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N^o. LXXXII.

ART. I. *Theodric, a Domestic Tale: With other Poems.* By
THOMAS CAMPBELL. 12mo. pp. 150. London, 1824.

IF Mr Campbell's poetry was of a kind that could be forgotten, his long fits of silence would put him fairly in the way of that misfortune. But, in truth, he is safe enough;—and has even acquired, by virtue of his exemplary laziness, an assurance and pledge of immortality which he could scarcely have obtained without it. A writer who is still fresh in the mind and favour of the public, after twenty years' intermission, may reasonably expect to be remembered when death shall have finally sealed up the fountains of his inspiration, imposed silence on the cavils of envious rivals, and enhanced the value of those relics to which it excludes the possibility of any future addition. At all events, he has better proof of the permanent interest the public take in his productions, than those ever can have who are more diligent in their multiplication, and keep themselves in the recollection of their great patron by more frequent intimations of their existence. The experiment, too, though not without its hazards, is advantageous in another respect;—for the re-appearance of such an author, after those long periods of occultation, is naturally hailed as a novelty—and he receives the double welcome of a celebrated stranger and a remembered friend. There is, accordingly, no living poet, we believe, whose advertisement excites greater expectation than Mr Campbell's:—and a new poem from him is waited for with even more eagerness (as it is certainly for a much longer time) than a new novel from the author of *Waverley*. Like all other human felicities, however, this high expectation and prepared homage has its drawbacks and its dangers. A popular author, as we have been led to remark on former occasions, has no rival so formidable

as his former self—and no comparison to sustain half so dangerous as that which is always made between the average merit of his new work, and the remembered beauties—for little else is ever remembered—of his old ones.

How this comparison will result in the present instance, we do not presume to predict with confidence—but we doubt whether it will be, at least in the beginning, altogether in favour of the volume before us. The poems of this author, indeed, are generally more admired the more they are studied, and rise in our estimation in proportion as they become familiar. Their novelty, therefore, is always rather an obstruction than a help to their popularity;—and it may well be questioned, whether there be anything in the novelties now before us that can rival in our affections the long-remembered beauties of the Pleasures of Hope—of Gertrude—of O'Connor's Child—the song of Linden—the Mariners of England—and the many other enchanting melodies that are ever present to the minds of all lovers of poetry.

The leading piece in the present volume is an attempt at a very difficult kind of poetry; and one in which the most complete success can hardly ever be so splendid and striking as to make amends for the difficulty. It is entitled 'a Domestic Story,'—and it is so—turning upon few incidents—embracing few characters—dealing in no marvels and no terrors—displaying no stormy passions. Without complication of plot, in short, or hurry of action—with no atrocities to shudder at, or feats of noble daring to stir the spirits of the ambitious,—it passes quietly on, through the shaded paths of private life, conversing with gentle natures and patient sufferings—and unfolding, with serene pity and sober triumph, the pangs which are fated at times to wring the breast of innocence and generosity, and the courage and comfort which generosity and innocence can never fail to bestow. The taste and the feeling which led to the selection of such topics, could not but impress their character on the style in which they are treated. It is distinguished accordingly by a fine and tender finish, both of thought and of diction—by a chastened elegance of words and images—a mild dignity and tempered pathos in the sentiments, and a general tone of simplicity and directness in the conduct of the story, which, joined to its great brevity, tends at first perhaps to disguise both the richness and the force of the genius required for its production. But though not calculated to strike at once on the dull palled ear of an idle and occupied world, it is of all others perhaps the kind of poetry best fitted to win on our softer hours, and to sink deep into vacant bosoms—unlocking all the sources of fond recollection, and leading us gently on through the mazes of

deep and engrossing meditation—and thus ministering to a deeper enchantment and more lasting delight than can ever be inspired by the louder and more importunate strains of more ambitious authors.

There are no doubt peculiar and perhaps insuperable difficulties in the management of themes so delicate, and acquiring so fine and so restrained a hand—nor are we prepared to say that Mr Campbell has on this occasion entirely escaped them. There are passages that are somewhat *fade*:—there are expressions that are trivial:—But the prevailing character is sweetness and beauty; and it prevails over all that is opposed to it. The story, though abundantly simple, as our readers will immediately see, has two distinct compartments—one relating to the Swiss maiden, the other to the English wife. The former, with all its accompaniments, we think nearly perfect. It is full of tenderness, purity and pity; and finished with the most exquisite elegance, in few and simple touches. The other, which is the least considerable, has more decided blemishes. The diction is in many places too familiar, and the incidents too common—and the cause of distress has the double misfortune of being unpoetical in its nature, and improbable in its result. But the shortest way is to give our readers a slight account of the poem, with such specimens as may enable them to judge fairly of it for themselves.

It opens, poetically, with the description of a fine scene in Switzerland, and of a rustic church-yard, where the friend of the author points out to him the flowery grave of a maiden, who, though gentle and fair, had died of unrequited love—and so they proceed, between them, for the matter is left poetically obscure, to her history. Her fancy had been early captivated by the tales of heroic daring and chivalric pride, with which her country's annals abounded—and she disdained to give her love to one who was not graced with the virtues and glories of those heroic times. This exalted mood was unluckily fostered by her brother's youthful ardour in praise of the commander under whom he was serving abroad—by whom he was kindly tended when wounded, and whose picture he brought back with him on his return to his paternal home, to renew, and seemingly to realize, the day-dreams of his romantic sister. This picture, and the stories her brother told of the noble Theodric, completed the poor girl's fascination. Her heart was kindled by her fancy; and her love was already fixed on a being she had never seen! In the mean time, Theodric, who had promised a visit to his young protégé, passes over to England, and is betrothed to a lady of that country of

infinite worth and amiableness. He then repairs to Switzerland, where, after a little time, he discovers the love of Julia, which he gently but firmly rebukes—returns to England, and is married. His wife has uncomfortable relations—quarrelsome, selfish and envious; and her peace is sometimes wounded by their dissensions and unkindness. War breaks out too in Theodric's country; and as he is meditating a journey to that quarter, he is surprised by a visit from Julia's brother, who informs him, that, after a long struggle with her cherished love, her health had at last sunk under it, and that she now prayed only to see him once more before she died. His wife generously urges him to comply with this piteous request. He does so; and arrives, in the midst of wintry tempests, to see this pure victim of too warm an imagination expire in smiles of speechless gratitude and love. While mourning over her, he is appalled by tidings of the dangerous illness of his beloved Constance—hurries to England—and finds her dead,—her fate having been precipitated, if not occasioned by the harsh and violent treatment she had met with from her heartless relations. The piece closes with a very touching letter she had left for her husband—and an account of its soothing effects on his mind.

This, we confess, is slight enough, in the way of fable and incident: But it is not in those things that the merit of such poems consists; and what we have given is of course a mere naked outline, or argument rather, intended only to explain and connect our extracts.

For these, we cannot possibly do better than begin with the beginning.

'Twas sunset, and the Ranz des Vaches was sung,
And lights were o'er th' Helvetian mountains flung,
That gave the glacier tops their richest glow,
And tinged the lakes like molten gold below.
Warmth flush'd the wonted regions of the storm,
Where, Phoenix-like, you saw the eagle's form,
That high in Heav'n's vermilion wheel'd and soar'd.
Woods nearer frown'd, and cataracts dash'd and roar'd,
From heights brouzed by the bounding bouquetin;
Herds tinkling roam'd the long-drawn vales between,
And hamlets glitter'd white, and gardens flourish'd green.
'Twas transport to inhale the bright sweet air!
The mountain-bee was revelling in its glare,
And roving with his minstrelsy across
The scented wild weeds, and enamell'd moss.
Earth's features so harmoniously were link'd,
She seem'd one great glad form, with life instinct,
That felt Heav'n's ardent breath, and smiled below
Its flush of love, with consentaneous glow.

A Gothic church was near; the spot around
 Was beautiful, ev'n though sepulchral ground;
 For there nor yew nor cypress spread their gloom,
 But roses blossom'd by each rustic tomb.
 Amidst them one of spotless marble shone—
 A maiden's grave—and 'twas inscribed thereon,
 That young and loved she died whose dust was there:

"Yes," said my comrade, "young she died, and fair!
 Grace form'd her, and the soul of gladness play'd
 Once in the blue eyes of that mountain-maid:
 Her fingers witch'd the chords they pass'd along,
 And her lips seem'd to kiss the soul in song:
 Yet woo'd, and worship'd as she was, till few
 Aspired to hope, 'twas sadly, strangely true,
 That heart, the martyr of its fondness, burn'd
 And died of love that could not be return'd.

