to all doubt, and would, of course, have done so originally, if such a cloud of words had not been interposed between the vision and the object.

These, however, are the mere fringes of the subject, and matters of form only, though sufficiently ridiculous and absurd. Of the system of laws regulating the transfer of real property, it is not too much to assert, that they present difficulties with respect to the title, which, to all practical purposes, are insurmountable. In the disposition of personality, where nobody will complain of any unnecessary simplicity, persons of moderate information and attention can, at least, form something like an opinion whether the assumed owner of the commodity has the power of disposition or not. But as to land, the best informed men in the country, nay, ninety-nine lawyers out of a hundred, know no more than the merest clown, whether they obtain its worth for their money, or whether they are about to purchase merely the benefit of a Chancery suit, with an incidental interlude of common law. To such an extent, indeed, is this carried, that a learned gentleman, exceeding probably all in experience, and yielding to none in information (Mr Preston), did not hesitate to declare in the Court of King's Bench, on a recent occasion, that he had been thirty years in pursuit of this recondite and intricate knowledge, but

* P. 396. We think it right to observe, that these remarks were all written before the appearance of the Quarterly Review for last September. We are happy to have such coadjutors in the work of reformation.

that such was the state of the decisions and the law, that he was unable to say whether he had attained it or not.

What, then, is to be done? There are two methods, according to Lord Bacon. The one is, to improve what exists, by making alterations and additions; the other, at once to abrogate and abolish the old, and create 'a new and uniform system.' Lord Bacon was for the latter; for he adds, 'by the former method, regulations become complicated and perplexed;' and that 'what presses is, indeed, effected, but the body of the laws is, in the mean time, rendered vicious.' *Quod instat, agitur sanè; sed corpus legum, interim, redditur vitiosum.—De augm. Scient.* This leads us, at once, to the work of Mr Humphreys, as to which, though a minute and critical examination of it would far exceed our limits, we have no hesitation in declaring, that we consider him entitled to the thanks and gratitude of his country. Founding himself upon the authority of Lord Bacon, and availing himself, like a man of true liberality and wisdom, of the helps afforded by the Napoleon Code, he proceeds to examine, with the utmost calmness and impartiality, a remedy for mischiefs, which he points out more minutely, but to some of which we have generally referred. He goes on with caution and circumspection; and that 'the man of precedent and practice' may not exclaim—What guides, what rules will you leave us, if you destroy the landmarks of real property?—he gives his reasons for what he leaves, and for what he takes away. If the mischiefs of tenures, uses, and *passive* trusts (as Mr H. designates them) could, upon his scheme, be got rid of, he would do more towards administering substantial relief to the sufferers in the Court of Chancery, by taking away causes of dispute, than can be effected by ten thousand contenders for the beauty and excellence of whatever they find existing, or by ten thousand reports, which proceed upon a supposition that every thing must remain unaltered and untouched. That which the Commissioners had the audacity to recommend as a matter to be *thought of*, Mr H. *has actually done.* He has pointed out the faults in the system of real property; he has proposed his remedy—not *the* remedy, upon an assumption that it is perfect, but something sufficiently definite to show that *a remedy is practicable.* This is the way to make experience and information of use to the public, and not to make them, as the manner of some in high places is, the very bar and impediment to their further dissemination, and thus to convert knowledge into an enemy to itself. We earnestly recommend, not to lawyers merely, but to all who have a share

in the legislation of the country, the attentive consideration of this work. The task, we allow, is not inviting, but the object proposed is great. Mr Humphreys has led the way, leaving all his contemporaries behind him at an immeasurable distance; and it is not his fault if nobody is able to follow. The praise is with him—the shame will fall upon the country.

Upon the subject of the benefits likely to result from some of the changes alluded to, Mr Humphreys shall speak for himself.

'But an advantage, nearly equal to the aggregate of those already enumerated, would result both to the public, and to the professors of the law, from sweeping away the ponderous pile of volumes, in different ages, and various languages, Norman, French, law Latin, and modern English, in which the laws of real property are to be sought. Viewed as to their mere number (a total of upwards of 600 volumes), and the expense and time necessary to collect and digest them, they are *a sealed book to the public*, and even to the bulk of practitioners. Already have the latter found it necessary to confine their attention to the modern reporters, and occasionally to rely on the second-hand authority of digests; while the more ancient collections still retain their authority, when explored by those whose narrow but keen views *confound laws with justice*, to entrap and perplex the unwary claimant. Even in Lord Bacon's time, when law-books did not reach the fiftieth part of their present number, the evil was strongly felt, and is strikingly described in Aphorism 78. The Judge, he says, becomes confounded, *the process immortal*, and the advocate, when he cannot peruse and master so many laws, hunts after Digests. Judex fit attonitus, processus immortalis, atque advocatus ipse, cum tot leges perlegere et vincere non potest, compendia secratur. *Till the present indigestible heap of laws and legal authorities is consigned to oblivion, in vain will the public seek an uniform system of real property!*'* &c.

What has been said, we conceive to be more than sufficient to give our readers some insight into the gain which would accrue to the people of this country, if they were rescued from the obloquy and misery of living under the bondage, not of laws, but of impenetrable mysteries, during the prevalence of which, no man knows with certainty what to advise, and still less can any man unadvised know how to act. But this is but a small part of the case. By accomplishing the great object of reformation in this branch of the law alone, how much of the vexation and expense which uncertainty itself engenders, would be spared? We have before alluded to bills for specific performance, in which the contracting parties frequently find themselves involved, without the slightest blame on either

* pp. 175–6.

side, and from the mere honest ignorance to which they have an equal claim. If this grievance alone could be cured, it is unnecessary to say how much the pressure upon the Courts of Equity would be relieved, and the general course of proceedings expedited. But this is a specimen only. Other instances, to which general reference has been made, and requiring equal attention, may be pointed out. The case is one of urgency, and something should be attempted. Palliatives, we repeat, will do nothing, or worse than nothing, by creating an opinion that some relief has been afforded, when, in truth, there is none. The evil increases every day. Disorder and confusion grow with the bulk, and the quantity of litigation, and consequent expense, until, at length, relief from the established tribunals (the repetition may be tiresome, but the statement ought not to be true) is placed out of the reach of a large portion of the people.

Another subject of a very extraordinary and important description, connected with the jurisdiction of the Court of Chancery, is the dominion assumed by it over the Courts of Common Law. We should have thought, that the mere statement of the existence, in one and the same country, of two systems of law, depending upon different principles, and regulated by distinct rules, would produce a startling effect upon those who are content with praising the whole establishment, and enlarging upon its beneficial effects. Persons, of ordinary apprehension, would be apt to suppose, that the very uncertainty which must attend this turbid and mixed operation, would constitute a serious, if not insurmountable, objection to its continuance. There are individuals, however, of whom it has been said, that, when once they are determined to believe, the very absurdity of the doctrine confirms them in their faith. So we can imagine that men may be found, to whom perplexity and intricacy appear proofs of ingenuity and contrivance, and, consequently, the more of each the better. But this is the least alarming part of the phenomenon. It is not merely that there exist two jurisdictions in this country, applying their separate rules to the intercourse and conduct of the people—but to such an extent is the absurdity carried, that a suitor at common law is allowed to commence, proceed, recover, and obtain judgment, after a great expenditure of time and money,—and then, at the moment when he is about to reap the fruit of the whole by an execution, the Court of Equity interposes, and stays his further proceeding! Did it never occur, even to the Chancery Commissioners, that, supposing it ever could be just and right, when the plaintiff has ar-

rived at the desired point, after travelling through the different stages of a lawsuit, to arrest him in his course, upon equitable circumstances which might be supposed to furnish a ground for it,—at all events, the Court, which originally and lawfully entertained the case, managed the case, and decided upon the case, should be allowed to judge of those equitable circumstances, and itself determine whether any interposition was fit and proper or not?—Not so, however.—Another tribunal, a stranger to the whole of the circumstances, with no other fitness for the task than a great degree of readiness for the undertaking, steps in, and commences the cause anew. Instead of the plaintiff being allowed to sue out execution on his own behalf, the Courts of Law deliver him over, as if in execution, to the Courts of Equity,—there to remain during the term of his natural life, with leisure to reflect upon the blessings of a double jurisdiction, and the unfortunate success obtained by him in one of the (nominally) Supreme Courts of the realm. Never we believe was any thing like this. The equity of the Roman law certainly was not. Well might Sir Edward Coke,—that great lawyer, who, with all his imperfections, has done more than any other of his profession towards forming some of our most salutary habits and modes of thinking, and, first and chiefest, a rooted, and, we trust, everlasting aversion on the part of Englishmen, to the exercise of a 'crooked' discretion (as he himself expresses it) by Chancellors, Judges, or ministers—well might Sir Edward Coke, though not quite fortunate in the particular instance of his quarrel, feel alarmed and jealous of the restless and encroaching spirit of this insatiable Court. When we are told of the Courts of Equity being over-laboured and over-burdened, it naturally enough occurs to inquire why they do not relieve themselves, by abridging their jurisdiction. We must venture to hope, that before any fresh application is made for the appointment of a Deputy-Chancellor, because the business is too much, or for any other cause which Mr Peel will not allow us to hint at, those Courts will give themselves some repose, by ceasing to intermeddle, where their interference is only injurious, or will be compelled by competent authority to do so. Sure we are, that whenever those holydays in Chancery shall begin, the people of England will have sufficient reason to rejoice, and to pray for a long continuance of them.

Upon that part of the subject of Bankruptcy, which, if not of the greatest interest and importance, was, at least, more immediately within the scope and tendency of their inquiry,—namely, how far it is practicable to relieve the Lord Chancellor of this part of his labours—the Report gives us nothing to expect. Nor

does it, in any degree, alter the arrangement of the inferior details, (supposing the ultimate appeal to the Chancellor to be continued); except by creating an intermediate appellate jurisdiction, which every body, without exception, seems to condemn, as tending to increase the quantity of litigation for the Court, and, by consequence, to place the last feather upon him, which is destined to break his Lordship's back. This fondness, too, for existing things, whether for the sake of fees, or patronage, or whatever else, on the part of the Commissioners, is exhibited in a case, where a gentleman, (Mr Montagu), of much practice, has not hesitated to declare, that if the most mischievous ingenuity were employed to devise an unsatisfactory and injurious system, it could not invent one worse than that which exists. This system, however, has its recommendations to the Lord Chancellor's favour, and his Lordship was at the head of the Commission. Doubting, however, as we do, the policy of the law of bankruptcy altogether, in nine cases out of ten, where small properties become the subject of division, and where the funds which, without such a law, would go to a few of the most active creditors, become, as the matter stands, the prey of low attorneys, hungry messengers, and drunken bailiffs,—still, if it must remain, we hardly think it possible that the public can view it with the same indulgence as the Chancery Commissioners. Whatever other changes may be effected, we must think, that this head of bankruptcy will be either entirely recast, or, at least, withdrawn from the Chancellor's jurisdiction, within a very short period.

Generally speaking, courts of justice in this, and, we believe, in every other country, have the means of carrying into effect their own purposes, and bringing to a close the cases, of whatever description, which have lawfully depended before them. They have their process, and appropriate machinery, and, if the parties have cause for complaint, at least it is not that the Court affecting to have jurisdiction is disqualified in the progress of the business, and confesses its inability to proceed. The Star-Chamber, whether for good or for evil, was an efficient tribunal at least, and disposed of the lives and fortunes of the people of England without reserve;—but dispose of them it did. In the Court of Wards, whatever injustice might have been committed, or corruption countenanced, which led to its dissolution, it never was, so far as we know, made the subject of charge, that it could not dispose of 'the matters and things' therein depending. Our spiritual courts of the present day are willing enough, and, as they think, able enough, if not interfered with, to go on. By the terror of punishment, present or reversionary,

—by their homilies and excommunications, their penances and white sheets, they subdue the reluctant suitor to an obedience to their will, and, whilst they have him and the cause before them, they never confess their inability to decide, or send their compliments to another Court to beg for relief and assistance. But in the Court of Chancery, if a question of *law* arises, to a court of law the suitor is sent, for the hearing and decision of that question. If a disputed *fact* arises in the same quarter, the case is transmitted to a court of law for the determination of that fact, by the interposition of a jury. Nor, if this were a proof of frailty merely in the High Court of Chancery, should we make it the subject of complaint. It might be an absurdity, bordering even upon the ridiculous, but nothing worse. It would show that its ambition is beyond its power, and its digestion less strong than its appetite—and that would be all. But then we might, in return, expect that this Court, when it found itself incompetent to proceed, would at least have the modesty to avow and act upon it, and would leave to others the entire management of what it is unable to do for itself. To those whose minds are not prejudiced by a settled opinion of the benefits arising from conflicting jurisdictions, it might seem reasonable that the court of law, where the point on which the dispute between the parties depends has been decided, should have the honour of the final adjudication; or that, when the legal consequence is to be applied to a fact ascertained, the Court, where that fact was ascertained, should make the legal application. But to the wisdom of our ancestors it has seemed otherwise. The Court of Chancery, by means of its contrivances of 'equity reserved,' or 'final directions,' or something as good, keeps fast hold, or, in other words, ties a string round the leg of the unfortunate suitor, and, after sending him to incur the principal part of the expense of a lawsuit, will not allow him to remain in the comparatively good atmosphere into which he fancies he has escaped, but drags him back again, for the purpose of giving him perfect means of judging by actual experiment, whether preference is to be given to a Court of Equity or to a Court of Common Law, or whether the best of all possible things be not to partake of a sufficient quantity of both. The suitors, to a man, we are confident, do not think so;—and we agree with them. This practice, in truth, is not reasonable:—we do not believe it to be useful:—we are sure it is expensive, and that an attempt should be made to correct it.—But of this, of course, we find nothing in the Report.

The ease and certainty with which personalty is transferred, by means of public officers, and public documents, of which

they have the custody, in the instance of Stock in the Funds, are sufficiently obvious. We have heard it suggested that this might possibly furnish a very useful hint and precedent, as applicable to the case of land; and we should be glad to see this inquiry prosecuted.—Something we had intended to say upon the policy of emancipating all copyholds, upon fair and reasonable terms between the parties;—and something upon the necessity of abolishing certain most vexatious rights exercised over the land of others,—rights depending upon, and the direct remnants of the odious Forest Laws. It was, also, our intention to have offered some remarks upon the mode of taking evidence in Chancery, and the effect of written depositions—a subject which *is* noticed by the Commissioners, and, we need scarcely add, with a resolution to retain the present practice. The system of Welch judicature, too, loudly calls for a distinct and serious notice.—But we must consult the patience of our readers, and have done. Two of the subjects just referred to, are noticed by Mr Humphreys; and of the Report we have, probably, said quite enough already. Those who are content with little, and wish to satisfy the public with appearances, will do well to study the Report; but they who are anxious to procure real relief for the Suitors in Equity, and a real amendment of the Law, will toss the Report with its appurtenances into the fire, and betake themselves in earnest to the study of 'The Observations' of Mr Humphreys.

In truth we are a strange people. With abundance of good sense and good principle, we are unaccountably tolerant of established injustice and folly, and not less capricious in our ultimate movements to renounce them. After much discussion and exposure, it is at length acknowledged that the statutes which constitute so large a portion of the Criminal law of England, involved many and gross absurdities. Yet we may venture to say that the criminal law, however objectionable, was order and light compared with that marvellous jumble—Equitable, Ecclesiastical and Common, which constitutes our Civil Code and system of administration. It is true enough, that nothing can be in theory more absurd, in practice more mischievous, than, where life is concerned, to adopt nice and evanescent distinctions, which are neither conformable to the rules of morality, nor intelligible to men of common sense; and, accordingly, the late lamented Sir S. Romilly, and Sir J. Mackintosh after him, could have done nothing better for the character of their country, or for their own fame, than to have applied the knife and cautery to that pruriency of legislation, which affixed such disproportionate punishments to the same amount of moral guilt. That one

stealing upon water, should be more criminal than if he stole upon land, or that he who steals, in one field, certain goods and chattels, should be worse than his neighbour who steals the same articles in the field adjoining, may be marvellous in the eye of philosophy. But still—the man who boards the barge and pilfers the cargo, and he who enters the bleaching-croft and steals from the tenters, cannot but know that he is committing a grievous outrage, for which he must be seriously responsible, though ignorant of the peculiar and somewhat fanciful degree of punishment attached to his particular offence. In the other case, however, of rules regulating civil conduct, particularly some to which we have adverted, men 'know not what they do.' Napoleon, as we have already noticed, has bequeathed as a legacy to those who are to come after him, a plan of digested, and, therefore, intelligible laws. But such men, as Mr Burke has justly observed of Cromwell, when they place themselves at the head of a nation, 'are 'not so much usurping power, as asserting their natural place in 'society,' from which, by artificial means, they had been excluded. A King of Bavaria has since had the merit to originate, or at least honestly to adopt, a similar plan of arranging the criminal code of his country. The King of the Netherlands is, we hear, engaged in the general revision of the laws: * and a Pope of Rome, in whose religious creed zealous Protestants will, doubtless, discover abundance of absurdity, has been, we are told, employed in the same good work. The State of Louisiana has done the like; and that of New York has resumed with increased patience its habitual work of reform. The rulers of these countries are anxious, it seems, to act in a manner worthy of the situation in which they are placed, and are striving to keep pace with the progress of information in the world. Shall Englishmen, then, of whom it has been said (and not by an Englishman) that they have been the instructors of mankind, be satisfied with pompous and prosing panegyrics upon the merits of their ancestors, and content to remain on the level of solemn Spaniards, and solid Danes?—shall Englishmen, uninfluenced by the examples that surround them, repose for ever upon the merits of those who have gone before them, and close their

* Since this was written, the Codes both of Bavaria and the Netherlands have been promulgated. And of the latter Mr Humphreys, in a recent Pamphlet, has said that 'it is a masterpiece of correct arrange-'ment and sound institution.' We rejoice sincerely to hear it. In the race of European improvement, whoever may be foremost, all the competitors are sure to win.

eyes, we do not say to theoretical objections, but to practical grievances, universally felt, and universally complained of? It cannot be so for ever. Old men may indeed stand in the midst, and for a season stay the plague of improvement. But their night is far spent—The day is coming, when there must be a rigorous and unsparing, and, at the same time, we trust, a philosophical and prudent revision of the laws, and of the whole administration of justice in this country.

ART. X. *A Comparative View of the various Institutions for the Assurance of Lives.* By CHARLES BABBAGE, Esq. M.A. F.R.S.L. & E. &c. London. J. Mawmam, 1826.

MR BABBAGE is well known as an accomplished Mathematician; and by directing the powers of his comprehensive mind at once to the researches of abstract science, and to its practical applications, he bids fair, from what he has already accomplished, both to adorn and improve the age in which he lives. In the work before us, however, he has made what we cannot help regarding as too bold a descent into the details of ordinary business; and we really cannot congratulate him on the success of his undertaking.

It would seem indeed from his Preface, that he was aware the public would hardly expect to meet him in such a tract; and to say the truth, we are persuaded that the work might have been executed, far better, by a man incomparably inferior. Pascal has observed, that 'men who have a genius 'only for mathematics, will be true and exact in thinking, provided all things are explained to them in their own 'formal manner; *otherwise* their judgment will be erroneous and insupportable, because they never proceed right 'but upon principles of which they have a perfect view.' 'The 'reason (he adds) why some persons admirably successful in 'the study of mathematics, are less happy in civil business, is 'because they are purblind in things which lie just before them. 'They have been accustomed to principles which are full and 'distinct; and, having never reasoned even from these principles, till they have viewed them a considerable time, and have 'handled them after their own way, they cannot but lose themselves in matters of political address. *Here* the principles 'will not submit to be thus treated and managed: they are 'not discovered without difficulty: the mind rather *feels* than 'sees them: and it would require almost an infinite labour to

'work them into those who have them not by their own natural 'sagacity.

We are persuaded some amusing instances of the justice of these very acute observations will occur to the minds of many of our readers; and, under the cover which they afford us, we hope we may observe, without offence to Mr Babbage, that however inapplicable to his work as a whole, their truth was brought strikingly to our thoughts as we read some of his involved paragraphs, and smiled at his occasional blindness to the most prominent features of the question before him. The following paragraph, somewhat obscure, and somewhat inacurate, affords us an example in point.

'The following table exhibits the profit per cent. on the premiums of the several offices, on an assurance on a life aged forty-six, which is about one year less than the average age of persons assuring:—

Alliance	30·2	London Assurance	26·7
Amicable	25·5	Medico-Clerical	29·7
British Commercial	16·6	Norwich Union	19·3
Crown	25·5	Sun	30·9
Economic	16·2	United Empire	21·9
Equitable	29·8	University	23·2
European	21·5	West of England	16·9
Guardian	25·1		

The highest rates of profits are those of the Alliance and Sun, which are a little more than thirty per cent., whilst the lowest are those of the British Commercial and the Economic, which are rather more than one-half the former, or a little above sixteen per cent. This table alone would form a very insufficient ground of judgment, and should always be viewed in conjunction with the proportion of profits returned to the assured, which will be discussed in another chapter. Thus, although the rate of profit taken by the Alliance and the Sun are the same nominally, since the former of these companies makes a return in the form of a bonus, the real profit ultimately paid by the assured may be considerably less in one than in the other. A similar remark applies to the other two offices just mentioned. It is worthy of observation, that the table of rates formed from the Equitable experience, by the addition of thirty per cent., agrees very nearly with the rates actually taken by that office at the average age of assuring life; for all ages above forty-six, the sum required by that society is less, and for those which are younger than forty-six, it is larger. I think, therefore, that it may be fairly stated, that those offices which calculate their premiums by the Northampton tables, make a gross profit of thirty per cent., without including the large additional profit that arises from the average rate of interest being above three per cent., the rate at which those tables are computed.'

Now, in the Table here given, there is an error, the Rates of the Alliance and of the Sun Companies being made to differ, whereas they are identically the same. What is of more consequence, the *data* on which this Table is formed, viz. the experience of the Equitable, is not at all supported by the experience of other offices—and, in reference to the whole passage, the author was bound to have expressed himself with greater clearness. As it stands, the impression made upon the minds of ninety-nine persons out of the hundred will probably be, that the premiums of the Alliance and of the Sun, *at every period of life*, are exorbitant, and higher than those of any other Company. We do not know if these Companies have complained of this apparent misrepresentation; but it is obvious they have good ground for complaint. Their rates, as we learn from Mr Babbage, are formed from the Carlisle Tables of mortality, which are at present held in the highest estimation, and by which the rates on the *younger* lives are actually *reduced* fully more below the average of other Companies than those on the older are increased. How opposite the result apparently suggested by Mr B. is to the fact, will be best shown by simply stating the rates charged by the various Companies at an earlier period of life. We shall select the age of 20.

Alliance	L.1	16	11	London Assurance	L.2	1	4
Amicable	2	0	6	Medico-Clerical	2	1	6
British Commercial	1	15	0	Norwich Union	1	19	6
Crown	1	19	11	Sun	1	16	11
Economic	1	13	0	United Empire	1	19	6
Equitable	2	3	7	University	2	1	5
European	1	18	4	West of England	1	19	3
Guardian	2	1	0				

To most readers too, the inference stated in the last sentence of the paragraph quoted, will not appear to result from the premises. It certainly does so in fact; but we venture to say, that not one reader in a hundred will discover it.

The most palpable error, however, contained in the book, is perhaps to be found in the following extract.

'If two companies both offer to return one half of the profits to the assured, and one of them has a capital of 200,000*l*., although their profits may be the same, if one of the offices deduct out of them an interest for the shareholders before the division is made, the results to the assurers will be very different. Let the divisions of both offices be made septennially, and let them each amount in the gross to 100,000*l*. Then in the office which takes interest on its capital before division :—

Profit in seven years	L.100,000
Interest on 200,000*l.* capital, at five per cent. for seven years	70,000
Nominal profit remaining	L.30,000
One half for assurers	L.15,000
One half added to interest for proprietors	85,000
Total profit	L.100,000
If interest is not allowed, one half of profit for assurers	L.50,000
One half for proprietor	50,000
	L.100,000

'In one case the assurers will divide amongst them 15,000*l.*, in the other they will share 50,000*l.*, and yet the proportion allotted to them is nominally the same.' pp. 87, 88.

Here one office is supposed to have a capital of 200,000*l.*, and the other no capital. But when Mr Babbage comes to state the matter in his Table, he *drops out* the simple quantity of 200,000*l.* from the calculation as of no value, and charges the interest for the proprietors entirely on the profits. But what does he think the office does with this capital? Does he think they allow it to drop out of their coffers with as much simplicity as he drops it out of his calculation? Surely he knows that there is such a thing as the interest of money. The common rate of annuity interest is at present not less than seven per cent.; and, during the last war, transactions of this kind were generally effected at ten per cent. We believe, indeed, that during that period, an Assurance Company which solicitously attended to this important branch of its affairs, might gradually have disposed of a capital of 200,000*l.* at ten per cent. annuity interest. Mr Babbage's account, accurately stated, would, on this supposition, stand as follows—

Office with Capital.

Profit of seven years	L.100,000	0	0
Interest on capital at 10 per cent. compound interest for seven years, less 5 per cent. simple interest to shareholders	47,435	17	1
	L.147,435	17	1
One half for assurers	L.73,717	18	6½
One half for proprietors	73,717	18	6½

Office without Capital.

Profit for seven years . .	L.100,000
One half for assurers . . .	L.50,000
One half for proprietors . . .	50,000

We are aware that no such interest is to be had for money at present; and probably at no time, in the recent history of this country, has so favourable a result as the above been realized. Mr Babbage himself however states (page 20), 'that four per 'cent. annually is about the rate of interest which an establish-'ment, calculated for any considerable duration, may expect 'to make;' and this, looking simply at the average value of money, without regard to the peculiarly advantageous methods of employing capital possessed by Assurance Companies. The interest actually realized upon their capital by institutions of this kind, will vary according to the ability with which their financial operations are conducted; but whatever it may be, there is no doubt that interest on the capital ought to be paid to the proprietors at a rate not materially varying from the common rate of the day, and not exceeding the rate which the capital has actually realized. And instead of capital, thus employed, being a detriment to the Company, it is plainly of essential service, independent of the security which it affords, both by attracting business which no other influence would have gained; and also, in many cases, by yielding a larger rate of interest than that paid to the shareholders, which excess is, of course, divided with the assurers in the same proportion as the other profits of the concern. We must not, however, dwell longer on this part of the subject. These examples are enough to show, that Mr Babbage is not quite at home in affairs of this kind, and that a more competent guide might possibly have been found, in these practical matters, among men whose thoughts had never strayed beyond the limits of Cocker and Change Alley. We must add too, that we think our author has not only failed in managing the details of his subject to the best advantage—but that he has been so engrossed with these details, that any general views which his work presents, seem to partake of the same character of littleness. *

* The subject naturally suggests inquiries of deep and general interest. But these seem not to have been discerned by our author,—who never allows himself either to take a comprehensive survey of the past, or to form enlightened anticipations of the future. He is

Leaving Mr Babbage, therefore, for the present, we proceed to the main object we propose to ourselves in this paper, viz.—an examination of the past history, present state, and future prospects of Life Assurance.

The practice of Life Assurance is as yet, in a great degree, confined to England. The fact however is not to be traced to an ignorance of the principles among the Continental nations, but to the comparative instability of their institutions, and to a consequent want of that security, which is the first and last requisite in Life Assurance operations;—to the comparative poverty of some nations, and the prevalence of a light-hearted inconsiderateness in others. These causes, separately or in combination, have prevented its introduction into most of the Continental nations, and greatly limited its operations in all.

It is a curious fact, however, that Annuity and Life Assurance transactions employed the attention of the scientific on the Continent, at an earlier period than in this country. The subject, indeed, excited no inconsiderable interest, and much research and ingenuity were expended upon its cultivation. So early as 1671, the well-known Jean de Witt published a work in Holland, entitled, *De vardye van de lifrenten, &c.;* and he appears to have been preceded by Van Hudden, who also wrote on the value of Life Annuities. These writers treated of the subject upwards of twenty years before any similar publication was produced in this country. M. Struyck, in 1740, resumed the subject with much spirit; and M. Kirseboon succeeded him, in 1748, in a very elaborate work.

In France, the subject engaged the attention of MM. De Parcieux, senior and junior, St Cyran, and Duvillard, whose publications appeared between the years 1746 and 1787; and in Germany it was prosecuted by Euler, Sussmileh, and Wargentin. The *data*, however, upon which all these writers proceeded being very imperfect, the conclusions which they attempted to deduce could not fail to be unsatisfactory. But the great misfortune was, that their researches led to few or no practical results. Had the event been different, fresh materials for the further elucidation of the science would have been afforded, as well as the most effectual stimulus for its prose-

absolutely buried and lost in the *minutiæ*; and the vague conclusions which he leaves his readers to draw for themselves, appear to us to lead to practical evils of a very serious character.

cution. As it was, the scientific investigation of the principles not producing its expected fruits, the subject ceased at last to engage the attention of the literati.

The only countries in Europe in which practical attempts are made at the present day to prosecute Life Assurances, and Annuity transactions, are France, the Netherlands, Germany, and Denmark.

There are two *Chartered* Companies established in France, with these objects in view, viz. La Compagnie d'Assurances générales, and La Compagnie Royale d'Assurances. The efforts of these Companies to circulate a knowledge of the principles, and to explain the great advantages to be derived from the general adoption of the practice, have been most zealous, most persevering,—and most unsuccessful. They have profusely distributed proposals, rates and expositions, but all in vain. From many of the principal towns they have been forced to withdraw their agencies, on account of a total want of success; and great apathy continues to be manifested on the subject, both at Paris and in the provinces. The fact is the more remarkable, as the Companies which have pressed this boon upon the French people are understood to be of great respectability; and the terms at which they offer to effect assurances are moderate,—not higher, indeed, than the average rates charged by similar institutions in this country, while considerable doubts may be entertained, whether the duration of life is as great in France as in England.

The French Companies made a commendable attempt to introduce the practice of Life Assurance into Italy. It may be supposed, that the present character of the Italians, deteriorated, as it has been for so long a period, by the oppressions of despotic governments, little disposes them to sacrifice any share of their present enjoyments and personal comforts, for the sake of securing future benefits to others. The attempt, we believe, has wholly failed; and a similar effort in Switzerland has met with a similar fate. It is presumed the Swiss, never famed for riches, are not encumbered with any superfluous wealth at the present day. Annuity transactions, however, under the appellation of *Vitaligio*, are represented to be in common use in Milan. They have had their origin independently of the French Companies, and are maintained without any connexion with, or support from them.

Three Life Assurance Societies have been recently established in the Netherlands, and the government deem the practice either so sacred, or so profitable, that an ordinance has issued strictly prohibiting any foreign Company from entering the field,

or competing with these native Societies. They transact business, however, on so limited a scale, that not above 3000*l.* Sterling under the most favourable circumstances can be insured on one risk with the whole of them. Their premiums are higher than those of the French Companies, but not considerably so; and although little has yet been done, recent appearances afford reason to think, that the frugal Hollanders and the industrious Flemings will, ere long, resort generally to a practice which is certainly much more congenial to their tastes and habits, than to the character and feelings of their lively neighbours.

One small Society established at Elberfeld, in the Dutchy of Berg, is the only institution of this kind to be found in Germany, including Austria and Prussia. It does not transact business on an extensive scale, but there is evidently a stronger disposition in favour of the practice among the States of the Germanic Union, than in any other part of Europe,—a fact which might have been anticipated from the character and dispositions of the people. The principal hinderance at present to the extension of the system in Germany, seems to arise from the want of a society, formed on a scale so extensive, and a basis so solid as to attract the notice, and command the confidence of the various states. In the absence of such an institution, recourse is had in many places to the Alliance Assurance Company, which has established agencies in many of the principal cities, and in which confidence is reposed; partly it may be, on account of the large capital invested in the undertaking, but chiefly from the names of some of its principal supporters being universally known in the mercantile world.

Several small Life Assurance Institutions exist in Denmark, but they appear to do positively nothing, while, as in the Netherlands, an ordinance exists prohibiting foreign Societies from trenching upon their never exercised rights:—a folly from which the patriotic rulers of Denmark and Holland ought to escape with all convenient speed.

Upon the whole, it seems very problematical, whether continental Europe is destined at the present era of its history, to enjoy extensively the substantial blessings afforded by the practice of Life Assurance. It is not likely that the apathy of the French, with reference to these subjects, should be removed for some generations; and although, in Northern Europe, where the disposition to encourage such institutions is much greater, establishments of the necessary solidity might arise in a much shorter period, the occurrence of a general

war, against which unhappily we have no security, would probably interfere materially with their progress, if its convulsions did not utterly overwhelm them.

The United States of America offer undoubtedly, in many respects, a better field for the establishment of such undertakings. The inducements, however, in a young and flourishing country, in which, as yet, there is little difficulty in settling a numerous family in lucrative employments, or finding good investments for capital, are considerably less than in the thickly peopled countries of the old world. Life Assurance, accordingly, though introduced, cannot as yet be said to flourish among our American descendants. We are not aware that any societies of this kind exist, except in the State of New York, where there are several. Of these, the Union Insurance, and the Duchess County Insurance Companies are, we believe, the most considerable. Their premiums cannot be reckoned exorbitant, considering the frequent prevalence of the yellow fever in New York, and the decided unhealthiness of the Southern Union. Their success, however, as we understand, is indifferent.

There is one anomaly in the constitution of the United States, which must impede essentially the establishment of these and similar Institutions. No power it seems exists in the executive government, or even in Congress to incorporate public societies. Such Institutions, consequently, can receive charters only from the local governments. They are supported only by the capital or influence of an individual State; and therefore, although they may be deemed respectable within its precincts, they do not attain the magnitude necessary to inspire confidence, or even to attract general attention throughout the Union.

After this hasty and imperfect sketch of the state of Life Assurance abroad, we shall direct the attention of our readers, with equal brevity, to its origin and progress in this country, where alone it has yet found a fair field upon which to display its powers.