Her father dwelt where yonder Castle shines
 O'er clust'ring trees and terrace-mantling vines.
 As gay as ever, the laburnum's pride
 Waves o'er each walk where she was wont to glide,—
 And still the garden whence she graced her brow,
 As lovely blooms, though trod by strangers now.
 How oft from yonder window o'er the lake,
 Her song of wild Helvetian swell and shake,
 Has made the rudest fisher bend his ear,
 And rest enchanted on his oar to hear!
 Thus bright, accomplish'd, spirited, and bland,
 Well-born, and wealthy for that simple land,
 Why had no gallant native youth the art
 To win so warm—so exquisite a heart?
 She, midst these rocks inspired with feeling strong
 By mountain-freedom—music—fancy—song,
 Herself descended from the brave in arms,
 And conscious of romance-inspiring charms,
 Dreamt of Heroic beings; hoped to find
 Some extant spirit of chivalric kind;
 And scorning wealth, look'd cold ev'n on the claim
 Of manly worth, that lack'd the wreath of Fame." pp. 3-7.

We pass over the animated picture of the brother's campaigns, and of the fame of Theodric, and the affectionate gratitude of parents and sister for his care and praises of their noble boy. We must make room, however, for this beautiful sketch of his return.

'In time, the stripling, vigorous and heal'd,
 Resumed his barb and banner in the field,
 And bore himself right soldier-like, till now

The third campaign had manlier bronzed his brow ;
 When peace, though but a scanty pause for breath,—
 A curtain-drop between the acts of death,—
 A check in frantic war's unfinish'd game,
 Yet dearly bought, and direly welcome, came.
 The camp broke up, and UDOLPH left his chief
 As with a son's or younger brother's grief :
 But journeying home, how rapt his spirits rose !
 How light his footsteps crush'd St Gothard's snows !
 How dear seem'd ev'n the waste and wild Shreckhorn,
 Though wrapt in clouds, and frowning as in scorn
 Upon a downward world of pastoral charms ;
 Where, by the very smell of dairy-farms,
 And fragrance from the mountain-herbage blown,
 Blindfold his native hills he could have known !

His coming down yon lake,—his boat in view
 Of windows where love's fluttering kerchief flew,—
 The arms spread out for him—the tears that burst,—
 ('Twas JULIA's, 'twas his sister's met him first :)
 Their pride to see war's medal at his breast,
 And all their rapture's greeting, may be guessed. ' pp. 12, 13.

At last the generous warrior appears in person among those
 innocent beings to whom he had so long furnished the grand
 theme of discourse and meditation.

' The boy was half beside himself,—the sire,
 All frankness, honour, and Helvetian fire,
 Of speedy parting would not hear him speak ;
 And tears bedew'd and brighten'd JULIA's cheek.

Thus, loth to wound their hospitable pride,
 A month he promised with them to abide ;
 As blithe he trode the mountain-sward as they,
 And felt his joy make ev'n the young more gay.
 How jocund was their breakfast parlour fann'd
 By yon blue water's breath,—their walks how bland !
 Fair JULIA seem'd her brother's soften'd sprite—
 A gem reflecting Nature's purest light,—
 And with her graceful wit there was inwrought
 A wildly sweet unworldliness of thought,
 That almost child-like to his kindness drew,
 And twin with UDOLPH in his friendship grew.
 But did his thoughts to love one moment range ?—
 No ! he who had loved CONSTANCE could not change !
 Besides, till grief betray'd her undesign'd,
 Th' unlikely thought could scarcely reach his mind,
 That eyes so young on years like his should beam
 Unwoo'd devotion back for pure esteem. ' pp. 17, 18.

Symptoms still more unequivocal, however, at last make explanation necessary; and he is obliged to disclose to her the secret of his love and engagement in England. The following passage, describing the effects of this disclosure, is full, we think, of feeling and eloquence, and contains in its brief simplicity the essence of many a page of elaborate pathos—though we are not quite sure that the fair sufferer's *instant* recourse to the piano, is strictly according to nature,—even in such circumstances.

‘ And yet with gracefully ingenuous power
Her spirit met th’ explanatory hour;—
Ev’n conscious beauty brighten’d in her eyes,
That told she knew their love no vulgar prize;
And pride, like that of one more woman-grown,
Enlarged her mien, enrich’d her voice’s tone.
’Twas then she struck the keys, and music made
That mock’d all skill her hand had e’er display’d:
Inspir’d and warbling, rapt from things around,
She look’d the very Muse of magic sound,
Painting in sound the forms of joy and woe,
Until the mind’s eye saw them melt and glow.
Her closing strain composed and calm she play’d
And sang no words to give its pathos aid;
But grief seem’d ling’ring in its lengthen’d swell,
And like so many tears the trickling touches fell.
Of CONSTANCE then she heard THEODRIC speak,
And steadfast smoothness still possess’d her cheek;
But when he told her how he oft had plann’d
Of old a journey to their mountain-land
That might have brought him hither years before,
“ Ah! then,” she cried, “ you knew not England’s shore;
And, had you come,—and wherefore did you not?”
“ Yes,” he replied, “ it would have changed our lot!”
Then burst her tears through pride’s restraining bands
And with her handkerchief, and both her hands,
She hid her face and wept.—Contrition stung
THEODRIC for the tears his words had wrung.
“ But no,” she cried, “ unsay not what you’ve said,
Nor grudge one prop on which my pride is stay’d;
To think I could have merited your faith,
Shall be my solace even unto death!”—pp. 19–21.

We must hasten now to the mournful close of this simple story. Theodric had been some months married in England, yet not unmindful of his beloved friends among the mountains.

‘ ’Twas long since he had heard from UDOLPH last,
And deep misgivings on his spirit fell,
That all with UDOLPH’s household was not well.
’Twas that too true prophetic mood of fear
That augurs griefs inevitably near,

Yet makes them not less startling to the mind,
 When come. Least look'd-for then of human kind.
 His UDOLPH ('twas, he thought at first, his sprite)
 With mournful joy that morn surprised his sight.
 How changed was UDOLPH ! Scarce THEODRIC durst
 Inquire his tidings,—he reveal'd the worst,
 “ At first,” he said, as JULIA bade me tell,
 “ She bore her fate high-mindedly and well,
 “ Resolved from common eyes her grief to hide,
 “ And from the world's compassion saved our pride ;
 “ But still her health gave way to secret woe,
 “ And long she pined—for broken hearts die slow !
 “ Her reason went, but came returning, like
 “ The warning of her death-hour—soon to strike ;
 “ And all for which she now, poor sufferer ! sighs,
 “ Is once to see THEODRIC ere she dies.
 “ Why should I come to tell you this caprice ?
 “ Forgive me ! for my mind has lost its peace.
 “ I blame myself, and ne'er shall cease to blame,
 “ That my insane ambition for the name
 “ Of brother to THEODRIC, founded all
 “ Those high-built hopes that crush'd her by their fall.
 “ I made her slight a mother's counsel sage,
 “ But now my parents droop with grief and age ;
 “ And though my sister's eyes mean no rebuke,
 “ They overwhelm me with their dying look !
 “ The journey's long, but you are full of ruth :
 “ And she who shages your heart, and knows its truth,
 “ Has faith in your affection, far above
 “ The fear of a poor dying object's love.”—pp. 29–31.

They go accordingly ; and the close of poor Julia's pure
 hearted romance is told with the same truth and tenderness as
 the rest of her story.