The first promoters of assurance schemes had to encounter two difficulties of a very formidable nature. The first of these, although partially removed, still exists, and can never in practice be wholly overcome. The difficulty to which we allude, arises from the want of a sufficiently accurate scale by which to measure the duration and probabilities of human life. It is obvious, that, till such a scale be obtained, the nicest and most exact calculations, must be tainted with the uncertainty and inaccuracies of the data on which they proceed. The extreme difficulty of thus laying the foundation of the system, in theory,

and still more in practice, can only be appreciated by those whose attention has been directed to the subject, and it is only by the exertions of many successive labourers that the present approximation to accuracy has been attained.

The other difficulty with which the first projectors had to contend, may now be considered as entirely surmounted. It consisted in deducing from the *assumed* scale of human life, the precise terms upon which assurances, in all their variety, might be effected with justice to the assured, and without endangering the resources and stability of the assuring establishments. The labour which has been expended in forming and new-modelling tables for facilitating this calculation, has been immense; and the ingenuity brought into exercise for the solution of the new and intricate questions which arose in its progress, is deserving of all praise. It is impossible for us, within our narrow limits, to specify the contributions of each successive labourer; but we cannot satisfy ourselves without, at least, naming the most eminent of them.

Dr Halley, in a paper which appeared in the Philosophical Transactions in 1693, unfolded, for the first time, the true method of calculating the value of life annuities; and, taking for his guide the rate of mortality, as observed in five successive years in Breslau, he formed the first *table* of the value of life annuities which had any pretensions to accuracy.

De Moivre, who, it is well known, was the person nominated by the Royal Society of London to decide the question, whether Newton or Leibnitz was the true inventor of Fluxions, carried forward with much ability and success, the work so auspiciously commenced by Halley. As the science advanced, it was discovered indeed that the hypothesis upon which he proceeded, viz. that the decrements of life are equal and *uniform* from birth to the termination of life,—is erroneous. Still however his investigations tended materially to carry forward the work; and the ample *formulæ* which he furnished for the solution of the more common questions relating to the value of Annuities, Reversions, and Survivorships, were highly valuable. The first edition of his *Annuities on Lives* appeared in 1724. Mr Thomas Simpson entered this field of labour in 1742, and he was succeeded in 1753 by Mr James Dodson, both of whom cultivated it with considerable success.

Dr Price, who first published on the subject in 1769, perhaps contributed more largely to the advancement of the science than any other individual, and that in the most fundamental particular. He procured and brought to light copies of the registers of the rates of mortality at Northampton, Norwich, and Chester,

and likewise in the kingdom of Sweden at large; and on this extended groundwork he formed valuable tables of annuities on single and joint lives, which are held in high estimation to the present day; although, as we shall presently show, they have led the Government egregiously astray in granting annuities.

Price has been followed by Morgan, Baily, and Miln—all valuable writers, who have severally contributed, although in different degrees, to the establishment of the science on the comparatively secure basis on which it at present rests.

The practical reception which the labours of the learned met with in this country, even at an early period, presents a striking illustration of the national character. So early as the reign of Queen Anne, in the year 1706, when the principles of the science were very little understood, but when the want of such institutions began to be sensibly felt, a Company was formed, under a charter from the crown, and that company has proceeded successfully in its course to the present day. This is the AMICABLE Society, whose constitution was originally, and still continues to be, of the nature of a mutual assurance company. It will easily be conceived that at this early date, the practice of the Company was not regulated by accurate principles; and that this was the case, will be sufficiently evident from the fact, that every member between the ages of 12 and 45, was admitted into the Society at the same rate of premium, viz. 5*l.* per cent., and that the annual receipts, with the exception of a certain reserved sum, were equally divided among the heirs of those who happened to die within the year. Its practice was, however, gradually modified and improved as the science became better understood; and as it was the earliest benefactor to the country in this important department, there is every reason to hope that it may extend its blessings to the latest posterity.

The ROYAL EXCHANGE and the LONDON ASSURANCE Companies received charters about the year 1720. They are entirely Proprietary Companies, dividing all the profits of the business among their shareholders.

These three Companies occupied exclusively the field of Life Assurance till the formation of the *Equitable Society* in the year 1762. Mr Simpson and Mr Dodson, the authors to whose writings we have already alluded, had the honour of being chiefly instrumental in the formation of this important Institution, which, it is well known, is a mutual Assurance Society. It began its operations with a table constructed by these gentlemen, from the supposed mortality in London. After fifteen years experience, however, it was found that the rates given by this table were decidedly too high, and another, framed from the North-

ampton rates with an addition of 15 per cent., was assumed. Additional experience induced the Directors to dispense with the extra 15 per cent.; and in the year 1786, the Northampton Tables were finally adopted, and they continue to be used by this Society to the present day.

It is well known that the profits of this Company have been so large, that while, by decennial grants, the sums assured on lives of a certain standing have been greatly increased, a fund has been accumulated amounting at present to between 10 and 11 millions sterling. The existence of so useless and unwieldy an accumulation affords sufficient proof that an excessive caution has of late pervaded the councils of the Directors; and exceptions may perhaps be justly taken, both to the periods and the modes of distribution.

Nothing, however, can be conceived more preposterous than the outcry which has been lately raised by some of the junior members of the Society, on account of their exclusion from an immediate participation in the benefits of this accumulated fund, and indeed from any participation in the profits, till after a certain specified event shall occur. This prospective regulation was passed in the year 1816, and enacted, that no policy of assurance granted after the 31st December of *that* year, should receive any addition to its value from the profits of the Society, until the policies previously effected should be reduced, by deaths or otherwise, to 5000. This may be a wise or unwise regulation; but does any reasonable being entertain a doubt of the power of the Society to enact it? The proprietors might have dissolved the Company on the day on which it was adopted, and divided the capital; or they might have decreed that not another member should be added to their number. They preferred passing the resolution to which we have alluded; and how any member who chose to enter the Society with this regulation staring him in the face, can, with any propriety, accuse the Directors of injustice, and threaten them with legal, or, what is worse, equity proceedings, we cannot comprehend. *

From the year 1762, the date of the formation of the Equitable Society, no other Assurance Company, now in existence,

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* In a note at page 9, Mr Babbage gives the following as a regulation of this Society. 'Persons who have been vaccinated are admitted on the usual terms; but if they die of the small-pox, their 'policy becomes void.' Mr B. ought to have known, that although this absurd regulation formerly stood on the books of the Equitable, it was expunged several years ago.

appears to have been formed, till 1792. From this period till 1807, about a dozen new Companies were formed, most of them simply Proprietary Companies, but two of them, viz. the *Rock* and the *Provident*, of a mixed description. These latter Companies have a body of shareholders who subscribe a certain amount of capital, and take upon themselves all the risk of loss; but instead of reserving to themselves the whole profits of the Company, they appropriate a considerable part of them to the assured. This mixed description of constitution has latterly been very popular, and deserves, as it shall presently receive, a more detailed examination.

The late rage for joint stock establishments produced an abundant crop of new Assurance Companies. Upon the whole, twenty were brought into being; and we believe we are accurate when we state, that the whole number of Life Assurance Societies at present existing in the United Kingdom is forty-four. Recently there were forty-nine, but five have already become extinct.

These forty-four Companies naturally divide themselves into three classes, viz. the simple Proprietary Companies—the Mutual Assurance Companies—and the Mixed, which are supposed to combine, in a degree, the advantages of both.

The following belong to the 1st Class. Albion—British Commercial—Globe—Hibernian—London—Marine (Irish)—National (Irish)—Pelican—Promoter—Royal Exchange—Royal Irish—Scottish Union—Sun.

The following are the mutual Assurance Companies. Amicable—Equitable—Scottish Life.

The largest class is the Mixed; and embraces Alliance—Atlas—Asylum—Crown—Eagle and United Empire—Economic—Edinburgh Life—European—Guardian—Hope—Imperial—Law—Leeds and Yorkshire—Life Assurance Company of Scotland—London Life Assurance—Manchester—Medico-Clerical—North British—Norwich Union—Palladium—Patriotic (Irish)—Provident—Rock—Union—University—West of England—Westminster—West of Scotland.

It is not our intention to subject these Societies to any additional tabular classification in our pages. Their great number prevents us from inserting a tabular view of their comparative rates of assurance. A Table of this kind for the greater number may be found in Mr Babbage's book; and any person about to effect an assurance can, with very little trouble, procure their respective rates for his guidance.

In so far as respects Companies of a mixed description, we have to observe, in general, that two-thirds is the usual pro-

portion of the profits allotted to the assured, and that on the supposition that Societies thus formed are established on a solid footing, we rather think it a fair and liberal division: For, though a larger proportion might appear more advantageous to the assured, yet where it is increased, so as not to leave a considerable profit to the proprietors, it affords ground of suspicion that there is something unsound in the Society.

We would likewise observe, both with reference to this class, and the mutual Assurance Societies, that it seems to be generally admitted, that it is preferable, in most points of view, that the division of profits should take place every seven years, in preference to ten, and every five years, in preference to seven; while it may be doubted whether more frequent divisions than once in five years are, even at the present day, consistent with the safety, or likely to conduce to the ultimate advantage of the assured.

We may further remark, with respect to the mode of returning the profits appropriated to the assured, that it is plainly most expedient that they should have the option of applying them either to the increase of the sum assured, or to the diminution of the future payments to be made on the policy. By one of these modes, the objects of the assurer may often be accomplished in a manner much more satisfactory than by the other; and especially in the case of one individual assuring the life of another in which he has a specific interest, the latter mode of appropriation is obviously the most expedient, while the other might issue in legal difficulties of a serious nature.

Satisfying ourselves for the present, with these general observations on the minor points of the case, we shall devote the remainder of this article to the investigation of the two following questions, in which the interests of the public are very deeply involved, viz. 1st, Whether there is reason to believe, that any considerable diminution of the rates of premium charged by the respectable Assurance Offices, *under the impulse of the present active competition*, would be consistent with the safety of the Societies and of the community; and 2d, By which class of offices the greatest security, and the most substantial advantages are presented to the public? The investigation of these questions will exhaust the subject which we have proposed. They are both of great, and the former of vital importance; and we shall proceed at once to the investigation of them, with as much brevity as the nature of the subject will admit.

I. The first question then is,—Whether it is the interest of the public to urge a reduction of the rates of Assurance, by encouraging the violent spirit of competition now

abroad among the Assurance Societies? We conclude from Mr Babbage's book, although he is not very clear on this, as on many other points, that he would answer the question in the affirmative. At page 118, he says, 'Whenever, therefore, the 'present rates of Assurance shall become considerably reduc- 'ed, *as in time they must,*'—and he finds no fault, as far as we perceive, with the present system under which a great reduction has already occurred in the rates of some of the Assurance Companies. We will confess, however, that our own impressions point quite in an opposite direction.

No one doubts, we presume, that a very keen competition now exists among the Life Assurance Companies. Considering that no less than twenty have come into existence within the last three years, being nearly one half of the whole, while the increase of business can, comparatively speaking, be but trifling, it is plain that there must be an intense rivalry. The absurd advertisements of many of the offices, each pressing with the utmost eagerness its peculiar advantages on the public in every newspaper, pamphlet, and magazine in the kingdom, sufficiently evince how little food many of them are receiving to satisfy the cravings of their nature. Four have actually died from starvation; and two have compressed their bodies into one, hoping we presume that the aliment they may receive into their reduced frame may be sufficient for its sustenance. *

There are two arguments, however, familiarly adduced, to show that this branch of business, like every other, may be safely left to the sweeping operations and reductions of a rash and inconsiderate competition.

The first consists of a general appeal to the experience of the Equitable Society. It is well known that this Society which has existed about 65 years, has not only paid the claims made upon it, in many instances with immense additions, but that it has accumulated, amidst all its liberality, a fund to the enormous amount of 11,000,000*l.* Sterling. It is asked with much confidence, what danger is to be apprehended from a great reduction of premium, with a fact such as this fully ascertained? and if competition is sure to effect the work more rapidly than any thing else, why not give it full play?

We do not think it would be difficult to expose the unsoundness of this popular view of the question. But in the meantime, passing over the acknowledged fact, that this fund

* It may be well to observe, that all these are New Companies.

cannot justly be looked upon as capital—in respect that, if the doors of the Company were closed at this moment against fresh assurers, it would be greatly decreased before the claims of the present policy-holders were successively discharged—we shall only advert to one peculiarity in the situation of this Society, which, of itself, would be sufficient to create all that part of this large fund, which can justly be considered as realized profits. Mr Morgan, in his address for 1795, observes, 'I do not believe, *one half of the Assurances which were 'made during the first 25 years, for the whole life, have been ei-'ther continued till they became claims, or even surrendered for a 'valuable consideration.*' What an immense source of profit does this acknowledgment open at one view! A large fund thus created nearly half a century ago, steadily increasing at compound interest to the present day, and receiving partial accessions from year to year from the original source, exhibits a means of realizing profit, little known to the world, but obviously capable of swelling to an incalculable extent, this enormous fund, which so captivates the imaginations, and stimulates the cupidity of many an enthusiast of Life Assurance. This source of profit, Mr Babbage justly observes, (page 33) has much declined of late years. In the present state of commercial intercourse, the value of life assurance policies is easily ascertained, and they are now exposed to public sale from day to day, with the same facility as the productions of our manufactures or commerce.

What we have now stated may of itself serve to diminish, if not to remove, the false impressions created by the existence of the Equitable fund. But they must be completely removed when we proceed to consider the second argument to which we have alluded, which is in like manner founded on the history of the Equitable Society, and which being more specific and tangible, will admit of a more detailed and conclusive refutation. It is said that the experience of the Equitable shows that the Northampton tables of mortality are calculated on too high a scale, and therefore, that the Assurance Companies might at once adopt with safety, a much lower rate of premium.

Mr Babbage has constructed a Table from the experience of the Equitable, as it regards the duration of human life, on data which, if not so minute and extended as might be wished, still affords reasonable ground of satisfaction, in regard to its accuracy. In this table, taking the interest of money at 3 per cent., he shows what an office ought to charge, so as to make 30 per cent. profit.

He has also formed another Table, to which we have already

alluded, with the view of showing the *comparative* rates of profit charged by the various Companies. In regard to this table, we have remarked, that we consider the data upon which it is constructed not only unsatisfactory, but positively erroneous; and this chiefly, as it affords a false criterion by which to judge of the *comparative* profits charged by the various Companies. In a more general point of view, we do not conceive it is to be relied upon. It is, however, the only thing of the kind within our reach, and it is perhaps accurate enough for the object which we have at present immediately in view.

Mr Babbage says, that the premiums, as they at present stand, must soon be reduced. By this latter table it appears, that the average rate of profit taken by all the offices specified, calculated from the experience of the Equitable, is 23,94 per cent. According to the same table, the profits of the Equitable are estimated at 29,80 per cent.; so that, calculating from the experience of this Company, there *has already* taken place, upon the average, a considerable reduction of premium. But is it correct to take *the experience of the Equitable* as a standard for estimating the profits of the various companies? We have already pointed out one striking peculiarity in the history of this Company, and it will now be found to differ equally in other respects; and first and chiefly as it regards *the duration of the lives insured.* The extent of the difference in this essential particular may be gathered from the following considerations.

1*stly*, Competition has not only produced a considerable variation in the rates of premium; it has also introduced much greater laxity in the acceptation of lives. The Equitable has never had any temptation to accept a doubtful life, and consequently it has never taken any. But many of the minor Companies, who have much difficulty in procuring business, snatch at every life they can with decency accept. Nay, not only in practice, but even in theory, the fundamental principle of the Equitable, and of other respectable Societies in the acceptation of lives, viz. That only *selected* lives (the lives of individuals who appear in full health and vigour) are to be received in their books —is laid aside, and the following principle substituted in its place—'that all lives shall be accepted, where no positive disease is manifested.' We ourselves are personally acquainted with an eminent physician, who is medical adviser to more than one assurance company, who openly avows, that it is by this principle he regulates the advice which he tenders in regard to the acceptation or rejection of assurances. We understand that this departure from old established usage, is fully and freely acted upon in many quarters, and it must obviously

be followed with very important consequences, as it respects the question which we are now considering.

2*dly*, Competition has also introduced a greater laxity of practice, as it respects the evidence required to establish the health of the party. Appearances before the Directors, and frequently even before an agent, are dispensed with; and the Company is satisfied with medical certificates, which, with all respect for Doctors of Medicine, Surgeons, and Apothecaries, are often, we understand, obtained in a most unaccountable way, and in very extraordinary cases. There is no doubt that respectable companies have long been in the habit of transacting without a view of the party, under what is called the Non-appearance fine; but it is obvious that the precautions taken in these cases, by an office jealous of imposition, will very widely differ from those which will be held satisfactory by societies greedy of business.

3*dly*, The deviations from the former practice in lesser matters, have become so numerous, that it is impossible to particularize them. We perceive from the advertisements in the newspapers, that the non-appearance fine, of which we have just spoken, (generally 1*l*. per cent. on the first year's assurance), is dispensed with by some offices. Others charge no additional premium on the lives of females in a state of pregnancy. One office announces that it has reduced the premium on the lives of females throughout. Residence in every part of Europe, not excluding even Turkey, is now, we believe, universally admitted. A voyage across the Bay of Biscay, or German Ocean, at whatever season of the year, is not visited with any additional premium by some companies. These, and many other deviations from former usage, must be individually of considerable moment in the long run, and they form collectively a very important feature in the case before us.

4*thly*, Fradulent assurances are now becoming very common, and may be expected greatly to increase. To Mr Babbage's mind only one species of fraud has presented itself, to which he gives full weight, viz. that of a person conscious of some latent disease, assuring his life for the benefit of his heirs. But there is another kind, of a much more formidable description—we mean that of a person assuring the life of another, which is known to him to be bad. The common mode adopted is as follows. The *real* assurer, having fixed upon an individual suitable for his purpose, engages, that if he will effect an assurance on his life, and legally assign the policy to him, he will, besides paying the premium, give him a certain sum for the policy. This being a clear gain to the party applied to,

numbers are found base enough to lend themselves to the transaction. The individual whose life is to be assured, applies for an assurance, *on his own life*, which tends to lull suspicion; the necessary certificates are easily got up; the life, if refused by one office is accepted by another; and a legal assignment of the policy is executed in behalf of the originator of the transaction, who holds the policy, till death enables him to establish his claim;—and this is a point in which he rarely fails.

Fraudulent transactions of this description have hitherto chiefly occurred in Ireland, where indeed they have been prosecuted to an alarming extent; they will however assuredly abound, ere long, on this side of the Channel. No one will doubt the correctness of this anticipation, who has a knowledge of the great scale and extent, and the regularly organized system, on which fraudulent FIRE Assurances are now conducted in London. The *ability* and *disposition* for such transactions, as it regards Life Assurance, exist in noxious luxuriance in the British capital: And *the practice* cannot fail soon to follow.

We presume that these considerations will go far to show, that the duration of *the lives accepted by the Life Assurance Companies of the present day*, will, on an average, sink much below the duration of human life, as indicated by the past experience of the Equitable Society; and consequently, that the average profits of the existing Companies cannot possibly come near the rate assumed by Mr Babbage, viz. 23.94 per cent.

The ideas entertained of the rate of profit which the existing Assurance Companies are likely to realize, under their present management, will be further lowered, if the difference between their *Expenses* and those of the Equitable be taken into the account.

The first remarkable difference is the 5 per cent. now uniformly allowed to the country agents of the various Companies. It is also to be observed, that the establishment and maintenance of these agencies are attended with a heavy extra charge, beyond the above regular commission.

The same rate of commission is generally given to Solicitors *

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* *Solicitors.*—The sharp fire which Mr Babbage opens on the various Companies for granting this commission to Solicitors, is a little out of place. It is obviously one of those absurd results of competition which must manifest itself, as long as human nature remains what it is; and its removal, though devoutly to be wished, is very little to be expected. If it were secret service money, which was perhaps pretty much the case, in 1810, when Bailey attacked the practice, it would be justly liable to the vituperation which Mr Bab-

bringing business to the various offices; so that a very large proportion of the business which most of the Companies effect, is subject to this additional deduction. Nay, more, the height of competition has induced some offices to grant to solicitors, bringing business *to their agents*, a handsome extra commission; so that a great part of their country business is charged with a still further reduction on the gross premiums.

It is also to be kept in view, that the proportion which the expenses of a small office bears to the whole of its receipts, is frequently very great, while, in a Society on a scale so extensive as that of the Equitable, and conducted with the economy which has ever distinguished it, they are hardly discernible in the calculation of profits. In a minor office, with a full Board of *paid* Directors, &c. the proportion of profits swept away by this branch of expenditure must be very great.

There are other deviations in the practice of some offices from that of the Equitable, which, though they do not tend to lessen the probable duration of the lives assured with them, or directly to increase the expenditure, may yet have a sensible effect on the amount of realized profits. Of this nature is the regulation by which *Entrance Money* is now generally dispensed with. The fund arising from this source used to go far to liquidate the expenses of the Company, if it did not leave an excess to be added to the other profits. Some Offices also advertise, that they receive their premiums *quarterly*. If a business become considerable, the loss of interest occasioned by this must be by no means insignificant.

These considerations, taken altogether, seem to us to prove satisfactorily, that the average net profits of the present Assurance Companies must be small indeed, in comparison of the rate assumed by Mr Babbage. How much ought to be deducted from that rate, it is impossible to say, and of little im-

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bage pours upon it. But now, when it is openly acknowledged and publicly advertised, and freely acted upon by nearly all the Assurance Companies, there seems little room for just exception. The practice being universally known, its injurious effects are greatly mitigated. In fact, the constituted agents of the Companies do much more injury in the way described by Mr Babbage. Whatever may be the terms of the office which they represent, they induce all over whom their influence extends to insure with it—as it is in this way alone that the interests of the agents can be promoted; but an attorney now-a-days has very little temptation to lead his client astray in this direction, as there are Companies, we believe, of every class, which give the usual commission of 5 per cent.

portance to ascertain. The facts which we have established will be duly appreciated by every intelligent individual.

Where is the man who does not feel, that *Security* is the grand and indispensable requisite in the operations of Life Assurance—and the requisite which, in this shifting scene of things, it is almost impossible to acquire in the degree necessary to afford complete satisfaction? The contracts generally entered into with Assurance Companies are not for a year, or for any stipulated term, but for a long indefinite period: And in engagements which are to be fulfilled by Societies, it may be at the distance of upwards of half a century—on the faith of which the savings of a long life are virtually deposited in their coffers, and on the fulfilment of which the provision for a succeeding generation is more or less to depend—who does not feel that, without *the best possible security* being obtained, the transaction, instead of being dictated by wisdom, is a work of inconsideration and folly?

Looking, then, at the circumstances which we have mentioned, it does appear to us to be any thing but wise to cheer the Assurance Societies forward in their present race of competition, which, if persevered in for a considerable time by any of them, must inevitably issue in their own ruin, and the deep distress and bitter disappointment of all who trusted in them. Indeed, it will already appear to have driven some of them too far, when we state, on the authority of Mr Babbage, that the average profit of four of these Companies, calculated, *let it be observed*, from the *experience of the Equitable, and with no reference to expenditure*, is only 17.3 per cent., and that three of these push for business with all the ardour and anxiety which characterize the boldest of their number, and in the use of all those means which go most directly to the reduction of their profits—if there be any profits to reduce.

We know, however, that it has been triumphantly objected, that there has not been a single instance of the failure of any Assurance Society, during the century and a quarter over which their operations have extended.

Even if this were the fact, we humbly conceive that our argument—founded upon recent competition and the consequent innovations—would not be in the slightest degree affected by it. But the assertion is, in reality, altogether unfounded; and serves only to show with what facility men, engrossed with the business of the present moment, overlook the most instructive events, although but of recent occurrence.

The truth is, that shortly after the formation of the Equitable Society, many companies started into being, differing, it would

appear, from their predecessor, chiefly by directing their main attention to annuity transactions. The Laudable Society—the Provident Society—the London Union Society—the Amicable Society of Annuitants—the Public Annuitant Society—the Rational Society—and many others whose names and memorials have perished, sprung into being about the same time, and greatly captivated and allured the public by the low terms upon which they offered to transact business. Their schemes succeeded but too well, to the distress and ruin of multitudes. Dr Price was the author who opened the eyes of the public to the precipice on the verge of which they were standing; and he fortunately prevailed upon the greater number of these Societies to dissolve themselves. Some however persevered; and, to use Dr Price's own words, 'have long since exhibited a melan-'choly proof of their own folly, and of the truth and justice of 'the admonitions which had been wasted upon them.'

We by no means assert that any of the Societies of the present day are founded on principles so utterly erroneous as those which characterized these unfortunate institutions; and we gladly acknowledge, that the principles of Life Assurance and annuity transactions, are much better understood now than they were fifty years ago. Still there is a sufficiency of false principles afloat, and even of positive ignorance with regard to these subjects, and that in quarters where they ought not to be found, to make us look back with anxiety to the fate of these establishments, and to excite doubts, whether a continuation of the present practice of some Assurance Companies may not lead, though more slowly, still with equal certainty, and a far greater accumulation of wretchedness, to the same fatal consummation.

We are inclined to think, from the reasons which we have already adduced, that there must be a difference of from 20 to 30 per cent. in the profits realized by the various Assurance Companies. This opinion will not appear improbable, if we refer to the experience of the sister institutions established for assurance against Fire.

The premiums on Fire assurances, as well as those on Life, are formed from experience; and we are inclined to think, that the data upon which the former proceed may be as satisfactory as those of the latter. The business, in itself, is much more simple; and as, in the Dead-letter office in London, nearly an equal number of letters are received during given periods, so, circumstances remaining the same, nearly an equal number of fires occur in the different classes of risks, throughout the kingdom, during given periods of time. There are variations of course; but on these

data it will be perceived, that experience affords materials for the formation of satisfactory rates of assurance, when the offices which use them do business upon a sufficiently extended scale. The three most important Companies in the kingdom are the Sun, the Phœnix, and the Royal Exchange. They are all old institutions; and we believe it is reckoned that they still assure from one-third to one-fourth of the whole property assured in this country. Recent competition has been fully as active in Fire Assurance as in Life Assurance business. The security offered by some of the recently formed Companies being as good as possible, and their high respectability unquestionable, while they offered a division of their profits with the assured, which the older institutions had no inclination, and perhaps no power to do, these three Leviathan Companies recently found their business slipping away from them to a somewhat unpleasant extent. To remedy this evil, and with the view of driving some of the minor offices out of the field, they resolved on a reduction of premium, founded upon an investigation of their affairs which they had previously instituted. The result of this investigation was curious. It is to be observed, that the rates of all common assurances have been, till lately, perfectly uniform, and that the rates at which what are called special assurances were accepted, differed very slightly. It was to be expected, therefore, that the experience of these three offices, acting very extensively in the same field of employment, and upon the same scale of premiums, would have been nearly alike. Instead of this, their profits were found to be nearly in the following proportions.

12 per cent.
21 do.
27 do.

The causes of this astonishing variation it is not our present object to investigate. We shall only observe, that it was not the largest company which realized the highest rate of profit. But here were three Companies of great respectability, under good management, charging the same rates of premium, working on the same ground, *allowing the same percentage for their expenses*—and yet with results so enormously different.

Now, looking to the ascertained experience of these Companies, we cannot but think that we have not overstated the diversity which must now prevail in the rate of profits realized by the different Life Assurance Societies. For here, in regard to the respectability of the different establishments, it is impossible not to see that there is the greatest possible difference; as to the ability displayed in their management—much

diversity; as to their principles in the acceptation of risks—the utmost inconsistency; as to rates of premium—some charging little more than one half of what is charged by others; and as to the proportion the expenses bear to the amount of business effected—an incalculable difference: Such, then, being the present aspect of the Assurance Societies, and such the undoubted diversity in the rate of profits realized by them, is it in any degree reasonable to allow ourselves to be dazzled by the past experience of a single Company, and that of the highest respectability, and during a period of its history when it was placed in circumstances more favourable than it now is, or ever will be again, or than any other Company can ever expect to be? Even this Company exhibits, after all, a calculated profit of no more than 29.8 per cent., *exclusive of expenses. Including expenses*, what must the profits of some of the present Insurance Companies be? We earnestly recommend it to them not to permit a reckless competition to carry them headlong forward in their downward career; and we still more earnestly caution the public against pressing towards a catastrophe, which we tremble to look upon.

There are only two other considerations tending to confirm the view of the subject which we have taken, with which we shall now trouble our readers.

The first is the great want of science, at which we have already hinted, and which is deeply to be deplored in the Managers of many of the Assurance Companies at present existing. A striking proof of this and that of no small moment, is to be found in the scale of premiums on which various Companies grant *annuities*. This, it is well known, is an important branch of business, which is generally prosecuted by Assurance Societies. In a transaction of this kind, the Company, instead of receiving a certain premium, under an obligation to pay a given amount of principal upon the death of the assured, which is the nature of a life assurance, receives the principal, under an obligation to pay an annuity during the life of the party. The transaction, therefore, is obviously *the reverse* of a life assurance; and if undertaken on the same *data* by the Company, *the loss* must obviously lie with the Company, and *the gain* with the annuitant. Strange as it may appear, it is no less true than strange, that Government, when they formed their Tables for granting annuities, overlooked this obvious distinction, and formed their Tables on this preposterous principle; so that they now freely acknowledge that they have been granting annuities from the commencement at a ruinous loss. Two or three millions Sterling are talked of as the loss they

have already sustained. It may be supposed that a mistake so palpable would be at once seen, and avoided by the various Assurance Companies. But no such thing. Some of the respectable offices have no doubt perceived it, and consequently have been able to transact little or no business of this description; but others conceived that nothing could be safer than to follow a guide apparently so worthy to lead them; and some offices have actually granted annuities on terms considerably more favourable than the Government rates. Both of these classes, consequently, in proportion to the extent to which they are able to prosecute this branch of business, are eating out their own vitals, and cherishing a consumption which will waste them away for years unnumbered.

The other consideration to which we have alluded is involved in the former, and is strongly illustrated by it, viz. the insidious nature of the business itself. In most other descriptions of business, when things are going wrong, the evil, for the most part, soon appears. But here the business may be proceeding on principles which insure its absolute ruin, and yet for many years there will be every appearance of full prosperity. The principles upon which an Assurance Company must proceed, if an appearance of prosperity for a certain number of years were not exhibited, would be erroneous beyond description.

These considerations then, on which we are unwilling to enlarge, lead us to the conclusion, that competition, highly useful in its moderate exercise, and not very detrimental in its abuse in the ordinary affairs of life, may lead to fatal consequences, if allowed to interfere materially with the practice of Life Assurance. Even though the evils which we have specified were not to follow in their full extent from the continued operation of this dangerous principle, still were the rates of profit to be greatly reduced, another evil, leading to consequences not materially differing in character and effects, would infallibly ensue. It is obvious that men of first-rate capital and respectability will not long continue to mix themselves up with objects, the advantages of which appear to be slender or problematical. They will leave them to those who have no better employment for their more slender means, while they launch out in pursuits promising a return commensurate with the important advantages which great capital, extensive information, and known weight of character, are generally found to command. The consequent diminution of security which would ensue from the management of these Societies sinking into the hands of men of less weight and

character, and of an inferior grade of society, does not require to be explained.

Indeed, it is too obvious to escape the notice of any one, that the Directors of many of the Societies recently formed, though we have no doubt respectable within the circumscribed circle in which they move, are, generally speaking, unknown; and we believe it will be found, that the most dangerous reductions in the rates of premium have been made, under the sanction of Boards composed of gentlemen of this description. If it be true, as Mr Babbage advances, that the comical case which he has supposed, in his chapter entitled 'Of the Directors,' is 'not widely different from some that have occurred'—then indeed the evil to which we have alluded has already attained a height of which we had no previous conception. We do not, however, go along with Mr Babbage, even in his qualified belief as to the extent of the mischief. It is enough for us to be satisfied, on the one hand, that many of the Assurance Companies are at present under the management of men of the very first rank in the mercantile world; and, on the other, to have Mr Babbage supporting us—or rather going before us—while we point out an evil of a deadly nature which would most probably ensue, were the premiums to be hastily, inconsiderately, and unsafely reduced.

We trust we have carried our readers along with us to the conclusion at which we have arrived. We do not say, it will be observed, that no reduction of premium from the rates now charged by the Equitable Company could be made, consistently with security. We are disposed to think they might: But such are the important interests at stake, that we cannot too anxiously caution the public against the encouragement of sweeping reductions, such as some offices have already effected under the impulse of a fiery competition, and the guidance of men whose names are wholly unknown in the walks of science. The great reductions which the Amicable and Equitable Societies have successively voted in their rates of premium, were not forced upon them, we believe, by any external influence, but originated in a conviction that they might be made with safety. The only men connected with Assurance Societies, who are known in the world as accomplished mathematicians, are Mr Morgan of the Equitable, Mr Milne of the Sun, and Mr Gompertz of the Alliance. Under such leaders as these, we should have felt satisfied with a moderate reduction in the present rates of premiums charged by the more respectable offices. But we look for such men in vain in this race of competition; and may therefore conclude, that their matured views of the subject agree

substantially with those which we have now perhaps too anxiously pressed on the notice of the public.

II. We must now hasten to a brief consideration of the other question which we proposed for investigation, viz. By which class of offices the greatest security and the most substantial advantages are presented to the public?

1. We shall be able to dispose very rapidly of this question, as it respects the Companies which reserve to themselves the whole profits which are realized. Among these there are several of great respectability; of which we may particularize the Globe, the Sun, and the Scottish Union Companies. All these Societies, in our estimation, afford unexceptionable security; and this indispensable requisite being supplied, we should, beyond all comparison, prefer effecting assurances with them, than with other Societies which we might name, although the advantages apparently presented by the latter are incomparably more captivating. The public, indeed, are quite at one with us in this opinion, and show their agreement by assuring freely with offices of this description, notwithstanding the striking disadvantages under which business is effected with them. But security so exclusively occupies the attention of many men, that having provided for it, they, not very wisely in our estimation, look no further. The following sentence of Mr Babbage, bearing on this subject (page 11), conveys an impression contrary to the truth; although the first clause of it is perfectly correct, and the latter supports the views which we have introduced in a former part of this article, in regard to the greedy acceptance of lives by the inferior offices.

'The better lives generally go to the *more respectable* offices; and many which are rejected by these, are accepted by other offices, where, *from the disadvantageous nature of the terms to the assured*, they are glad to accept lives of a less select description.'