‘ That winter's eve how darkly Nature's brow
 Scowl'd on the scenes it lights so lovely now !
 The tempest, raging o'er the realms of ice,
 Shook fragments from the rifted precipice ;
 And whilst their falling echoed to the wind,
 The wolf's long howl in dismal discord join'd,
 While white yon water's foam was raised in clouds
 That whirl'd like spirits wailing in their shrouds :
 Without was Nature's elemental din—
 And beauty died, and friendship wept within !
 ‘ Sweet JULIA, though her fate was finish'd half,
 Still knew him—smiled on him with feeble laugh—
 And blest him, till she drew her latest sigh !
 But lo ! while UDOLPH's bursts of agony,

And age's tremulous wailings, round him rose,
 What accents pierced him deeper yet than those!
 'Twas tidings—by his English messenger

Of CONSTANCE—brief and terrible they were,' &c. pp. 35-36.

These must suffice as specimens of the Swiss part of the poem, which we have already said we consider as on the whole the most perfect. The English portion is undoubtedly liable to the imputation of being occupied with scenes too familiar, and events too trivial to admit of the higher embellishments of poetry. The occasion of Theodric's first seeing Constance—on the streets of London on a night of public rejoicing—certainly trespasses on the borders of this wilful stooping of the Muses' flight—though the scene itself is described with great force and beauty.

'Twas a glorious sight;
 At eve stupendous London, clad in light,
 Pour'd out triumphant multitudes to gaze;
 Youth, age, wealth, penury, smiling in the blaze;
 Th' illumin'd atmosphere was warm and bland,
 And Beauty's groups, the fairest of the land,
 Conspicuous, as in some wide festive room,
 In open chariots pass'd with pearl and plume.

Amidst them he remark'd a lovelier mien, &c. p. 15.

The description of Constance himself, however, is not liable to this, or to any other objection.

— 'And to know her well
 Prolong'd, exalted, bound, enchantment's spell;
 For with affections warm, intense, refined,
 She mix'd such calm and holy strength of mind,
 That, like Heav'n's image in the smiling brook,
 Celestial peace was pictured in her look.
 Hers was the brow, in trials unperplex'd,
 That cheer'd the sad and tranquillized the vex'd
 She studied not the meanest to eclipse,
 And yet the wisest listen'd to her lips;
 She sang not, knew not Music's magic skill,
 But yet her voice had tones that sway'd the will. p. 16.

'To paint that being to a grovelling mind
 Were like pourtraying pictures to the blind.
 'Twas needful ev'n infectious to feel
 Her temper's fond and firm and glad some zeal,
 To share existence with her, and to gain
 Sparks from her love's electrifying chain,
 Of that pure pride, which, less'ning to her breast
 Life's ills, gave all its joys a treble zest,
 Before the mind completely understood
 That mighty truth—how happy are the good!' p. 25.

All this, we think, is dignified enough for poetry of any description; but we really cannot extend the same indulgence to the small *tracassaries* of this noble creature's unworthy relations—their peevish quarrels, and her painful attempts to reconcile them—her husband's grudges at her absence on those errands—their teasing visits to him—and his vexation at their false reports that she was to spend 'yet a fortnight' away from him. We object equally to the substance and the diction of the passages to which we now refer. There is something questionable even in the fatal indications by which, on approaching his home, he was first made aware of the calamity which had befallen him,—though undoubtedly there is a terrible truth and impressive brevity in the passage.

'Nor hope left utterly his breast,
Till reaching home, terrific omen! there
The straw-laid street preluded his despair—
The servant's look—the table that reveal'd
His letter sent to CONSTANCE last, still seal'd,
Though speech and hearing left him, told too clear
That he had now to suffer—not to fear!' p. 37.

We shall only add the pathetic letter in which this noble spirit sought, from her deathbed, to soothe the beloved husband she was leaving with so much reluctance.

' "THEODRIC, this is destiny above
Our power to baffle; bear it then, my love!
Rave not to learn the usage I have borne,
For one true sister left me not forlorn;
And though you're absent in another land,
Sent from me by my own well-meant command,
Your soul, I know, as firm is knit to mine
As these clasp'd hands in blessing you now join:
Shape not imagined horrors in my fate—
Ev'n now my sufferings are not very great;
And when your grief's first transports shall subside,
I call upon your strength of soul and pride
To pay my memory, if 'tis worth the debt,
Love's glorying tribute—not forlorn regret:
I charge my name with power to conjure up
Reflection's balmy, not its bitter cup.
My pard'ning angel, at the gates of Heaven,
Shall look not more regard than you have given
To me: and our life's union has been clad
In smiles of bliss as sweet as life e'er had.
Shall gloom be from such bright remembrance cast?
Shall bitterness outflow from sweetness past?
No! imaged in the sanctuary of your breast,
There let me smile, amidst high thoughts at rest;

And let contentment on your spirit shine,
As if its peace were still a part of mine :
For if you war not proudly with your pain,
For you I shall have worse than lived in vain.
But I conjure your manliness to bear
My loss with noble spirit—not despair :
I ask you by our love to promise this,
And kiss these words, where I have left a kiss,—
The latest from my living lips for yours !”’ pp. 39—41.

The tone of this tender farewell must remind all our readers of the catastrophe of Gertrude ; and certainly exposes the author to the charge of some poverty of invention in the structure of his pathetic narratives—a charge from which we are not at this moment particularly solicitous to defend him.

The minor poems which occupy the rest of the volume are of various character, and of course of unequal merit ; though all of them are marked by that exquisite melody of versification, and general felicity of diction, which makes the mere recitation of their words a luxury to readers of taste, even when they pay but little attention to their sense. Most of them, we believe, have already appeared in occasional publications, though it is quite time that they should be collected and engrossed in a less perishable record. If they are less brilliant, on the whole, than the most exquisite productions of the author's earlier days, they are generally marked, we think, by greater solemnity and depth of thought, a vein of deeper reflection, and more intense sympathy with human feelings, and, if possible, by a more resolute and entire devotion to the cause of liberty. Mr Campbell is not among the number of those poets whose hatred of oppression has been chilled by the lapse of years, or allayed by the suggestions of a base self-interest. He has held on his course through good and through bad report, unseduced, unterrified, and is now found in his duty, testifying as fearlessly against the invaders of Spain, in the volume before us, as he did against the spoilers of Poland in the very first of his publications. It is a proud thing indeed for England, for poetry, and for mankind, that all the illustrious poets of the present day—Byron, Moore, Rogers, Campbell—are distinguished by their zeal for freedom, and their scorn for courtly adulation ; while those who have deserted that manly and holy cause have, from that hour, felt their inspiration withdrawn, their harp-strings broken, and the fire quenched in their censers ! Even the Laureate, since his unhappy Vision of Judgment, has ceased to sing, and fallen into undutiful as well as ignoble silence, even on court festivals. As a specimen

of the tone in which an unbought Muse can sing of public themes, we subjoin a few stanzas of a noble ode to the Memory of the Spanish Patriots who died in resisting the late atrocious invasion.

‘ Brave men who at the Trocadero fell
Beside your cannons, conquer’d not, though slain,
There is a victory in dying well
For Freedom,—and ye have not died in vain ;
For come what may, there shall be hearts in Spain
To honour, ay embrace your martyr’d lot,
Cursing the Bigot’s and the Bourbon’s chain,
And looking on your graves, though trophied not,
As holier, hallow’d ground than priests could make the spot !’

‘ Yet laugh not in your carnival of crime
Too proudly, ye oppressors !—Spain was free,
Her soil has felt the foot-prints, and her clime
Been winnow’d by the wings of Liberty ;
And these, even parting, scatter as they flee
Thoughts—influences, to live in hearts unborn,
Opinions that shall wrench the prison-key
From Persecution—shew her mask off-torn,
And tramp her bloated head beneath the foot of Scorn.

Glory to them that die in this great cause !
Kings, Bigots, can inflict no brand of shame,
Or shape of death, to shroud them from applause :—
No !—manglers of the martyr’s earthly frame !
Your hangmen fingers cannot touch his fame.
Still in your prostrate land there shall be some
Proud hearts, the shrines of Freedom’s vestal flame.
Long trains of ill may pass unheeded, dumb,
But Vengeance is behind, and Justice is to come.’ pp. 78–81.

We add the concluding part of a war-song for the Greeks, conceived in the same noble spirit.