By the more respectable offices, *we* understand those which, from the amount of their capital, the known character of their Directors and Officers, and the cautious mode in which they transact business, are truly deserving the name, and hence have secured the confidence of the public; and we have no doubt of the fact, that Proprietary Companies of this character are, comparatively speaking, still careful in their selection of lives; while the Societies which, in truth, 'are glad to accept lives of 'a less select description,' are those which, in our opinion, are less deserving of the epithet '*respectable*,' and who, consequently, notwithstanding all the temptations which they offer of low premiums, large divisions of profit, &c., are forced, if they are

to do business at all, to be far less select than the other class, in regard to the lives which they accept.

We have little doubt that this is the real state of the case; and while, as we have said, we think the public wise in preferring the absolute Proprietary Companies to those which afford a questionable security, we cannot see the wisdom of choosing either the one class or the other; for, passing over all these inferior offices to which we have alluded, there are others of the Mutual Assurance description of the highest respectability; or if their security is thought less entire than that of the Proprietary Companies, there are some of this latter class, of the most unexceptionable description, who apportion a large part of their profits to the assured. The public, indeed, are becoming better informed in matters of this kind; and sooner or later, we doubt not, these pure Proprietary Companies, though perfectly secure, will either be forced to improve their constitution, or, from the want of business, to close their doors.

2. The system of the Mutual Assurance Societies, is directly opposite to that of the pure Proprietary Companies. They engage to divide *all* the profits which are realized, among their members. The societies of this kind which are best known in England are the Equitable and Amicable; * and we may name, with great approbation, a Company similarly constituted on this side the Tweed, which, we believe, originally bore the name of the Scottish Widows Fund Society, although it has now assumed the name of the Scottish Life Assurance Society. All these Companies appear to be established on a solid basis, to be under careful management, and to afford every reasonable prospect of permanent prosperity. Whether this class of societies, or the third class deserves to maintain the highest place in public estimation, it is perhaps difficult to determine.

The third class, as we have already stated, consists of those Companies, which, interposing a subscribed capital and body of proprietors between the assured and loss, at the same time gives to the latter a participation in the profits; the common proportion appropriated *being two-thirds.*

The advantage peculiar to the Mutual Assurance Society, is the division of the whole profits among the assured; that which is supposed to distinguish the mixed Proprietary Company is a superior degree of security, united to a participation in the profits. The advantages of the former class are so broad and palpable that no words of ours can place them in a stronger light.

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* The *London Life Association* is of a mixed constitution. It assimilates more with this class than with any other, we believe.

There are considerations, however, which, in the opinion of many individuals, well qualified to judge of matters of this kind, advance the mixed Proprietary Companies fully to a level with them—And some of these we shall endeavour to state briefly.

It is, in the *first* place, observed, that the experience of the Equitable sufficiently evinces that the distinguishing advantages of societies thus constituted may readily be lost. Thus, at the present moment, in consequence of the regulation of 1816, an assurer with the Equitable Company could not reasonably expect to derive the same proportion of the profits of that Society, as of a respectable mixed Proprietary Company, were he to insure with the latter.

It is next observed, that a long continued judicious, enlightened, and faithful management of the affairs of Societies of this kind, although absolutely necessary for the security of the assured, is not implicitly to be relied upon; and that, if a failure were to occur in this essential point, there is nothing between the members and exposure to absolute confusion and misery. It is generally believed that the business of the Equitable Society has been conducted with an excess of caution, which has led to much inconvenience, and even placed it in a situation of some danger. It is thought probable that, in future times, the practice of this Company, or of others similarly constituted, may verge to the other extreme; and that the assurers of the day, desirous of the present realization of what appear profits, may very readily, and possibly with fair intentions, divide the accumulations to an extent that would completely incapacitate the Society from liquidating the claims which might eventually be made upon it. If such an occurrence were to arise, it is conceived that, although many of the sufferers might be the same individuals who had prematurely partaken of the spoil, a great number of the claimants would have no consolation of this kind to assuage the bitterness of their disappointment. It is impossible to imagine how the sufferers in a Mutual Assurance Society could receive effectual relief under the pressure of such a catastrophe. The confusion which must ensue would, no doubt, be inexpressible, and probably their struggles to throw their loss on one another, would only add to its amount, as well as to its bitterness.

Reference is further made in support of the possibility of such an occurrence, to the very strong statements both of Dr Price* and Mr Morgan,† in regard to the great facility with which

* Price's Obs. on Rev. Pay. Vol. I. page 179.
† Address for 1795, page 136.

men may be led into the most dangerous deviations of this kind; and to the instructive example afforded by the Government, in its annuity transactions; where an error was committed, which, although but recently discovered, was of so momentous a description, that it would have utterly ruined any private association of individuals which had carried on business to a considerable extent upon the same data. Hence it is inferred, that a degree of danger still lurks beneath all the fair, and apparently reasonable promises of this class of Societies; and that an equal degree of security is not afforded by them, as by the mixed Proprietary Companies.

In further support of this opinion it is stated, that if a catastrophe, such as that which has been supposed, were to occur in the history of an Assurance Company, with a subscribed capital and body of proprietors, not only the capital, but the whole property of the Proprietors would stand between the assured and loss,—a mighty advantage, no doubt, as it regards the security of the public. It is further observed, as deserving of consideration, that this very liability on the part of the Proprietors is the best preventive against that inconsiderate management, which would lead to a result so deplorable as that to which we have alluded; that, on the one hand, the Directors will be stimulated to as large a division of the profits as the state of the business will admit, from a regard to the good name and future prospects of the Company; while, on the other hand, they will be deterred from an imprudent division, by the consciousness that the Proprietors alone are liable for the consequence of a mistake in this vital point, while the assured, who have been reaping the main part of the advantage, would, on its occurrence, escape uninjured—and that the constitution of a Society, established on this basis, consequently affords a continual and enduring incitement to careful management of its affairs in all its branches, and the best security against eventual disappointment.

Having thus stated what we conceive to be the peculiar advantages presented by these mixed Proprietary Companies, we shall leave our readers to form their own conclusions, as to the comparative merits of the two classes; only remarking, that as it would be absolute folly to effect assurances with a Mutual Assurance Company, unless there were a complete conviction that respectability, and scientific knowledge, and sound discretion, characterized the parties in whose hands the management was placed; so it would be equally ridiculous to effect assurances with a Mixed Proprietary Company, which was not distinguished to the fullest degree by the same qualities.

We have only farther to particularize, as we have done in

the other classes, two or three of the mixed Proprietary Companies, which are universally admitted to be of undoubted respectability.

The *Alliance* may justly claim the precedence. Its subscribed capital amounts to half a million. Its Presidents and Directors are chosen from the first mercantile men in Europe. Its actuary is a mathematician of acknowledged eminence; and nothing, in short, can be more respectable, or hold out more satisfying prospects of lasting security.

The next Society which ought to be named, is the *Rock* Assurance Company. The original subscribed capital of this Society was only 200,000*l.*, but we believe it has been considerably increased during the progress of the institution, which has been one of steady advancement. The Board of Direction is very respectable; the management of the Society has been cautious and judicious; and upon the whole, we consider it deserving of every confidence. Both this Company and the Alliance have a regulation, which forces the shareholders to effect Assurances at their respective offices. This regulation is of great value, especially in times of so much competition as the present; for, by directing a continual stream of business into the office, it removes in a great degree the temptation to seek for it by injudicious means.

The only other Society of this class which has so large a subscribed capital as the Rock, is the *Guardian*. This Company deserves to be placed in a high rank, from the great respectability of its Board of Direction, and the admitted intelligence with which its affairs are conducted. It is to be regretted, however, not only that this Company has procured no act to sue and be sued in the name of one of its officers; but that the following clause is introduced in all its policies, viz.—'that the responsi-'bility of the individual members shall in all cases be limited to 'their respective shares.' If this clause be good in law, the security which the Company presents is of a very inferior order indeed—looking forward to succeeding generations. The reservation will, of course, be very palatable to the shareholders of the Company, but it ought to be proportionately distasteful to the Public.

There are other respectable Companies of this class which we have not particularized. Their capital and standing, however, are inferior to those which we have named.

We are inclined to hope that we have placed this subject on a somewhat more solid and intelligible basis than that on which it previously stood; and we doubt not that the good sense of the public, discerning between the chaff and the wheat, will spee-

dily put a stop to the bold and reckless competition of the day; so that Life Assurance, carried forward with increasing intelligence, zeal, and success, may spread its blessings more and more widely over the face of society.

ART. XI. 1. *A Sermon preached in the Cathedral Church of Chester, on Sunday, November* 5. 1826, by EDWARD COPLESTON, D. D., Dean of Chester, and Provost of Oriel College, Oxford. London. Murray. 1826.

2. *A Letter to the Right Hon. G. Canning, on the Bill of* 1825, *for removing the Disqualifications of his Majesty's Roman Catholic Subjects, and on his Speech in support of the same.* By Rev. HENRY PHILPOTTS, D. D., Rector of Stanhope. 2d edition. 8vo. pp. 167. London, Murray. 1827.

THE late defeat of the Catholic question in the House of Commons, when calmly considered, ought much less to move us with wonder than with regret. On one side were marshalled all the powers of reasoning and all the fascinations of eloquence. The veteran champions of toleration manfully discharged their duty, while the most gratifying display of youthful genius was witnessed in the exertions of those who stood forward for the first time in the cause of liberal and generous policy, towards millions of their oppressed fellow-citizens,* and the candid and manly avowals of conversion which some made, who formerly conscientiously supported the other side, were not more honourable to themselves, than useful to the interests of justice and truth. Against this array of all that is most fitted to persuade or to influence the reflecting mind, there were seen embattled those arguments only which have weight, we fear, with the *more* reflecting mind, which calculates nicely; and looks far into consequences; and distrusts reasonings and speeches as so much wind; and, like the wise man, 'regards 'the end;' and in framing an estimate of the practical effects of any line of conduct, is far from being disposed to lay out of view its immediate bearing upon the individual voter. 'The 'Government! the Court! the Treasury! How stand mat-'ters there?' This is the train of reflexion into which such a nature is apt to fall, in the pensive mood so readily superinduced

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* The talent and spirit exhibited by Lord Morpeth and Mr Villiers Stuart, are the themes of general admiration. The latter is evidently a man of first rate powers, and destined to play a first part.

by the announcement of a great question: And the meditations which ensue may give rise to some anxiety, and even wavering; but instinct is pretty sure to bear through those who implicitly trust it, and the instances are wonderfully rare in which it has been known to fail. For in order to prevent so unhappy a catastrophe as might ensue from leaving those generous natures in absolute uncertainty upon this cardinal point,—to avoid the fatal chance of the reason of the matter operating undisturbed; it is wisely provided by the superintending power which regulates and controls all Parliamentary things, that certain signs or indications shall be given from time to time, whereby the faithful may descry the path they had best tread in, and thus arrive in safety at their destination.

But here the novice in such matters naturally enough exclaims—how can any such indications be given from that high quarter, when the Government is avowedly *Neutral*—when there is, as it were, a *Manichean* arrangement of the supreme power—a good and an evil principle conflicting perpetually, and balanced in their influence, so that neither is suffered to prevail over the other? How, when Ireland, Catholics, and all that relates to them, are singled out, and, by common consent of our rulers, made forbidden ground, upon which, so far from any line of conduct being pursued, not even any discussion is ever to be had, nor indeed any word ever to drop—how can any intimation ever proceed from the Government, of a predilection, or a leaning, much less of an opinion—while it is quite impossible that any such can be formed? The difficulty at first seems sufficiently puzzling; but it is not without a solution. The truth is, that this doctrine of ministerial neutrality, however beautiful in theory, like many other theories, fails in practice. However excellent and statesmanlike the plan may seem to be which excludes from all the deliberations of the Government, those great national interests that demand its chief attention—however honest and wise and practical the scheme which prohibits our ministers from ever forming any opinion as a body, much less adopting any one measure, upon by far the most important and most pressing question that can come before them—it is found that in practice, an opinion is very peremptorily taken up, very inflexibly acted upon, and very unscrupulously enforced. This opinion is, that all attempts to conciliate the Catholics, and pacify Ireland, shall at all times be discountenanced and suppressed. The neutrality is merely nominal; the Catholic Question is not made a Cabinet measure; in other words, that part of the Cabinet which supports the question, is not suffered to carry it; but that part which resists the ques-

tion, is allowed to use the usual means to prevail. With the exception of a few excellent speeches flung into the right scale, with the speeches of the Opposition, the whole weight of Government is given against the Catholic claims. The agents of Government, with the emissaries of the Court, join their forces to those of the Bishops, Priests, and Deacons; and the only marvel is, (and it is a most tremendous argument in favour of the cause), that against such fearful odds, the Ministerial majority should have been so small.

The influence exerted in Parliament by the dispensers of patronage, whether the Court or its ministers, is so far from being a matter of doubt or of mystery, that it is openly avowed by many political reasoners as practically a part of the constitution, and defended as necessary to carry on the administration of public affairs. The mode and manner in which this influence is brought to bear upon Members of Parliament, is hardly more disguised in these times. They err mightily who dream that the mere existence of a great machine, called the Executive, endowed with all manner of patronage, and the general knowledge, that a share of such patronage is only to be had by those who support its measures, is left to work in the minds of the uninitiated, or only confirmed to the faithful by casual experiences. This knowledge is not without its effects in predisposing men towards right and sound views, and in training them to courses suitable and convenient. But they are not left to wander in such comparative uncertainty. A communication is established between them and the Government, through certain persons of influence; faithful pastors are appointed, who lead them in the right way; zealous watchmen who guard the fold from the wolves that prowl *outside*, (or as they are technically termed, the *outs* or Opposition); and under the immediate superintendence of these, are all the members inside the precinct, wont to pass their political lives. There are several such watchmen ever on the alert, and suffering no sun to go down without actual intercourse with the objects of their care. But at certain seasons this vigilance is increased; stormy seasons, when there may be reason to apprehend mischief. Then it is that their cares and activity are incessant; there is no respite for a moment; each individual is beset, and his ear constantly filled with alarms, and threats, and promises, and urgent entreaties—all administered with consummate skill, and nicely adapted to the nature of the recipient. To one it is said—'The measure is full of danger to the Church and State;' to another, 'It is fatal to the present ministry;' to a third, 'The French and the Pope will be benefited by it;' to a

fourth, 'The Opposition will be the only gainers.' Such topics are addressed to worthy and inexperienced gentlemen from the remote provinces, chiefly from inland districts, and little versed in the ways of the world—a very small body, continually on the decrease, and very little esteemed for sense and sagacity at the Treasury mart. But to the adepts, the known and practised traders, different topics are used. 'Would you turn us all out? What becomes of your 'peerage? A Commissioner of Excise has notified his intention to retire. Governor A. is ill with a liver complaint. 'Admiral B. was given over last despatches. How is your 'brother after his circuit? Mr Justice C. only waits to be 'entitled to the pension. Two Masters in Chancery have lately had fits. Are you aware that a Dean and a Bishop are 'lying dead at this moment? That man's fine shall positively 'be remitted under the Act by the Lords of the Treasury—'it is five and twenty hundred pounds—but it don't signify—'What signifies the effect produced on your Lordship's mind 'by the evidence against Her M———? The question is not 'whether a conspiracy has been detected, but whether you 'will have your step in the Peerage, and save the existing 'ministry or no? You are pledged to the Catholics, and may 'vote according to your conscience, if you please. The merit 'will be great, for you will assuredly neither have the cornetcy nor the cadetcy; but what is that to the satisfaction of voting according to *conscience*? IF you are not unseated before Tuesday next, how do you mean to vote? whichever way you please! God forbid that any one should interfere with so sacred a thing as a man's conscience; but other 'people have their consciences too, and it is fit we know who 'are our friends before the ballot.' Such things are seldom said in words; it is wholly superfluous nine times in ten. A more general, more safe, and more decorous dialect of the English language is generally spoken about the purlieus of Downing-Street, and Whitehall, and in the lower parts of the House of Commons, towards the Bar, where the watchmen are stationed on trying occasions. That dialect is quite as expressive as the broadest of the mother tongue; it has a peculiar force of expression, indeed, notwithstanding its extreme vagueness, and they who comprehend it, admit its powers to surpass any possessed by the most laboured exertions of the mother tongue. 'Surely *you* are not going? Do you know the ques-'tion? Have you heard the reports of this evening? There 'are letters from ——— in four hours and a half by express.' 'The ——— said "D—n me if I suffer it, d—n me!" As a

'friend, we advise you to stay and vote. We know you are 'with us. Never mind ———. He is no longer trumps. 'How is your third son? Why do you always call at the 'Treasury when the Board is sitting? Have you lately been 'in the city?' But there is a language even more safe, more general, more decent, hardly articulate, chiefly carried on by signs, by winks, by looks, by squeezes of the hand and nods of the head—which the initiated well understand, and which thrills through the whole of their well-regulated frames. To describe it, the assistance of figures would be necessary, for in articulate sounds it hardly goes beyond, 'Well, how are you? So so. 'Here we are! Another, well, let us see! Oh, very well. 'Its past twelve. Three o'clock at the latest—certainly not 'four. Never saw so full a house. Mr ——— says it will 'go by four or five. Lord ——— thinks ten at the outside. 'All depends on each vote. To-morrow at one, expect to see 'you certainly. This is really a night! We carry it to a cer-'tainty by fifty, (to one person.) We shall be puzzled to find 'a bare majority, (to another.) My good Lord—You beat 'us by twenty at least—so give yourself no more trouble about 'it. For Godsake don't stir, unless you would drive the —— 'from his ——. It's a joke to say we are voting on the Ca-'tholic question; no, no—we know what and who we are vot-'ing about.'

The same things said by other persons, unknown and unaccredited, would of course have no sort of effect. It is the quarter they come from that gives the phrases their sense and their weight. But for this very reason, it becomes of no kind of importance whether the Government, as such, takes part in the discussion, or what appearance of neutrality it may think fit to put on. Let it proclaim to all the world that the Irish question is not a Cabinet matter; that all are at liberty to follow their own opinions; that the Government interferes neither for nor against; that the ministers as a body are altogether indifferent. What signifies all this, when the known organs of the Government, the regular agents of the Ministry, the marked officers of the Treasury, and the still more notorious tools of all work, employed to supply the glaring deficiency of powers contrasted with the overabounding plenty of inauspicious zeal in the ostensible limbs of the department, when every one of these from the most imbecile to the most effective, is labouring night and day, in public and in holes and corners, in the same vocation, and every one eagerly taking the part against which reason, justice, policy, principle, alike point? What boots it that the talk is of neutrality, while the deeds are those of hostility, open and

covert, to the Catholic cause—covert, not to avoid a detection which not even the most puny of the fry of office dreads, but to do the base work more effectually, which all the tribe have alike at heart and in hand? What avails the comparatively friendly voice of Jacob, when Esau is suffered to put forth his savage hand and extinguish our hopes with his unrelenting grasp? As long as things are thus carried on, unknown to the members of Government, who favour the righteous cause, or in despite of their wishes—nay, for the very purpose of thwarting their views, undermining their power, and destroying their official existence, no professions of good will on their part, nor any exertions they may make in debate, nor any hollow professions of neutrality they may extort from their colleagues, will avail the Catholic question as a grain of dust in the balance. The government that refuses to make the affirmative of the question a Cabinet measure, in effect makes the negative a Cabinet measure; if the branch of the Government which wishes well to the question is not suffered to prevail, the branch which opposes it effectually gains the day.

We desire most distinctly to be understood, as imputing no blame whatever to the liberal part of the Cabinet, in these momentous affairs, beyond an unfortunate error of judgment. Their conduct hitherto is altogether consistent with honest good will towards the Catholic cause; because, before the late calamitous result of the common exertions in that cause, it was very far from being demonstrated that the neutrality ascribed to the Government was only nominal; and we entertain the most sanguine expectations, that the eyes of those eminent persons will now be opened to the situation, alike perilous to their own honour and the dearest interests of their country, in which they would be placed by perseverance in the delusion they have hitherto been deceived by. They could not believe in the bad faith by which they were surrounded; but that is not all. A little reflexion must convince them, that no arrangement ever can produce an effectual neutrality on such a question; that not to carry it is to be defeated; that they who defeat their colleagues in Government, make their own will a Government measure; and that on a subject so momentous, a divided government is wholly impossible. We have no right—the country has no right—to cherish an overruling confidence in any public men; but we shall be most slow and most sorry to distrust the statesmen, to whose enlightened views on this great question so much gratitude is due—from whose honest zeal in such a cause so much of service and of sacrifice, if need be, is anxiously expected.

We have spoken of the weight flung on all occasions into the scale of intolerance by the dispensers of civil patronage. The effects wrought in the Church by the distribution of ecclesiastical preferment, are as conspicuous, and hardly less fatal to the interests of sound policy. In the current of Court favour, there have been ever and anon interruptions and deviations, where secular promotion was concerned; but where the good things of the Church, her emoluments, her dignities, and her powers, were involved, not one single deviation, or pause, or hesitation, for one single instant of time. The word has long since gone forth to the uttermost corners of the Establishment. 'Be liberal—and rise not; be tolerant—and thrive not. As soon shall 'the Dissenter himself rear his mitred head in the Temple, as 'the enemy of the Penal Code, the friend of Religious Liberty.' We do not affirm that this intimate and universal persuasion, this notorious association of proscription with liberality, prevents ecclesiastics from holding the sounder doctrines; but at least we may be permitted to suppose, that all who sincerely hold the contrary belief, are encouraged and enabled to promulgate their errors with extraordinary zeal and signal effect. The advocate of the Catholics finds himself, though qualified by law to hold clerical preferment, yet excluded from it in fact, almost as effectually as the sect, for whom he is exerting himself, is shut out by law; while the advocate of exclusion enjoys a monopoly not only undisturbed by the Catholic, but safe from the intrusion of his Protestant antagonist in the controversy. We do all manner of justice to the purity of the motives which animate the distinguished ecclesiastics whose latest writings lie before us; nevertheless, we cannot help feeling a suspicion, that the zeal of the one, naturally warm and sincere as it is, has been made to glow with additional fire, by the cheering rays of Episcopal favour in which it has so long basked, peradventure, too, by the additional fervour communicated from the meridian of the Court—while the other, it would seem, has been proportionably chilled by the long night of cheerless exclusion in which sounder and more liberal opinions have doomed their votary to wander, and has almost been made weary in well-doing.

The Sermon of Dr Coplestone, we greatly lament to say, is altogether unworthy of his high reputation; and every way calculated to disappoint his numerous and sincere admirers. Who could have thought of living to see a *Guy Faux* discourse from such a quarter! On the 5th of November, he is pleased to make his declaration of mighty doubts and great difficulties; and, to the dismay of all who had fondly imagined that in him

the Catholic Question had a friend worthy of ranking with the Bathursts, and Kings, and Raines, and Parrs, and Maltbys, he is found—Dr. Coplestone is found—he who, as long ago as 1809, supported Lord Grenville on this ground, is found, in 1827, when all the wretched remnant of objections to emancipation derived from temporary circumstances, has vanished, and that which was ever expedient and just has become imperiously necessary, only able to screw his liberality up to the reluctant and stingy admission, that he is 'not prepared to assert, with Dr 'Phillpotts, the necessity of the perpetual exclusion of the Ca-'tholics!' We are anxious to draw a veil over a scene, gratifying only to the misanthrope and the scorner. We turn with sentiments, not agreeable to feel towards such a man, and still more painful to describe, from the charges against the merits of the Catholic creed and discipline, paraded, as if now discovered for the first time by some new light, and put forward ostentatiously as grounds for new political opinions respecting the treatment of their professors. But as men under the ill-omened influence apparently at work in this reverend person's mind, seldom think they act to make their own election sure, if they do not level a few blows, at parting, against their former coadjutors, we find a smart attack, combined indeed with something in the nature of an *anathema*, against the *motives* (forsooth) of the liberal party; and, desirous not to shrink, ourselves, from this visitation, and willing to give it circulation, as against those distinguished members, both of the Government and the Opposition, for whom it is meant, we willingly insert it here, for the edification of the reader—only seriously assuring him, that, unless a fabrication, unprecedented in the annals of literary imposture, has been committed, a forgery more impudent, and far more incredible than that of the Duke of York's posthumous letter—the following words form the Peroration of a sermon preached in the Cathedral Church of Chester, on the anniversary of the Gunpowder Plot, by Edward Copleston, D. D., still Provost of Oriel, but now Dean of Chester also.

'If the false estimate I allude to of the difference between the Protestant and the Romish faith arise from inattention or from ignorance, we must pity either the want of information, in matters concerning which it is so easily to be obtained, or the want of power to discriminate between things really so different in their own nature. But if, from any selfish or any worldly motive, this representation is ever made—if *party spirit*, or *a love of popularity*, or *a foolish desire of being thought liberal*, or a dread of popish vengeance, or a mean subserviency to the political views of others—if these or any one of these motives possess the heart, and incline it to prevaricate in so sacred a

cause, deep indeed is the guilt of that man, and flagrant the insult offered to the Majesty of heaven. But let not any one, as he values the honour of God and the peace and salvation of his own soul, let him not burden his conscience with a sin so grievous. Let him not thus provoke the righteous judgment of God. It is a wilful sacrifice of divine truth to worldly feelings and worldly interests. And as the Almighty rejected Saul from being king over Israel, when he presumed to make religion subordinate to his schemes of policy, so will Christ reject those from a share in his kingdom, who are ashamed or afraid, under any circumstances, to confess him before men, or who think that any object upon earth can be so important as to justify a compromise of the pure word of God in order to obtain it.

'From this and from all other deadly sins, may God in his mercy guard us, to whom, with the Son and the Holy Ghost, be all honour, and praise, and glory, and thanksgiving, now, henceforth, and for ever!' pp. 24–25.

Gratitude is a feeling which is wont to exercise a powerful sway over honourable and generous minds; and the reverend author's recent promotion seems greatly to have touched him. In the dedication to his Diocesan, he commemorates the 'preferment graciously bestowed, unsolicited, and wholly unexpected;' and marks his gratitude 'to the generous author' of so much mercy—adding, that one of its '*most pleasing*' advantages, 'various and important as they are,' has been the opportunity it gives of seeing the Bishop's able administration of the diocese. Truly, there is somewhat of misplaced modesty here. Who had any right to wonder at Dr Copleston's promotion to a Deanery, where Dr Bloomfield was a Bishop? Between the two men there could be no comparison, except in one particular—the bold activity of the latter in all matters furthering the cause of illiberal and intolerant policy. But the surprise which the former seems to have felt at his own promotion, is a striking illustration of our remark upon the effects of that uniform course which the patronage of the Church, we might add, of the State too, has taken in respect of this important controversy. He seems hardly to believe his senses, when he finds a very poor Deanery descending upon one of the most eminent scholars and divines of the age, because so much learning had always been graced by a tolerant spirit, and united with sound political opinions. We devoutly hope that any further exaltation in the Church may be as unexpected, if the present system continues, and that no portion of his political or professional life, save the unhappy discourse now before us, which we regard as a shade cast, or rather passing over it, may ever form a contrast with that which has hitherto redounded so greatly to his honour.

If in this Sermon there is an attack from an unexpected quarter upon Mr Canning, and, in general, upon the advocates of the Catholic Question, the work of Dr Phillpotts more openly, and in no way taking us by surprise, pursues that line with a vehemence characteristic of the true Theologian. *He* certainly has been quite consistent; he has always stoutly delivered his sentiments on one side; he has justly acquired the credit of being about the ablest of those who espouse that side; and he now perseveres in the same course, at a time when the expediency of such conduct, for the interests of him who holds it, becomes daily more questionable. This praise is due to Dr Phillpotts; and differing with him, as it is our lot to do, we very cheerfully yield it to him.

His letter to Mr Canning is written with great spirit; much knowledge of the subject; often with very considerable felicity of thought and expression. Nor do we think that, with his materials, and under the difficulties which press on all who maintain these doctrines, he could have done more to harass his adversaries, or further his own tenets. But truly the blows recoil from Mr Canning, or pass very innocuous over him. The attack is brisk; nay, somewhat intemperate, not to say coarse; but it is harmless. The great expressions of respect towards its object will not blind the reader, any more than Mr Canning, to the virulence with which theologic gall, as is usual, flows through these pages. The author avows, that should he ever depart from that respect, he would find it more difficult to forgive himself, than Mr Canning would to pardon him. This is extremely probable, for that gentleman is not very likely to mind such things. But were he so disposed, the departures are neither rare nor inconsiderable; from that tone of entire respect which the Doctor thinks he has hit, and hopes he has sustained. We cannot, for example, deem the effects of a speech as respectfully described, if they are given in a quotation from the Paradise Lost, painting the 'dismal universal hiss from innumerable tongues, the sound 'of universal scorn,' with which Satan's expectations of 'high 'applause' were met by his infernal auditory. (p. 27.) Nor is there very profound respect betokened in the account which pourtrays a man's conduct in plain prose, as 'the miser-'able gradation of big promises and small performances, 'growing every year smaller, till at last he brought himself 'not only to give his support to that insult on the common 'sense of the country, the Bill of 1825,' &c. (p. 35.) It somewhat borders on that familiarity which is said to be the parent of contempt, if a writer applies to your conduct a private col-

lege anecdote, plainly relating to yourself; and lays the scene in a lane, with a waggoner, and makes the subject, your way of driving a gig. (40.) Nor is the matter much mended by a swift transition from flippant levity to dull abuse, about forgetting 'what is due to dignity and honour'—'a strange unaccountable fall'—'submission to the insolent domination of demagogues'—and 'completing the career of defection and apostasy.' (41-2.) Indeed the same degree of respect pervades this pamphlet, and in one part breaks out in charges of disaffection—the never-failing resource of the High Church zealots when arguments fail. It is more than hinted, in p. 126, that Mr Canning is now 'one of the prime instigators to insurrection and rebellion.' But enough of such scurrility, which the reverend author seems to have had a presentiment could be hurtful only to himself. The distinguished object of it can well afford to receive it with disdain.

The reader, however, will not unnaturally ask what, beside the mere lack of argument and love of railing, could have occasioned it at all? The Doctor cannot, it seems, find that in 1825 the bill supported by Mr Canning had the same securities with the former measures of 1813 and 1821. He broadly pronounces that the only security adopted on the later occasion was the alteration of the Irish oath of 1793, by changing '*and*' into '*or*.' We are most unwilling to use a harsh epithet; and we have too often witnessed the bewildering powers of controversy over the mental faculties to impute wilful perversion of the fact, when there is a possibility of accounting for error by polemical blindness, else we should find it tasking our candour and charity somewhat severely, to believe that the reverend author could have forgotten the important measures which accompanied the Bill of 1825, and, though in the shape of distinct Bills, were suffered to keep pace with its progress. Of these the *Clerical Wing*, as it was termed, contained by far the most important security ever yet devised for the Establishment, both in Church and State, against the possibility of harm from Catholick violence and influence. A hierarchy and a clergy supported by the State, never could place any portion of its power or endowments in jeopardy; and ten thousand oaths and vetos and commissions, with Secretaries of State at their head, and all the other vain trumpery 'which neither is, nor was, nor ever can be,' of the least avail, except in the alarmsick fancy of Dr Phillpotts, sink into nothing, whether viewed as concessions from the one party, or solid benefits to the other, compared with the measure, now alas but little likely ever to be carried, of making the Romish church in Ireland dependent upon the civil Government.

The same charge was adopted by a high law authority in the House of Commons, and, almost in the words of the pamphlet, launched there, against the supporters of Sir F. Burdett's motion; but, unsuccessful as it is in the book, its fate was far more deplorable in the debate; first, because the motion in hand was only a general resolution pledging the House to take up the subject, and consequently, until it should be acceded to, no one could tell what securities might accompany the measure; while in the pamphlet, Dr Phillpotts had at least the advantage of attacking the known details of the whole measure of 1825. Next, because the Doctor, who wrote the pamphlet, had it all to himself, and was read in the absence of his victims, those meek and simple young gentlemen, Messrs Plunkett, Brougham, and Canning; whereas his Honour, who spoke the pamphlet, delivered it in their bodily presence; a distinction sufficiently palpable, it is said, to be remembered by that eminent magistrate as long as his recollection continues —as long at least as his zeal for the Protestant establishment endures. Men have even gone so far as to insinuate, that this difference of circumstances was more than sufficient to countervail the advantages bestowed upon the spoken pamphlet, by the rare solemnity of the emphasis with which it was clothed, and the truly impartial smoothness, or, as it might be called, flatness, of the language in which the matter was conveyed; and indeed it might be said, the exemplary neutrality observed by the argumentation, which left the whole case in the most judicial manner possible to the audience, without creating the least bias in favour of the side espoused by the Doctor and by his Honour.

It is seldom that a true-bred ecclesiastical combatant rests satisfied with words. The day being gone by when the fire and the wheel were at their command, they now show a hankering after the aids of the fleshly arm, in the welcome shape of prosecutions by the Crown. The Pope's *Encyclical Letter*, objecting to the distribution of the Scriptures, upon grounds not quite so foreign to those of the High Church party in the Bible Society controversy, is stigmatized as libellous, and the law officers of the Government warned to proceed. This introduces an attack, of course, on the Irish Attorney-General, 'to expect whose interference would be deemed a little unreasonable.' But the Doctor is mainly consoled in his distress by thinking that 'there is a Secretary for the Home Department 'who never yet shrunk from the discharge of any public duty,' and also a 'Secretary to the Lord Lieutenant;' and he hints, that from them better things might have been hoped. But what wonder if we are disappointed, 'by the very anomalous

'nature of the policy pursued towards Ireland—by the Me-'zentian expedient which hangs about them (the two Secre-'taries), some chilling, palsying, deadening weight, to rob 'their native spirit of more than half its energy.' (p. 69.) The aptness of this classical allusion is singularly striking; perhaps unparalleled. Who does not at once picture to himself the old plan of tying a living body to a dead, when he is reminded of the cruel fate of such lively spirits as Messrs Peel and Goldbourne yoked to the dull, inanimate clods, which were once Mr Plunkett and Mr Canning.