‘ This day shall ye blush for its story,
Or brighten your lives with its glory ?
Our women, Oh, say, shall they shriek in despair,
Or embrace us from conquest with wreaths in their hair ?
Accursed may his memory blacken,
If a coward there be that would slacken
Till we’ve trampled the turban and shown ourselves worth
Being sprung from and named for the godlike of earth.
Strike home, and the world shall revere us,
As heroes descended from heroes.
‘ Old Greece lightens up with emotion
Her inlands, her isles of the Ocean ;
Fanes rebuilt and fair towns shall with jubilee ring,
And the Nine shall new-hallow their Helicon’s spring :

Our hearths shall be kindled with gladness,
That were cold and extinguish'd in sadness;
Whilst our maidens shall dance with their white-waving arms,
Singing joy to the brave that deliver'd their charms,
When the blood of yon Mussulman cravens
Shall have purpled the beaks of our ravens. '—pp. 86, 87.

Mr Campbell's muse, however, is by no means habitually political; and the greater part of the pieces in this volume have a purely moral or poetical character. The exquisite stanzas to the Rainbow, we believe, are in every body's hands; but we cannot resist the temptation of transcribing the latter part of them.

And yet, fair bow, no fabling dreams,
But words of the Most High,
Have told why first thy robe of beams
Was woven in the sky.
When o'er the green undeluged earth
Heaven's covenant thou didst shine,
How came the world's grey fathers forth
To watch thy sacred sign?
And when its yellow lustre smiled
O'er mountains yet untrod,
Each mother held aloft her child
To bless the bow of God.
Methinks, thy jubilee to keep,
The first-made anthem rang
On earth deliver'd from the deep,
And the first poet sang.
Nor ever shall the Muse's eye
Unraptured greet thy beam:
Theme of primeval prophecy,
Be still the poet's theme!
The earth to thee her incense yields,
The lark thy welcome sings,
When glittering in the freshen'd fields
The snowy mushroom springs.
How glorious is thy girdle cast
O'er mountain, tower, and town,
Or mirror'd in the ocean vast,
A thousand fathom's down!
As fresh in yon horizon dark,
As young thy beauties seem,
As when the eagle from the ark
First sported in thy beam.

For, faithful to its sacred page,
 Heaven still rebuilds thy span,
 Nor lets the type grow pale with age
 That first spoke peace to man.' pp. 52—55.

There is a very striking little poem entitled 'The Last Man,' the idea of which has probably been borrowed from a very powerful sketch of Lord Byron's, to which he gave, we think, the title of 'Darkness;' and the manner in which the awful subject is treated by those two great authors is very characteristic of the different turns of their genius. Lord Byron's has more variety of topics, more gloom and terror, and far more daring and misanthropy. Mr Campbell's has more sweetness, more reflection, more considerate loftiness, and more of the spirit of religion. We can afford to give but a part of it.

' The Sun's eye had a sickly glare,
 The Earth with age was wan,
 The skeletons of nations were
 Around that lonely man !
 Some had expired in fight,—the brands
 Still rusted in their bony hands ;
 In plague and famine some !
 Earth's cities had no sound nor tread ;
 And ships were drifting with the dead
 To shores where all was dumb !
 Yet, prophet-like, that lone one stood,
 With dauntless words and high,
 That shook the sere leaves from the wood
 As if a storm pass'd by,
 Saying, We are twins in death, proud Sun,
 Thy face is cold, thy race is run, ' &c.
 ' Go, let oblivion's curtain fall
 Upon the stage of men,
 Nor with thy rising beams recall
 Life's tragedy again.
 Its piteous pageants bring not back,
 Nor waken flesh, upon the rack
 Of pain anew to writhe ;
 Stretch'd in disease's shapes abhorr'd,
 Or mown in battle by the sword,
 Like grass beneath the scythe.
 Ev'n I am weary in yon skies
 To watch thy fading fire ;
 Test of all sumless agonies,
 Behold not me expire.
 My lips that speak thy dirge of death—
 Their rounded gasp and girgling breath

To see thou shalt not boast.
 The eclipse of Nature spreads my pall,—
 The majesty of Darkness shall
 Receive my parting ghost !

This spirit shall return to Him
 That gave its heavenly spark ;
 Yet think not, Sun, it shall be dim
 When thou thyself art dark !
 No ! it shall live again, and shine
 In bliss unknown to beams of thine,
 By Him recall'd to breath,
 Who captive led captivity,
 Who robb'd the grave of Victory,—
 And took the sting from Death !' pp. 108—111.

The beautiful verses on Mr Kemble's retirement from the stage, afford a very remarkable illustration of the tendency of Mr Campbell's genius to raise ordinary themes into occasions of pathetic poetry, and to invest trivial occurrences with the mantle of solemn thought. We add a few of the stanzas.

' His was the spell o'er hearts
 Which only acting lends,—
 The youngest of the sister Arts,
 Where all their beauty blends :
 For ill can Poetry express
 Full many a tone of thought sublime,
 And Painting, mute and motionless,
 Steals but a glance of time.
 But by the mighty actor brought,
 Illusion's perfect triumphs come,—
 Verse ceases to be airy thought,
 And Sculpture to be dumb.'

' High were the task—too high,
 Ye conscious bosoms here !
 In words to paint your memory
 Of Kemble and of Lear ;
 But who forgets that white discrowned head,
 Those bursts of Reason's half-extinguished glare—
 Those tears upon Cordelia's bosom shed,
 In doubt more touching than despair,
 If 'twas reality he felt ?'

' And there was many an hour
 Of blended kindred fame,
 When Siddons's auxiliar power
 And sister magick came.
 Together at the Muse's side
 The tragick paragons had grown—

They were the children of her pride,
 The columns of her throne,
 And undivided favour ran
 From heart to heart in their applause,
 Save for the gallantry of man,
 In lovelier woman's cause.' pp. 64—67.

We have great difficulty in resisting the temptation to go on: But in conscience we must stop here. We are ashamed, indeed, to think how considerable a proportion of this little volume we have already transferred into our extracts. Nor have we much to say of the poems we have not extracted. 'The Ritter Bann' and 'Reullura' are the two longest pieces, after *Theodric*—but we think not the most successful. Some of the songs are exquisite—and most of the occasional poems too good for occasions.

The volume is very small—and it contains all that the distinguished author has written for many years. We regret this certainly:—but we do not presume to complain of it. The service of the Muses is a free service—and all that we receive from their votaries is a free gift, for which we are bound to them in gratitude—not a tribute, for the tardy rendering of which they are to be threatened or distreined. They stand to the public in the relation of benefactors, not of debtors. They shower their largesses on unthankful heads, and disclaim the trammels of any sordid contract. They are not articulated clerks, in short, whom we are entitled to scold for their idleness, but the liberal donors of immortal possessions, for which they require only the easy quitrent of our praise. If Mr Campbell is lazy, therefore, he has a right to enjoy his laziness, unmolested by our importunities. If, as we rather presume is the case, he prefer other employments to the feverish occupation of poetry, he has a right surely to choose his employments,—and is more likely to choose well, than the herd of his officious advisers. For our own parts, we are ready at all times to hail his appearances with delight—but we wait for them with respect and patience; and conceive that we have no title to accelerate them by our reproaches.

Before concluding, we would wish also to protect him against another kind of injustice. Comparing the small bulk of his publications with the length of time that elapses between them, people are apt to wonder that so little has been produced after so long an incubation, and that poems are not better which are the work of so many years—absurdly supposing, that the ingenious author is actually labouring all the while at what he at last produces, and has been diligently at work during the whole interval in perfecting that which is at last discovered to fall

short of perfection. To those who know the habits of literary men, nothing however can be more ridiculous than this supposition. Your true drudges, with whom all that is intellectual moves most wretchedly slow, are the quickest and most regular with their publications; while men of genius, whose thoughts play with the ease and rapidity of lightning, often seem tardy to the public, because there are long intervals between the flashes! We are far from undervaluing that care and labour without which no finished performance can ever be produced by mortals, and still farther from thinking it a reproach to any author, that he takes pains to render his works worthy of his fame. But when the slowness and the size of his publications are invidiously put together in order to depreciate their merits, or to raise a doubt as to the force of the genius that produced them, we think it right to enter our caveat against a conclusion, which is as rash as it is ungenerous, and indicates a spirit rather of detraction than of sound judgment.

ART. II. *Memoires sur la Cour de Louis XIV. et de la Régence. Extraits de la Correspondance Allemande de Madame Elisabeth-Charlotte, Duchesse d'Orleans, Mère du Régent; précédés d'un Notice sur cette Princesse, et Accompagnés de Notes.* 8vo. pp. 390. Paris. Ponthieu, 1823.

WHEN about twelve years ago the celebrated Memoirs of the Princess of Bareuth were given to the world, we heartily joined with the rest of the publick in expressing our satisfaction at an acquisition equally curious for amusement, and edifying for instruction. So near and so correct a view of the interior of palaces, was calculated to show the bulk of mankind how little reason they have for envying the lot of their masters, or being discontented with their own. And it was also well fitted to abate that feeling of romantic devotion to mere royalty, which some feel from folly and thoughtlessness, some cherish from base and interested motives, but which neither the one could feel, nor the other profess, if great ignorance of the real facts did not very generally prevail. Since her Serene Highness's private life, and that of her august relatives, was before the publick, no one has taken it for granted, as a matter of course, that every thing which the walls of a palace conceals, must of necessity be elegant and refined, or even that we can be sure to find, in the private intercourse of its inmates among themselves, the propriety of demeanour which marks the better classes of society; or, indeed, that they observe those rules of decorum la

which all but the very lowest of the people ordinarily submit themselves; while the security has appeared to be yet more slender, against finding within those precincts, hitherto fondly deemed sacred to luxury and ease, a degree of squalid wretchedness at once piteous and ridiculous, when contrasted with the trappings that outwardly cover it, the lofty pretensions and contemptuous airs with which it is allied, and the intolerable expense which it entails upon the people, so as to make their misery the price paid for the misery of their masters.

The Margravine's Memoirs, however, were in one respect defective; at least they required to be followed by other examples taken from different situations. She had been born and bred in the court of a monarch whose ferocity of character might be supposed to give a peculiar taint to all under his influence, and she was married into one of the smaller German families. Coarseness and meanness might, therefore, be thought to come from the Prussian crimp and the German petty principality. But whatever her Serene Highness left undone to complete our initiation into the mysteries of *legitimacy*—whatever defects remained in our collection of Royal specimens—have now been kindly supplied by an illustrious kinswoman of her own, who derives her origin from one of the first stocks in the Empire, and flourished in the court of the most polished and magnificent sovereign of his day. We are now, therefore, to make the reader acquainted with some further traits in the manners of foreign sovereigns—some further samples of the consequences of uncontrolled power; that is, of those who are in truth but mere men and mere women being placed in circumstances for which humanity was never intended, and allowed to do exactly as they please, because they are called princes and princesses. The picture, too, which we are about to present is the more instructive, because the principal personage is distinguished for a good deal of sense, and appears to have preserved a fair reputation, notwithstanding the licentious court she lived in, and the impurity of the ideas and the language that were familiar to herself and all her correspondents.

The work before us consists of extracts from the very voluminous correspondence of the Princess Palatine, great-granddaughter of James I., niece of the Electress Sophia, and consequently cousin of George I. Her father, the Elector Palatine, Charles-Louis, beside his lawful wife, a princess of Hesse-Cassel, was graciously pleased to have a mistress, or a left-handed wife, as it is technically termed. This species of marriage, we believe, is of two kinds—either where the obstacle to the regular marriage is the want of a due number of

quarters, or where the difficulty arises from another wife being in existence. The Elector's was this latter case, or what we may be permitted to call the left-handed marriage improper. The mistress treated the regular wife in a very harsh and imperious fashion, and was joined in so doing by the husband. One day, at a grand entertainment, the poor Princess being asked why she seemed so disconsolate, unfortunately indulged in a repartee, perhaps the only offence of the sort she ever committed. She said she was afflicted at seeing the servant preferred to the mistress of the house. The most Serene Prince forthwith used the right hand with which he had married her, in giving his illustrious consort a box on the ear, and revenged himself by a divorce for his ill treatment of her. She was sent to her own country, and soon after died, leaving one son and a daughter, Charlotte Elizabeth, the author of these Memoirs. She was sent while yet a child to her aunt the Electress Sophia, who placed her under an excellent governess, and gave her an education rare in those times for persons of her rank. When she grew up, the Duke of Orleans, brother of Louis XIV., having lost his wife (daughter of Charles I., and cousin of the Elector) by poison, a mode of dying in those days extremely common at the French court, it was thought a good speculation to marry him to the Princess, and take the chance of her brother's death to unite the Palatinate with France—possibly the empire itself. Accordingly, she was espoused to him at the age of nineteen, in the year 1671; but the etiquette of the French court requiring that all its members should be Catholics, and the Princess being born and bred a Protestant, and a Protestant of the most genuine school, that of the Electress Sophia herself, some process was indispensably necessary to remove this obstacle of heresy; and a detachment consisting of three bishops, was moved upon the frontier by which she was to enter France. They began their operations at Metz, and, relieving one another, continued to harass her upon her whole line of march, till she surrendered and became a good Catholic. Her own account of the matter is, that she quickly perceived that they who came to convert her were not at all agreed among themselves, and that, therefore, taking a little of the doctrine of each, she compounded a faith of her own. She afterwards conformed outwardly to the Romish Church: 'I observe,' says she, 'all the external ceremonies; I go every week to mass with the king; but I do not the less on that account edify myself with the Lutheran prayer books.' Now, see the language held respecting her by the holy parasites of the French court; and it is no less a man than Massillon who thus speaks in her funeral sermon. 'Jamais de retour sur la

‘foi qu’elle avait quittée, parce qu’elle l’avait quittée volontairement ! jamais de doute sur le parti qu’elle avait pris, parce qu’elle l’avait pris par conviction ! . . Les préjugés de l’erreur, qui avaient présidé à son éducation, ne paraissaient plus en elle, que par une docilité plus religieuse aux mystères de la foi.”

The life she led in France during fifty years, was one continued correspondence. Every day in the week was devoted to writing letters to her relatives in Germany, Italy, England, and Spain; and those letters filled volumes rather than sheets of paper. She sometimes filled as many as fifty sheets in one day. The language was a bad provincial German, mingled with Gallicisms; the subject, every thing that passed at and near the court of Versailles, but treated with a plainness and, indeed, coarseness of expression to be found certainly in no other female writer of any rank, even the most humble, and in the letters of no man of the most ordinary delicacy or breeding. About eight hundred of these epistles were found in the repositories of the Dutchess of Brunswick in 1767, addressed to the Princess of Wales, afterwards Queen Caroline,* and the prince Ulric of Brunswick. From these a selection was made by order of the court, who confided the work to the privy councillor Praun; and this was printed at Strasburgh in 1789, with no other alteration than ‘correcting the bad spelling of the Dutch-ess.’ In 1791 a selection from the letters written by her Highness to her former governess Madame de Karling, was published at Dantzic; the letters themselves being above four hundred in number. The volume before us contains principally the materials furnished by the Strasburgh publication, with corrections of the French names and quotations, and a suppression of two letters, which M. Praun had inserted, one from the Dutchess herself, and the other, we grieve to say, from the Electress Sophia; ‘toutes deux’ (says the present Editor) ‘si ordurieres, qu’on les prendrait pour un assaut.’ Considering what has been left in almost every page, we confess our imagination can hardly reach the depths to which these illustrious females must have descended in order to shock the worthy publisher.

As it is always agreeable to form an idea of the outward ap-

* The Editor calls her Wilhelmina-Charlotte, Princess of Wales; but the Dutchess of Orleans died in 1722, and there was no other Princess of Wales (except of the Pretender’s family) but Queen Caroline, who became Princess of Wales on George I.’s accession. Her name was Caroline Wilhelmina Dorothea.

pearance of any person whose history we are pursuing, we begin with the following sketch of the Dutchess, drawn by herself, with a very honest pencil; indeed she flatters herself quite as little as she does others; and it is fair to add, that the Duc de St Simon gives a far more pleasing account of her figure, with at least as much praise of her goodness of disposition and the strength of her capacity.