A very smart attack is intended against Mr Canning for having cited the damnatory passages in the Athanasian Creed, as a proof that we, as well as the Catholicks, hold the doctrine of exclusive salvation. Strange to tell, that doctrine is the corner-stone of the Doctor's intolerance of the Catholicks, and his belief in the dangers of granting them civil rights. How then does he relieve our own church from the like charge, and, by consequence, his argument from the imputation of a gross blunder, hardly deserving the name of sophism? Why, he says, *we* damn men's souls only for matters of some consequence, while the Catholicks do it for trifles! This is really the sum and substance of his answer; and the like of it, we believe, is hardly to be found in the history of any controversy. The passage deserves to be extracted, for it is an elaborate one, given with no little air of triumph.

'Sir, the laws of the old Athenian legislator, Draco, were said to be written in blood; for he annexed the penalty of death to every offence whatever. Suppose, now, that a citizen of Megara had observed to a friend at Athens, on the cruelty of this sanguinary code; "This is a dreadful system of your's, to put a man to death for "stealing a few figs, or breaking into his neighbour's olive-ground." "Why, my dear friend," answers the Athenian, "how can you "talk so absurdly? did not you yourselves hang a man, last week, "for murder?"'

'This, Sir, affords but a very faint illustration of the wisdom of putting our use of the Athanasian Creed on a par with the tyrannical and intolerant principles of the Church of Rome. That Church, among a thousand similar extravagancies, sentences a man to the loss of all hope of Christian salvation, who says, that it is contrary to the institution of Christ, *to mix water with wine* at the holy communion; the Church of England, in the Athanasian Creed, pronounces the same of one who impugns the fundamental truths of Christianity; and you are pleased to say, that this deprives us of all right to find fault with the exclusive spirit of Rome.

'As to the Athanasian Creed being "a human *exposition* of the great mysteries of Christianity," you must forgive my telling you,

that if you had taken the trouble of acquainting yourself with the nature of that formulary, you would not have thought it a fit subject of sneer or banter. The Athanasian Creed is not an *exposition* of any mysteries; it does not aim at any thing so absurd. But it *states* the fundamental doctrines of the Gospel; and in respect to the doctrine of the Trinity, accompanies the statement with certain distinctions, which were rendered necessary by the attempts of Heretics to corrupt the doctrine itself, by their own daring innovations. It also accompanies its statement with denouncing the awful sentence on unbelievers, which our Lord himself denounced, when he gave to his apostles the solemn charge to go and preach the Gospel to every creature, "he that believeth not shall be damned."

'You will perceive, therefore, that the main question respecting the Athanasian Creed is, first, whether its doctrines be true; secondly, whether they be fundamental. The Church of England holds them to be both true and fundamental, and therefore scruples not to receive and use the Creed, notwithstanding the strong terms in which the danger of unbelief is there set forth.' pp. 91–92.

The doctrine of Resistance affords another almost equal example of error in argument. Dr Phillpotts boldly and honestly admits, that 'cases may be put when subjects are bound by 'their duty to God, to themselves and their posterity, to rise 'against their lawful sovereign, and assert those rights which 'tyranny would annihilate.' (p. 121.) But his objection to the Catholick doctrine is, that instead of making every individual the judge of the provocation which justifies resistance, and the moment when it becomes a duty, it arms the Church with this power. Surely the Roman might retort the greater danger to all legitimate authority, of making every man the judge of the cause which shall entitle him to throw off his allegiance.

It is amusing to find this reverend Doctor's test, which would satisfy him entirely. It is given as follows, and we verily believe would meet with little opposition; but then it is on matters which no State has a right to interfere with.

'"I, A B, do declare, in the presence of Almighty God, that I "do not hold, nor believe, that it is necessary, in order to their eter-"nal salvation, that his Majesty King George, or any of his liege "people, being Protestants, be, or shall become, in any way subject "to the Pope, or to any authority of the See of Rome: and I do "declare, that I do not hold, nor believe, that the Protestant Church "of England and Ireland, as by law established, is in such wise he-"retical, that any of the members thereof are, on that account, ex-"cluded from the promises of the Gospel, or cut off from Christian "salvation: and I do faithfully promise and swear, that I will not "use any power, right, or privilege, which does, or shall, to me be-"long, for the purpose of destroying, or in any way weakening the

" Protestant Church, and the establishment thereof, as it is now by " law maintained: So help me God." ' p. 169.

Now, what man living, or what government, has any right to prevent any other man, or sect, from *believing* that certain things are necessary to salvation? The Papists may be wrong in holding that all men will be damned who abjure the Pope; but who has any right to punish them for this error, either by fire, by penalty, or by exclusion? Our author, however, very frankly tells us in the next page, that if the Catholics do not object to his test, he will cease to be satisfied with it himself! ' That it would not satisfy the Irish leaders, I am well aware; ' and, in plain truth, I should have no sort of confidence in any ' that would.' (p. 160.) This is at least plainly spoken out; and shows that he desires such a test, by way of security, as no Catholic will take. In other words, the question being, what provision shall we make to render the admission of the Catholics safe for the Establishment? our ingenious divine answers, the provision of shutting them out altogether. How, says he, shall these pestilent fellows be kept from hurting us after they are let into our house? By keeping them outside the door!

There is one view of this question not taken by the Doctor, or any of his school. There are six millions of Catholics, and they are determined to have the benefits of the Constitution, without changing their religion, or pretending to change or conceal it—and all your ingenuity and learning certainly will never prevail on them to alter this resolution. *Can* you go on then excluding them by majorities of four in the Commons, and forty in the Lords, in order to gratify the fancies of a few Grandees and Bishops? If this be hopeless, would it not be wiser and safer to review your policy betimes, and give with a good grace what *may* satisfy them now, rather than be forced hereafter to give a great deal more, and possibly not give satisfaction after all?

The late division is also full of practical instruction to all who can be taught upon this subject. Of the Irish members, 91 voted; 9 of these are wholly unconnected with Ireland; and of the 82 really Irish members, 54 were for the motion, and only 28 against it. This speaks volumes. Among other things, it demonstrates, that if the Union, clearly shown to have been effected by hopes of emancipation repeatedly held out as its consequence, had not taken place, this measure would long since have been carried by the Irish Parliament. Are we prepared for the inference which plainly and closely follows from this fact? If we are not, we ought to be. We ought betimes to set our house in order; for that inference clearly is, that, but for the Union, the Catholics would now be emancipated.

ART. XII. *Gustavi Seyfarthi Prof. Lips. Rudimenta Hieroglyphices: Accedunt Explicationes Speciminum Hieroglyphicorum, Glossarium, atque Alphabeta; cum XXXVI. Tabulis Lithographicis.* Lipsiæ, CIↃIↃCCCXXV. 4to.

SINCE the publication of our Article on Hieroglyphics, we have received this splendid work of Professor Seyfarth, and also Dr Young's 'Letter to Count Pollon,' containing, 'Remarks on Mr Peyron's Account of an Egyptian Papyrus;'* and we feel ourselves called upon to take some notice of these productions. Seyfarth's lucubrations appear to have attracted considerable attention upon the Continent, particularly in Germany; and it has been confidently maintained, by a writer in the Leipsic Journal, that they demonstrate the utter fallacy of the late *pretended* discoveries in Hieroglyphics. The boldness of this assertion is rather more indisputable than either its modesty or its truth—though we have no doubt that it expresses the conviction of the *eruditissimi* of the German Scholars and Orientalists—these learned persons having from the first manifested a dogged disinclination to admit the soundness of the investigations begun in England, and so successfully pursued in France. They have never, it would appear, been able to conceive, how the natives of other countries, mere interlopers and intruders into the field of obscure and profound learning, could really presume to make discoveries where, with all their painful and plodding industry, they had found nothing but barrenness; while the very simplicity and obviousness of the principles upon which these discoveries were made, have tended to confirm them in their prejudices, and to fortify their understandings against the conviction naturally arising from the results which have been obtained. Fortunately, however, the question at issue is one not of erudition, but evidence, of which the German Scholars and Orientalists are not the only competent judges; and in the 'Remarks' of our learned and ingenious countryman, we have another 'confirmation, strong 'as proofs of Holy Writ,' of the soundness as well as the importance of the original discovery. It is really no easy matter to conceive, how a principle can be *false*, which leads to results that are *true*, and confirmed by history. †

* Memorie di Torino, xxxi. 1826.

† 'The conflicting results at which both ancient and modern writers had arrived, might well stagger the general reader, and seduce him into utter scepticism as to the possibility of ever deciphering the sculp-

Seyfarth is professedly a mere expounder of the doctrines of Spohn, now ὁ μακαρίτης, and very candidly admits his obligations to the work of that distinguished scholar (*De Lingua et Litt. Vet. Aegypt*), not merely for the theory proposed, but for the greater part of the materials by which it is illustrated. 'Quod 'sibi videtur hic libellus rationem tradere, qua hieroglyphica 'scripta legenda sint; id cujus nomine adscribi debeat, tacere, 'maxime impium et invidiosum esset. Scilicet SPOHNIUS, vir 'immortalis meriti, omnia praeparavit, quae ducunt ad intelli- 'gentiam etiam hieroglyphicorum. Quodsi concessum ei fuis- 'set, pergere in vita, quam ingressus erat, plura Aegyptiorum 'scripta inspicere, perlegere, inter se comparare, quod mihi 'contigit, non potuisset, sed debuisset leges etiam invenire, 'quibus hieroglyphica scriptura constat. Quae quum ita sint, '*velim hae schedae accipiantur, tamquam placita* SPOHNII, vel 'tamquam fructus, qui ex segete ejus prodierunt, quem in- 'stauratorem literarum Aegyptiacarum veneramur.'* We give our author full credit for the honesty of this avowal, as well as for the methodical distinctness with which he has

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tures and writings of ancient Egypt: But if he keeps steadily in view the plain and decisive test, mentioned in the text, he will at once perceive that, prior to the researches of Dr Young, nothing deserving the name of investigation had been attempted, and that one bold or fanciful conjecture was merely displaced by another still more extravagant. According to Horus Apollo, these mysterious writings contained obscure indications of 'things sacred and profane;' according to Clemens Alexandrinus and Plutarch, 'moral sentences;' according to Hermapion, as quoted by Ammianus Marcellinus, 'the praises of kings;' according to Kircher, 'cabbalistical, metaphysical, and theosophistical dogmas;' according to Pluche, matter connected with 'meteorology, astronomy, and the division of time;' according to Denon, 'the rules of husbandry;' according to the author of the book *De l'étude des Hiéroglyphes*, 'a version of the Psalms of David;' according to Spohn,—God knows what! It was surely high time, that the subject should either be abandoned as hopeless, or that conjecture and extravagance should at length give place to reason and common sense.

* Rud. Hierogl. Introd. § 2.—In a Note to the following section, the author says, 'Porro *integras inscriptiones demoticas primus* (Spohnius) '*interpretatus est.*' But of this bold assertion no proof whatever is produced; and we shall speedily show, that, even were the allegation correct, Spohn's system is so completely and fundamentally erroneous, not to say visionary, that a question of *priority* cannot possibly arise, as between him and Dr Young. In truth, there is no tangible principle of interpretation laid down in any other system but that of Dr Young, as enlarged and extended by M. Champollion.

stated the opinions and doctrines of his master; and we are concerned that those who take an interest in Egyptian Literature, can hardly fail to be pleased with the beautiful lithographic tables which adorn his work. But here our praise must stop. The theory invented by Spohn, and expounded by Seyfarth, proceeds upon an erroneous assumption, involves in its explication the greatest absurdities, and can never lead to any true result. Let us see how this is to be made out.

The fundamental principles of this theory are these; 1. That the Hieroglyphic Language is a *sacred dialect;** and, 2. That the Hieroglyphic Characters are not *letters*, but *symbols* of letters. †

1. In support of the first of these propositions, no proof whatever is adduced. '*E verbo* DIALECTI, quo linguam hiero-'glyphicam veteres insigniverunt, satis clarum est,' says our author, 'hanc neque convenisse cum vulgari, neque diversam 'plane fuisse a Coptica. Differt autem dialectus sacra a Cop-'tica, partim *elementis* seu *verbis*, partim *legibus grammaticis*. 'Inter dialectum autem Sacram atque Profanam veterem Aegyp-'ti omnia intersunt, *quibus differt recentior oratio a veteri, nationis* '*cujusque magis subinde artium et literarum humanitate eruditae.*' According to this definition, the language of Chaucer ought to be denominated the 'sacred dialect' of English, as contradistinguished from the profane jargon now in use; and a similar honour is due to the antiquated phraseology of our venerable countryman Gawin Douglas. But our author has forgotten that the Coptic is the old Egyptian, written in characters borrowed from the Greek, and partly from the demotic; and that, although the remains of several dialects of that language are still extant, it is impossible to say which is the most ancient. The hieroglyphic inscriptions, executed so late as the reign of Antoninus, are read into the very same language as those which belong to the age of Sesostris. ‡ Nor

* This notion is founded on a statement of Manetho, quoted by Syncellus (*Chronogr.* p. 40, Paris, 1652): Μανεθω χρηματισας εκ των εν τη Σηριαδικη γη κειμενων στηλων, ιερα, φησι, διαλεκτω και ιερογραφικοις γραμμασι κεχαραχτηρισμενων υπο Θωθ, του πρωτου Ερμου, και ερμηνευθεισων μετα τον κατακλισμον εκ της ιερας διαλεκτου εις την Ελληνιδα φωνην, κ. τ. λ.

† The real author of this fancy is Cosmas Indicopleustes, a writer on Geography, of the sixth century, who gravely reports that Moses learned γραμματα ιερογλυφικα, μαλλον δε συμβολα γραμματων. *Cosmograp.* p. 161.

‡ A learned countryman of Prof. Seyfarth's, Dr Sickler, is clearly of opinion, and wrote a book to prove, that the language concealed under the Hieroglyphics is Hebrew, or one at least composed of the different Semitic Dialects.

is this at all remarkable or extraordinary; for in the East, language, like every thing else, is immutable.

2. But the main pillar of the theory, if it may be so called, is the second proposition, viz. that the Hieroglyphic characters are not *letters*, but *symbols* of letters. Now, with all his skill in resolving perplexities, Œdipus himself, we think, might have been fairly nonplussed to expound this oracle. A letter is a character, or, if you will, a symbol, representing either an elementary sound, or the simplest combination of elementary sounds. But what are we to understand by the symbol of a symbol? Let us not, however, despair. Contrary to the usual practice of his countrymen, Seyfarth labours to make himself intelligible; and we are determined to understand him. His doctrine, then, or rather that of his master Spohn, is shortly and simply this:

He admits that in every country, Egypt not excepted, the first attempt towards writing consisted in a rude delineation of material or physical objects; that, from the difficulty and inconvenience of this practice, men were soon led to abridge these delineations by putting, *per synecdochen*, a part for the whole; that as this pictorial tachygraphy was incapable of representing changes of relations, and qualities, or the passions and sentiments of living creatures, it soon came to be enriched with symbols strictly so called, that is, with arbitrary marks or characters employed to represent those ideas which have no visible archetypes in nature; that, in the progress of time, all traces of connexion between the sign and the thing signified would be lost, and the characters, being applied to the spoken language, would become the representatives of words, or portions of words, as among the Chinese at this day; and, finally, that from accident or the happy contrivance of a master-mind, some of these known characters would be employed and appropriated to represent the elementary sounds of the spoken language,—in other words, an alphabet would be invented, and introduced. But he contends, that the Egyptians had passed through all these different stages *before* they began to fabricate those mystical characters which have vexed the learned of so many ages; and that, among them, alphabetical signs, instead of being the offspring of picture writing, either in its simple or abbreviated form, are in reality its parent, at least as far as Hieroglyphics are concerned.

According to Spohn and his expounder, the Egyptians, as well as the Greeks, received letters from Phœnicia; * but if we

* 'At *demonstrari* etiam potest Aegyptios literas accepisse a Phoenicibus,' p. 15, n. 40. The author, however, has not vouchsafed us

are to credit these authorities, they made a most extraordinary use of this invaluable present. Instead of attempting to simplify or improve the invention, they did exactly the reverse; and almost immediately commenced embellishing, varying, and adding prodigiously to the number of these elementary characters, as fancy or caprice might dictate. 'Licuit cuivis calamo, cuivis cestro, variare hieroglyphica,' says Seyfarth; but how these arbitary variations could be rendered intelligible to any but the scribe, painter, or sculptor who executed them, he does not condescend to explain. The three kinds of Hieroglyphics, now perfectly distinguished, are, however, the results, as it would seem, of this strange propensity. Clemens Alexandrinus informs us, that those who were educated among the Egyptians, learned three sorts of writing; firstly, the *epistolographic* or demotic; secondly, the *hieratic*; and, lastly, the *hieroglyphic*.† Now Spohn and his disciple take it for granted that the order of *instruction* here indicated is also the order of *invention*; and, therefore, they lay it down, that the demotic is the basis on which the whole superstructure has been reared;—in other words, that the hieratic has been generated by variations on the demotic, and the hieroglyphic by variations on the hieratic;—all which variations are not *letters*, but συμβολα γραμματων, *symbols* of letters. Taking our author's assumption, therefore, that the original alphabetic characters were

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any demonstration, but contented himself with a reference to Zoega (De Usu et Orig. Ob. 550.), who, unfortunately for him, proves distinctly, that the invention of letters is due to the Egyptians. See, particularly, Plato in *Phileb.* p. 157. ac in *Phaed.* p. 213.; Cicero *De. Nat. Deor.* l. iii. c. 22.; Pliny, l. vii. c. 56; Arnobius, l. iv. p. 135; Diodorus Siculus, p. 14; Sanchoniatho apud Euseb. *Praepar. Evang.* l. i. c. 9. p. 31; Plutarch, *Sympos.* l. ix. quæst. 3. p. 738: Also Jablonski *Pantheon Aegypt.* l. v. c. 5. p. 161. et seqq. and Zoega *De. Ob.* p. 475.

† In the Appendix of the work under review, there is a very learned criticism, by Prof. Weiske of Leipsic, on the celebrated passage referred to in the text; and, in regard to the perplexing τὰ πρῶτα στοιχεῖα, we observe he remarks—'At si noster (Clemens) τὰ πρῶτα στοιχεῖα *initia* 'les voluisset esse verbi cujusque *literas*, haud dubie τοῦ ὀνόματος, vel 'ὀνοματος ἑκάστοῦ addidisset.' The Professor himself, resting upon the authority of Aristotle's definition of στοιχεῖον, Art. Poet. c. 20. (στοιχεῖον μὲν οὖν ἐστι φωνὴ ἀδιαίρετος...συνετὴ), is inclined to render them 'simplicissi'mos sonos, qui literis exprimuntur,' which does not differ so widely as he imagines from the version of Letronne. Upon a reconsideration of the passage, we think it after all not very improbable that τὰ πρῶτα στοιχεῖα may mean τὰ παλαιότατα—τὰ ἐξ ἀρχης γραμματα, διὰ Κάδμου ὀνομασθέντα.

five-and-twenty in number,—and supposing, also with him, that each of these underwent *thirty* variations, in order to constitute the total amount of demotic characters,—that these underwent an equal number to form the hieratic, and *these* again an equal number to produce the hieroglyphic;—then we shall have the very moderate allowance of $25 \times 30 \times 30 \times 30 = 675{,}000$ 'symbols of letters,'* or 27,000 variations of every one of the 25 original characters! This is the author's own calculation; and we defy the most ingenious critic on earth to give a more conclusive demonstration of the utter extravagance and folly of the system he maintains, in opposition to Young and Champollion.

Having expounded the general principles of the theory of Spohn, our author next proceeds to classify the Hieroglyphics: and these he divides into *Emphonic*, *Symphonic*, and *Aphonic*. 1. The Emphonic are those, which 'suo ambitu integram literam 'hieraticam pluresve describunt;' and which 'sistuntur pro 'situ literarum in iis latentium, et ratione rerum, quas signifi-'cant.' They are susceptible of transposition, variation, and abridgment, and may be affected by defective or superfluous writing, permutation of vowels or consonants, and by conjunction. 2. The Symphonic are those 'quae nonnisi cum aliis, sive singulis 'sive pluribus, elementa verborum vel literas exprimunt;' that is, a sort of literal enclitic 'symbols' significative only in combination with emphonics. They are of hieratic origin, but occur more frequently in the hieroglyphic than in the hieratic characters; and are affected by permutation, position, order, conjunction, omission, and sejunction. 3. The Aphonic 'diversa 'sunt a literis, magisque ad picturam quam scribendi artem

† Bruce (*Travels*, &c. vol. i. p. 135), Zoega (*De Orig. et Usu Ob.* p. 457), and Champollion (*Précis*, &c. p. 267, 268), have respectively given approximate computations of the numbers of Hieroglyphics. From a somewhat superficial survey of the temples and other edifices of Egypt, Bruce reckons only 514; from a careful examination of the obelisks at Rome, and of some monuments preserved in the Museums of Italy, Zoega makes out 958; while from a painful analysis of all the inscriptions that have been copied into the *Description de l'Egypte*, and other works, Champollion evolves 864. By taking the mean of the two last computations, or 911, we shall probably make a close approximation to the truth. If to this, then, be added the known hieratic characters (which are immediately derived from the hieroglyphic), and the known demotic characters (which are immediately derived from the hieratic), we shall find that the total number of characters in the three different kinds of Egyptian writing do not exceed, if in truth they amount to, 1200;—a paltry number, we admit, when compared with the 675,000 'symbols of 'letters' required by the theory of Seyfarth and Spohn.

'referri debent;' that is, they represent, directly or metaphorically, not 'letters' but ideas; and are, therefore, divided into *mimetic* ('ipsae rerum imagines'), *tropic* ('quae imagine aliena 'rerum notiones exprimunt'), and *allegoric* ('quae alia, quam 'quae proxime significentur, innuunt.') And this is all the information which the learned Professor of Leipsic has vouchsafed us in regard to the system which, it is said, enabled Spohn to interpret entire demotic inscriptions, and to achieve other marvels in this marvellous region!

With regard to the plates which accompany the text, they are constructed on a principle which we do not profess to comprehend; unless, indeed, it was the author's design to involve the subject in inextricable mystery and confusion. Upon this supposition, they are masterpieces in their way. The order of the Hieroglyphics on the monuments is totally disregarded: they are disposed or rather huddled together in the most arbitrary manner; and the only conclusion which can be deduced from them is, that the Prof. Lips. knew nothing at all about the matter. It is true, he has favoured us with some scraps of translation; but notwithstanding the parade of the Chaldaic Letters, these are either downright nonsense, or, where they disclose a glimpse of meaning, it has been filched from Champollion. Take an example. Champollion renders a certain hieroglyphic text thus: 'Soutien de l'Egypt, dieu fils 'd'un dieu, soutien de l'Egypte Horus, manifesté où engendré 'par où de Osiris, engendré de Isis déesse,'—a legend, be it observed, the meaning of which is determined by irresistible evidence. According to the Prof. Lips., however, it means—'Venias age, Isis! venias age, Aegyptiorum generator in Aegyp-'tum *deus*,' or 'Venias age, Isis venias age, Aegypti generator 'in Aegyptum generator.' It is evident that this is a mere mystification of Champollion's version, § with an absurdity peculiar to itself, namely, calling Isis a *God*. But without wasting more words on a theory, the bare statement of which is a sufficient

‡ Seyfarth contends, that the readings of Champollion cannot be genuine, because, in the hieroglyphic spelling of proper names, sometimes one vowel is omitted, and sometimes another. But he forgets that this is the practice of almost all Oriental languages; that systematic accuracy was not to be expected in writing foreign names and words; that the workmen employed in sculpturing the hieroglyphs were probably ignorant of the language to which these names belonged; and that their natural impulse must have been to abridge their labour, as far as they possibly could. Further, he forgets that, according to his own system, no two persons would write the same word in the same way, or *in the same sort of characters!*

refutation, we proceed to give some account of Dr Young's 'Letter to Count Pollon,' in which will be found evidence not less remarkable than conclusive in support of the discoveries treated of at large in our article Hieroglyphics. But here a little previous history is necessary, to put the reader in full possession of the facts.

In the year 1820 or 1821, a person of the name of Casati arrived at Paris, bringing with him a parcel of Egyptian Manuscripts, among which M. Champollion discovered one which, in its preamble, bore a considerable resemblance to the enchorial text of the pillar of Rosetta. As this was the first time that any intelligible characters of the enchorial form had been found among the numerous manuscripts and inscriptions examined, the observation of Champollion excited considerable interest: and Dr Young, having procured a transcript of this important papyrus, immediately proceeded, with his accustomed ardour, to decipher and translate it. But while he was engaged in this difficult and laborious task—in which, by his unaided exertions, he had made considerable progress—George Francis Grey, Esq. of University College, Oxford, returned also from his travels in the East, bringing with him several fine specimens of writing and drawing on papyrus, which he had purchased from an Arab at Thebes, in January 1820. Fortunately for the cause of Egyptian Literature, Mr Grey instantly put these manuscripts into the hands of Dr Young, calling his attention, in particular, to two which were in a state of high preservation, and contained some Greek characters, apparently written in a pretty legible hand. Upon a closer inspection, however, it turned out that one of these, the 'Antigraph of an Egyptian Deed,' was altogether in Greek; while in the other, and in two more of the same kind, the 'Registry' was in Greek, and the 'Agreement,' or body of the Deed, in the Enchorial character.

Without a moment's delay, Dr Young proceeded to examine that which was in Greek only; and, to his inexpressible surprise and delight, discovered that it was a *Translation* of the Enchorial Manuscript of Casati. 'I could scarcely believe,' says he, 'that I was awake,' and in my sober senses, when I observed among the names of the witnesses, ANTIMACHUS, ANTIGENES, and, a few lines further back, *Portis Apollonii*... I found that its beginning was, "A copy of an Egyptian writing;" and I proceeded to ascertain, that there were the same number of names, intervening between the Greek and Egyptian signatures, that I had identified, and that the same number followed the last of them; and the whole number of witnesses, appeared to be sixteen in each. The last para-

'graph of the Greek also began with the words, "Copy of the 'Registry," &c. I could not therefore but conclude, that a 'very extraordinary chance had brought into my possession a 'document, which was not very likely, in the first place, ever 'to have existed, still less to have been preserved uninjured 'through a period of near 2000 years: but that this very ex-'traordinary *translation* should have been brought safely to 'Europe, to England, and to me ... this combination would, 'in other times, have been considered as affording ample evi-'dence of my having become an Egyptian sorcerer. * Translations of the Greek Antigraph, of the Egyptian Original of Casati, and of the *three* other Deeds of Mr Grey, are given in the 'Discoveries in Hierogl. Litr.' pp. 69–83.

But a still more marvellous coincidence connected with the revival of Egyptian Literature yet remains to be told. Exclusive of the Greek Antigraph—which relates to a sale of part of the collections and offerings made from time to time on account of a certain number of *Mummies*—Mr Grey's Collection contained a second papyrus of considerably greater magnitude, on which were engrossed the *three* Egyptian Deeds or Conveyances just mentioned, with separate registries on the margin, written in very legible Greek. In the hope of making some further progress in the study of Egyptian, Dr Young had, a few months ago, resumed the examination of these Enchorial Conveyances, and, among other things, had observed the agreement of the numbers in the registries and in the Egyptian text; but while he was thus occupied, M. Peyron's † account and translation of an Egyptian Papyrus in the Royal Library at Turin, made its appearance, and proved to be the record of a lawsuit, in which reference is made to *three* distinct title-deeds or conveyances. The following is an abstract (taken from Dr Young's 'Letter') of this most singular and invaluable document.

The record begins with a date: 'In the year LIV, the 22d 'of Athyr, at Diospolis. Before Heraclides, one of the Captains 'of the body guard, the commander of the Perithebaic Nome, 'and chief officer of the customs; in the presence also of Po-'lemo, a captain of the guard; Heraclides, of the same rank, 'and Gymnasiarch; Apollonius, the son of Apollonius, and 'Hermogenes, as his friends; Pancrates, a lieutenant; Coma-

* Discoveries in Hierogl. Lit. p. 57, 58.

† M. Amedeus Peyron is Professor of Oriental Languages at Turin, and is known to Civilians as the learned editor of Fragments of the Theodosian Code, from a palimpsest MS. in the Athenæum of the Royal Library of Turin. 4to. 1824.

'nus, a general, son of Ammonius a colonist, and several 'others.

'There appeared Hermias the son of Ptolemy, of the Om-'bitic Nome, as Plaintiff, against the Cholchytæ ‡ of the place, 'Horus, and Psenchonsis, and Chonapres, and their family.'

'A Memorial was read, which had been addressed to Her-'mias, Strategus, or commander-in-chief and governor of the 'Nome;' in which the plaintiff, Hermias, accuses the Chol-chytæ, and mentions a former memorial addressed to Deme-trius, the Epistrategus or high commander, in the preceding year, and which had been referred by Hermias the Strategus to the judgment of Heraclides. The cause having been plead-ed by Philocles for Hermias, and by Dinon for the Cholchytæ, Heraclides sums up the evidence, discusses the arguments on both sides, and finally gives judgment for the defendants.

The claim of Hermias seems to have been founded on an as-sertion of property, only supported by an admission on the part of Lobais or Lubais, one of the vendors of the house, that she had never had any right or title to the tenement in question. He had maintained in the memorial (p. 1.) that his ancestors had held possessions in Diospolis throughout their lives; that the defendants, whose proper habitation was confined to the Memnonia, where their ancestors had resided, knowing that he had been induced by the troubles of the times to change his re-sidence, had seized upon his house, which was situated in the south-western part of Diospolis, to the north of the course or parade, leading to the canal of the great goddess Juno, and to the south of the course leading to the temple of Ceres, the walls of which were left standing (p. 2.); that when they had repaired it they continued to occupy it ... and not content with simple occupation, they had received into it Dead Bodies, not considering the penalties to which they became liable, from their proximity to the courses or parades of the great goddesses Juno and Ceres, which would be equally polluted by the corpses and those who had charge of them.

The Cholchytæ, on the other hand, allege, first, that Her-mias had already been nonsuited in a similar action brought on the same grounds; and secondly, that they had been in pos-session of the house for many generations,—in support of which averment they produced their Egyptian *title-deeds*, translated into Greek. *One* of these was dated in the month of Pachon,

‡ The *Cholchytae* were so called 'ab INVOLVENDO cadavere,' to use the words of M. Peyron; and Dr Young ingeniously conjectures the word to be a derivative of DCHOLH or JOLH, to *dress*, to *put on*.

the xxviiith of Philometor, in which Teephibis, the father of Psenchonsis, one of the defendants, and of Chonopres, bought of Eletis and Lobais, and Ibaeais, and Senerieus, and Erieus, and Senosorphibis, and Sisois, otherwise called Erieus, (in all seven vendors,) 7½ œcopedic or house cubits of the southern part of ten 'cubits' of unproductive ground which they possessed. By the *second* deed, Asos, the father of the defendants Nechutes and Asos, and a *younger Nechutes*, and their sister Nechuthis, bought of the same persons 2½ cubits in the same year and month. A *third* deed, of the year xxxv of the same Philometor, and in the month Mesore, attests the sale of a fourth part of the said house, being 3⅓ cubits, to Pechytes, the father of the others, Panas, and Patus, and Pasemis, and Arpchemis, and Senamunis, by Ammonius and Zbendetis, to whom it belonged. The duties of these transactions had also been paid into the office for the purchase of the tribute; and the parties had held undisturbed possession for 37 years. Some passages of the 'Benevolent Edict' were also cited, in which it is decreed, that such persons as had for a length of time been in possession of property should be continued in possession even though they were unable to produce the titles by which it was originally acquired.

It was added by Dinon, that since the plaintiff's father had left Diospolis, at the time of the troubles under Epiphanes, his departure must have taken place 88 years prior to the institution of the suit; (for adding to the 24 years of Epiphanes, 35 of Philometor, and 29 of Evergetes, we have 88 years,*)—a period much too remote to allow of the present controversy; that Hermias had produced no document in support of his claim, except a fraudulent sentence obtained by collusion with Lobais, who had no interest in defending the action; that with respect to the removal of the embalmers to the Memnonia, the subject was wholly foreign to the question, as Horus and his colleagues were not *embalmers* but DRESSERS; that on popular festivals and other sacred days, it was their business to bring sand or ashes, and to strew therewith the temple of Ammon and that of Juno; and that, besides, in the annual processions, when Ammon passes over to the Memnonia, it was their privilege to be the leaders of the ceremony, to act as Cholchytae, and to be rewarded accordingly.

Such is an abstract of this most extrordinary monument—the substance and tenor of which is full of interest and curiosity. Into this, however, we cannot afford to enter—and hasten

* Discoveries in Hier. Lit. p. 143.

therefore to say, that if the reader will turn to the *three* Conveyances of Mr Grey, of which Dr Young has given translations, † he will find—to his astonishment—that they are the actual Title-deeds mentioned in the abridgment of the record now before him! Mr Peyron, indeed, has only identified *two* of them,—the purchasers mentioned in the registry of the third, being Ammonius and *Psenamunis*, instead of Ammonius and Zbendetis or Zthenaëtis; but we agree with Dr Young in thinking that Zbendetis or Zthenaëtis had two names as well as Sisois or Spois, who is also called Erieus; for the date of the deed coincides perfectly with the record, as well as all the rest of the names, and the measures.

It really does, therefore, seem that the age of miracles is not yet past. While Dr Young was occupied in studying the Enchorial Papyrus of Casati, the first Greek MS. of Mr Grey, the 'Antigraph of an Egyptian deed,' arrived as if by magic, and proved to be a *translation* of the former; and, lately, when he had been accidentally led to resume the consideration of the Egyptian Deeds of Mr Grey, the record of a law-suit founded upon, and expressly referring to these very Deeds, came unexpectedly from Turin, and offered a precise confirmation of the date which the Doctor had before assigned, from the Egyptian text, to the *first* deed,—affording also an exact description of the very spots of grounds to which the three conveyances relate. It would be an utter waste of time to say one word of the irresistible evidence which these extraordinary coincidences supply in confirmation of the original discovery. He who can withstand it is beyond the reach of conviction, and must be left to his prejudices. When Professor Seyfarth resumes his enchorial studies, we recommend it to his grave consideration.

† Discoveries in Hier. Lit. p. 76, 83.

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