‘ Je suis née à Heidelberg (1652) dans le septième mois. Il faut bien que je sois laide: je n’ai point de traits; de petits yeux, un nez court et gros, des lèvres longues et plates; tout cela ne peut former une physionomie; j’ai de grandes joues pendantes, et un grand visage, cependant je suis très-petite de taille, courte et grosse; j’ai le corps et les cuisses courtes: somme totale, je suis vraiment un petit laideron. Si je n’avais pas bon cœur, on ne me supporterait nulle part. Pour savoir si mes yeux annoncent de l’esprit, il faudrait les examiner au microscope ou avec des conserves; autrement il serait difficile d’en juger. On ne trouverait probablement pas sur toute la terre des mains plus vilaines que les miennes. Le roi m’en a souvent fait l’observation, et m’a fait rire de bon cœur; car n’ayant pu me flatter en conscience d’avoir quelque chose de joli, j’ai pris le parti de rire la première de ma laideur; cela m’a très-bien réussi, et j’ai souvent trouvé de quoi rire. Je suis de mon naturel un peu mélancolique; lorsque quelque chose m’afflige, le côté gauche enfle chez moi comme si j’avais une boule d’eau. Rester couchée n’est pas mon fait; dès que je m’éveille, il faut que je sorte du lit. Je déjeune rarement, et seulement avec du pain et de beurre. Je ne prends ni chocolat, ni café, ni thé, ne pouvant souffrir ces drogues étrangères; je suis en tout les habitudes allemandes, et ne trouve bon, dans le manger et le boire, que ce qui est conforme à nos vieux usages. Je ne mange de soupe que celle qui est accommodée au lai, à la bierre ou au vin; je ne puis supporter le bouillon; lorsque je mange des mets où il y en a, je tombe aussitôt malade, le corps m’enfle et j’éprouve des coliques; et quand je prends du bouillon tout pur, je suis forcée de vomir jusqu’au sang; il n’y a que le jambon et les saucisses qui me rétablissent l’estomac.’ pp. 2, 3.

The good Dutchess appears to have been all her life, like the fair dame in one of Count Hamilton’s romances, ‘d’une curiosité que rien n’a jamais pu satisfaire.’ When only eight years of age, hearing the cries of a female relation who was in labour in the palace, and exceedingly distrusting the story the gossips told her, though illustrated by an experiment of placing a doll in a bunch of rosemary, she contrived to glide unperceived into the bed-chamber, and hide herself behind a screen near the chimney; from whence she came forth, to the exceeding consternation of the court and the medical staff, at the moment that the new born infant was brought to the fire to be bathed. She was sentenced to be whipt; but the punishment was com-

muted into a severe reprimand, in honour of the happy event, when it was ascertained that the child was a young Elector; for this 'auspicious babe,' whom she had seen unworthily represented by the doll, proved to be none other than George I., by the grace of God, king of England, Defender of the Faith, and so forth. Her waggeries upon the church exposed her to more immediate retaliation. Having informed the abbot of a convent that some of the holy fathers had fished in a forbidden part of the waters, the delicate revenge they took upon her was to mix white wine in her tumbler, instead of water; which speedily made her so tipsy that she was carried to bed.

Upon her establishment in France as Dutchess of Orleans, a great heiress, and wife of the richest subject in the state, her whole allowance of pocket money was one hundred Louis a year; which was generously increased to two hundred, when upon her mother's death her large portion was paid. Afterwards her husband overcame the repugnance towards her, which, she says, he very 'naturally felt, owing to her ugliness,' and he gave her a thousand; to which Louis XIV., who always took her part, added as much more, until, upon her differing with him respecting her son's marriage, he was pleased to punish her by taking away this allowance; a kind of spite which we presume no private gentleman would have been capable of exercising. Nevertheless, she proves her sense of Louis's general kindness towards her, by giving the most favourable account of all his actions; and as her hatred of his mistress was still greater than her love of him, she readily imputes to Montespan and Maintenon, especially the latter, all his errors and his crimes, affirming, that but for them he would have been 'one of the 'most perfect kings in the world.' Some instances of this tendency to perfection, she has, indeed, recorded. When he held a court on his Queen's death, in order to have the ceremony quickly despatched, he 'ordered that there should 'be no speechifying, and that all who attended should enter by 'one door and go out at another, as smartly as they could 'move, pellmell, and without distinction.' A certain Bishop having come prepared with a flood of tears for the occasion, and composed his countenance accordingly, found himself hurried along, weeping, by the crowd; and could not resist smiling at his grotesque position, which gave his face so absurd an aspect, that the Dauphiness and the Dutchess burst out a laughing, as did the king himself and the rest of the circle. His return from Holland, which he had just occupied, was ascribed by his courtiers to a generous magnanimity, but was wholly owing, according to our author, to his desire of being near

Mad. de Montespan; and the following is her explanation of his persecutions, including the revocation of the edict of Nantz.

‘On avait fait tellement peur au roi, de l’enfer, qu’il croyait que tous ceux qui n’avaient pas été instruits par les jésuites étaient damnés, et qu’il craignait d’être damné aussi en les fréquentant. Quand on voulait perdre quelqu’un, il suffisait de dire : *Il est huguenot ou janséniste* ; alors son affaire était fait. Mon fils voulut prendre à son service un gentilhomme dont la mère était janséniste déclarée. Les jésuites, pour faire une affaire à mon fils auprès du roi, lui dirent que le prince voulait prendre un janséniste à son service. Le roi, ayant envoyé chercher mon fils, lui dit : Comment, mon neveu, de quoi vous avisez-vous, de prendre un janséniste à votre service ? Mon fils répondit en riant : Je puis assurer votre majesté qu’il n’est sûrement pas janséniste ; il est même plus à craindre qu’il ne croie pas bien en Dieu. Oh ! dit le roi, si ce n’est que cela, et que vous m’assuriez bien qu’il n’est pas janséniste, vous pouvez le prendre. On ne saurait être plus ignorant en matière de religion que n’était le roi. Je ne puis comprendre comment la reine, sa mère, l’a laissé élever dans cette ignorance. Il croyait tout ce que lui disaient les prêtres, comme si cela venait de Dieu même. La vieille Maintenon et le père La Chaise lui avaient persuadé que tous les péchés qu’il avait commis avec la Montespan lui seraient remis s’il tourmentait et chassait les réformés, et que c’était la voie du ciel ! C’est ce que le pauvre roi a cru fermement, car de sa vie il n’a lu la Bible ; et d’après cela la persécution a commencé. Il ne connaissait de la religion que ce que ses confesseurs lui en disaient ; ils lui avaient fait accroire qu’il n’était pas permis de raisonner sur des matières de religion, et qu’il fallait soumettre la raison pour gagner le ciel. Il était du moins de bonne foi ; et ce n’était pas du tout sa faute que sa cour fût hypocrite ; la vieille Maintenon avait forcé les gens à l’être.’ pp. 36, 37.

This ignorance, indeed, was of a kind to satisfy even the most sturdy enemies of mental improvement ; the Holiest of the Allies could, we should think, desire no more than that all sovereigns and all subjects should be as ill educated as the monarch whose name has been attached to ‘the brightest era of modern Europe,’ by the flattery of his courtiers. ‘Louis and all his family,’ says his sister-in-law, ‘excepting my son, hated reading. Neither himself nor his brother had been taught any thing ; they hardly could read and write.’ In other accomplishments, however, this august family seem not to have been deficient. They were all, even in the eyes of our Germanic authoress, prodigious feeders. ‘I have often,’ says her Serene Highness, ‘seen the king eat (*qu. at dinner?*) four plates of different soups, a whole pheasant, a partridge, a huge plate of salad, mutton with garlick, two good slices of ham, a plate of pastry, and fruit and sweet-meats after all.’ We know not if the taste has descended in the

family, but his Majesty and his brother were extremely and sincerely attached to hard eggs. The Dutchess, in speaking of the propensities of the court (from which she wholly exculpates the king, but leaves the matter doubtful as to her husband *), enters into some details so shocking, that we cannot pollute our pages with even a mention of the subject they refer to.

A certain nobleness of mind, as far as bearing reverses with composure, and an imposing dignity of personal demeanour, seem really to be all Louis XIV. claims to the title of great. Whether it arose from levity or magnanimity, his reception of Marshal Villeroi after the rout of Ramillies (for battle it could scarcely be called), must be admitted to be very happy. 'Mons. le Marechal, on ne gagne pas des batailles à notre age.' The Duc de St Simon is in extacies with a 'grand coup de pinceau,' which he has preserved of him, and which, able as he thought him, he fairly owns far exceeded any thing he had deemed him equal to. They were talking of his nephew, the Duke of Orleans, and the king said (we cite from memory), 'Sui—mon neveu est tout cela—et encore, c'est un faufaron de crimes qu'il ne commet pas.' The Duke of Berwick is, as might be expected of a Stuart, Louis's warm eulogist. 'There never was a more humane king since the commencement of the monarchy.' So that the ravaging of the Palatinate was an innocent, if not a kindly action! 'There was (his Grace adds, *we* suppose by way of explanation) no blood spilt among the great during the course of his reign, except that of the Chevalier de Rohan; and he lost his life only because no one had the friendship or courage to solicit his pardon; for the king, in going to, and returning from, mass in the morning of the execution, turned himself round on every side, to see if there were not some of his relations or friends ready to throw themselves at his feet.' We fancy no man of common feeling, or indeed judgment, would think so well of the Prince who allowed an innocent person to suffer, through regard to etiquette, as of one who put him to death from motives of policy or passion.

Towards the singular woman of whom this 'Great Monarch' was the dupe, whom he privately married in her old age, and by whom he was governed for the last 35 years of his life, the Dutchess appears to have entertained a hatred amounting to habitual fury. She never mentions her without some abusive name; '*la vieille*'—'*la vieille sorcière*'—'*cette me-*

* The officious Editor supplies this defect, and to the great disadvantage of the Duke's character.

chante bête, &c. Of those who were connected with her, one is a '*creature infernal*;' another a '*méchante diablesse*;' and all crimes that can be committed by a woman, (and some which perhaps cannot) murder included, are freely imputed to her, or insinuated in terms as plain as they are often indelicate. That without being so wicked, she was vile and hateful enough, there can be little doubt, and that her influence, and that of her priests proved lamentably injurious to France, is now a matter of certain history, and conveys a most instructive lesson upon the incalculable evils of an absolute government.—What crimes have ever been charged upon democracy, what mischief ascribed to republicks themselves, equal to the misery and the national degradation of thirty years misgovernment in church and state, to gratify the caprice and the bigotry of an intriguing old woman, of the worst heart and most depraved morals? Such was not, indeed, the language used respecting her while the king lived. His physician used to say, that the only thing he disliked in the Christian religion, was its preventing him from building a temple and an altar to Madam de Maintenon, where he might worship her! The only person who durst venture to thwart her, if we are to believe our authoress, was herself; and of this among other traits, she has preserved the following, which also exemplifies her own fury, upon whatever touched the dignities of her family.

‘Je crois que la vieille n’a pas voulu procurer un sabouret à madame Dangeau, parce que cette dame était Allemande et de bonne naissance; la vieille s’est fait un plaisir de l’opprimer. Elle avait aussi fait venir une fois deux filles de Strasbourg, et les faisait passer pour des comtesses palatines; elle les avait placées en qualité de suivantes chez ses nièces. Je n’en savais pas un mot: madame la dauphine vint me l’annoncer les larmes aux yeux. Je lui dis: Ne vous inquiétez pas, laissez-moi faire; quand j’ai raison, je me moque de la vieille sorcière. Ayant vu par mes croisées la nièce se promener avec les filles allemandes, je descendis au jardin et je fis en sorte de les rencontrer. J’appelai l’une des filles, et lui demandai qui elle était. Elle me dit en face qu’elle était une comtesse palatine de Lutzelstein.—De la main gauche?—Non, répondit-elle; je ne suis point bâtarde; le jeune comte palatin a épousé ma mère, qui est de la maison de Gehlen.—Je lui dis: En ce cas, vous ne pouvez être comtesse palatine; car, chez nous autres comtes palatins, les mésalliances ne sont d’aucune valeur; je dirai encore plus: tu mens en disant que le comte palatin a épousé ta mère; c’est une p. . . . avec laquelle le comte palatin peut avoir couché comme tant d’autres; je sais qui est son véritable mari, c’est un hautbois. Si à l’avenir tu te fais passer pour une comtesse palatine, je te ferai couper les jupes au ras du cul; que je n’entende plus parler de cela de ma vie; mais

si tu suis mon conseil, et que tu reprennes ton véritable nom, je ne te reprocherai jamais ta vie ; ainsi, vois ce que tu as à faire.—La fille prit cela si vivement à cœur qu'elle en mourut quelques jours après. Quant à la seconde, on l'envoya en pension à Paris ; elle est devenue aussi grande coquine que sa mère, mais elle a changé de nom ; aussi, je l'ai laissée courir. J'allai trouver la dauphine pour lui raconter ce qui venait de se passer ; elle m'en témoigna sa satisfaction, en m'avouant que pour elle, le courage lui aurait manqué, pour faire cette démarche. Elle crut que le roi me gronderait, mais il ne m'en dit pas un mot ; seulement, en plaisantant, il me disait quelquefois : Il ne fait pas bon se jouer à vous sur la chapitre de votre maison ; la vie en dépend. Je répondais : Je n'aime pas les menteries.' pp. 81, 82.

Louis XIV.'s queen is sketched with a free, and, no doubt, not a faithful pencil. She was the most ignorant of womankind, it seems, but had a great talent for holding a court ; she was good natured and virtuous, and believed implicitly whatever the king told her. She was short and fat, with a fair skin, and ugly black and rotten teeth ; constantly drinking chocolate ; often eating garlick ; making long and frequent meals ; but eating in small bits like a bullfinch. Her manners were Spanish, her passion was play ; and, having no notion of any game, she always lost. It appears, however, not to have been her only passion ; for, as the Dutchess delicately expresses it—and far be it from us to translate her words—' Elle se réjouissait que le roi couchât avec elle, car, en bonne espagnole, elle ne haïssait pas ce métier ; elle en devenait si gaie qu'on le remarquait chaque fois. Elle n'était pas fâchée qu'on la raillât à ce sujet ; alors elle riait, clignotait, et se frottait ses petites mains.'—Our author, finding that her Majesty died after being bled by the king's physician, against the advice of his surgeon, sets it down for certain, that she was put out of the way to make room for Madam Maintenon, ' exprès pour consolider la fortune de la vieille drôlesse.'

One of the most insignificant characters whom the Dutchess commemorates, even in the Bourbon family, is her husband, the brother of Louis XIV. It seems Cardinal Mazarin, perceiving that he was naturally somewhat more lively than the king, took the alarm lest he might become better informed ; and gave positive instructions to his preceptor, to make him pass his time in amusing himself, and not to let him pursue his studies. ' What are you about, M. la Motte le Vayer ?' said the wily old priest, ' Is it any business of yours to make the King's brother a man of talent ? Why, if he becomes more knowing than the King, he can no longer obey him blindly.'—The orders of his Eminence were religiously attended to, and the prince was

brought up as silly, ignorant, and effeminate, as any ruler of mankind needs to be.—The following anecdote deserves a place; but we are compelled to break off in the middle of the last sentence, as the illustrious author's language is far too obscene for an extract.

Monsieur a toujours fait le dévot. Il m'a fait rire une fois de bien bon cœur. Il apportait toujours au lit un chapelet auquel était attachée une quantité de médailles; il lui servait à faire ses prières avant de s'endormir. Quand cela était fini, j'entendais un gros fracas causé par les médailles, comme s'il les promenait sous la couverture. Je lui dis : Dieu me le pardonne; mais je soupçonne que vous faites promener vos reliques et vos images de la Vierge dans un pays qui leur est inconnu. Monsieur répondit : Taisez-vous, dormez; vous ne savez ce que vous dites. Une nuit je me levai tout doucement, je plaçai la lumière de manière à éclairer tout le lit; et au moment où il promenait ses médailles sous la couverture, je le saisis par le bras, et lui dis en riant : Pour le coup, vous ne sauriez plus me le nier. Monsieur se mit aussi à rire, et dit : Vous qui avez été huguenote, vous ne savez pas le pouvoir des reliques et des images de la sainte Vierge. Elles garantissent de tout mal les parties qu'on en frotte. Je répondis : Je vous demande pardon, Monsieur; mais vous ne me persuaderez point que c'est honorer la Vierge, que de promener son image sur' - - - p. 94.

To such personages as this Prince, and indeed his far-famed brother and all the rest of his race, with one or two exceptions, the Regent his son presents a truly singular contrast, in every thing but the profligacy of manners, which they all seem to have had in an ample, and nearly equal proportion. A more accomplished man has perhaps never sat upon a throne; and few have surpassed him in the greater talents of a statesman. At once witty and learned, his conversation had all the charms which natural sprightliness and varied information could impart. His knowledge of languages was extensive; his reading, both for amusement and instruction was proportioned to that knowledge; his acquaintance with history excelled that of even most princes, and yet it was less remarkable than his familiarity with the more severe sciences; while in the fine arts he was so great an adept, that his compositions in music were esteemed by the most competent judges, and his paintings surpassed those of the masters of his age. His courage in war, and his talents, while he had the command of the army, were undisputed; his political courage, the promptitude and firmness which he displayed in most trying emergencies, and the vast resources which he brought to the most hopeless task that ruler ever had cast upon him, the government of France, after the folly and the profligacy of Louis XIV. had exhausted or well nigh

ruined her, are the theme of just admiration to all who calmly contemplate the history of the last age, and do not suffer their disgust at the vicious excesses of his private life, to beget a contempt of his great qualities as a ruler. His mother (from whom he inherited both his talents and his coarseness) does ample justice to his rare endowments, and to that frankness of disposition, and easy forgiving temper, which he united with all the libertinism, and a good deal of the crooked policy, of the times he lived in. As for the worst crimes laid to his charge, the death of the Dauphin and Dauphiness, no rational man gave credit to the story even at the time; and it is now admitted on all hands, to have been the malicious invention of Mademoiselle Maintenon, and the rest of the party attached to the Duc de Maine, and the other illegitimate children of Louis XIV. Indeed, the perfect safety of Louis XV.'s person, during the many years of infancy he passed under the entire control of the Regent, is of itself the most conclusive answer to all such calumnies. So cool and courageous was he when threatened himself daily with plots, and nightly with assassination, that he refused to alter in the least his manner of living, or to take any precautions for his personal safety; so forgiving, that those whom he had detected attempting his life, and habitually defaming his character, he could never bring himself * to hate.

* Voltaire thus speaks of the Regent. 'C'était un Prince à qui on ne pouvoit reprocher que son gout ardent pour les plaisirs et pour les nouveautés. De toute la race de Henri IV. il fut celui qui lui ressembla le plus; il en avait la valeur, la bonté, l'indulgence, la gaieté, la facilité, la franchise, avec un esprit plus culture. Sa physionomie, incomparablement plus gracieuse, était cependant celle de Henri IV.' (*Siecle de Louis XV. ch. 3.*) It must be recollected, that Voltaire shows no partiality to the Regent's party; on the contrary, he gives the most favourable turn that the facts made possible to every thing which concerns Mad. Maintenon, and even the Duc du Maine—and his admiration of Louis XIV. hardly knows any bounds.

The Regent's military talents in the Spanish campaign have never been questioned; and, without making any formal panegyrick upon them, the Duke of Berwick, in his Memoirs, gives them a more substantial testimony, by the respectful manner in which he always mentions the plans and movements of that Prince, towards whom he cannot be supposed to have felt any great partiality, either as the person sent to supersede him after his great victory at Almansor, or as having, when charged with the government of France, taken part against his family, and in favour of the House of Hanover. More

‘Ce qui me’ (says his mother) ‘paraît étrange, c’est qu’il ne hait point le beaufrère boiteux, qui pourtant voudrait le savoir mort et déshonoré. Je ne crois pas qu’on ait jamais vu son pareil : il n’a point de fiel dans le corps ; jamais de la vie je ne l’ai vu haïr quelqu’un.’

The first Dauphin, son of Louis XIV., is represented as of a character extremely different from his kinsman in all but profligacy of manners ; and even in that he seems far to have surpassed him. It is not easy to conceive any thing more hateful at once, and more despicable than this prince. What little good he had, our author ascribes to his preceptor, the celebrated Bossuet ; and all his bad qualities belonged to his own evil nature.

‘Il n’a jamais bien aimé ni bien haï personne ; cependant il était méchant ; son plus grand plaisir était de faire du chagrin à quelqu’un, et lorsqu’ensuite il pouvait faire un plaisir à la même personne, il s’y prêtait de bonne grâce ; en tout point il était de l’humeur la plus inconcevable qu’on ait jamais vue ; quand on le croyait bien disposé, il était fâché ; quand on le supposait de mauvaise humeur, on le trou-

doubt may be said to exist respecting his share of blame in the disastrous battle of Turin ; but the received opinion, and the one recorded by all historians, throws almost the whole responsibility on the Cabinet and on Marsin, to whom the decisive voice was given by express, secret orders. We find, indeed, that the Emperor Napoleon, in some most able commentaries upon this famous battle (*Mémoires*, vol. iv.), regards the common account of this matter as unfounded ; and adds a censure of the Duke of Orleans, admitting that the secret orders overruled his opinion. It may be quite true that he was to blame for allowing his army to be defeated by pursuing a course which he saw must have this effect, out of deference to any orders ; yet Napoleon’s whole argument (for it is a general position respecting the duty of a general in chief, that he is illustrating) omits the consideration, that a general cannot, in a critical moment, resign his command. Is he then to disobey the positive orders of his government ? We apprehend, that if Napoleon himself had committed the indiscretion of sending from Paris such a command, the general upon the spot who disobeyed it would have been told that his duty was to leave the responsibility on him who sent the order ; though certainly the case would be very different, if circumstances allowed of the alternative of resigning. That the plan of receiving Prince Eugene’s attack in the lines, instead of marching out and attacking, was any body’s rather than the Duke’s, seems to be admitted by all except Napoleon, although it is possible that Marsin himself may have been against it, and bound by special, and not discretionary instructions.

vait en bonne disposition ; jamais on ne devinait juste : personne ne l'a bien connu, et je ne crois pas qu'il ait jamais eu son semblable, ni qu'il en naisse jamais un pareil. On ne pouvait pas dire qu'il eût de l'esprit, mais il n'était pas non plus sot ; personne au monde ne saisissait mieux les ridicules, tant les siens que ceux des autres ; il racontait plaisamment, il remarquait tout, et ne craignait rien au monde tant que d'être un jour roi, moins par tendresse pour son père, qu'à cause de la peine de gouverner ; car il était d'une paresse extrême, qui lui faisait tout négliger : il aurait préféré ses aises à tous les empires et royaumes. Il pouvait rester couché tout une journée sur le canapé ou dans une chaise à bras, et frapper avec la canne contre les souliers, sans dire un mot ; jamais de la vie il n'a voulu donner son opinion sur rien ; mais lorsqu'une fois dans l'année il parlait, il s'exprimait en termes assez nobles.

' Il ne s'est pas affligé un quart d'heure de la mort de son épouse, ni de celle de sa mère ; quand il s'affubla de son long manteau de deuil, il faillit étouffer de rire.' pp. 173-8.

Of his Royal Highness's wit, we have a very refined specimen.

' Je ne puis suffrir que l'on me touche au derrière, cela me fait enrager au point que je ne sais plus ce que je fais. Aussi, j'ai manqué de donner un soufflet au dauphin qui avait la mauvaise habitude de venir, par plaisanterie, avancer le poing avec le pouce étendu sur la chaise où l'on voulait s'asseoir. Je le priai, pour l'amour de Dieu, de cesser ce jeu qui me déplaisait tellement que je ne répondais pas de ne pas lui donner un soufflet avant d'y penser. Depuis lors, il m'a laissée tranquille.' p. 80.

Of his delicacy, and that of his serene aunt, the following trait may possibly rather more than suffice.

' Il aimait qu'on s'entretint avec lui pendant qu'il était sur la chaise percée ; mais cela se passait modestement, car pendant l'entretien on lui tournait le dos. Je me suis souvent entretenue avec lui de la sorte dans le cabinet de son épouse, qui m'en chargeait et en riait.' p. 178.

What follows is yet more disgusting, and, as usual, we are compelled to break off.

The anecdotes of Henrietta, the first Dutchess of Orleans, sister of our Charles II., are extremely scandalous ; and to some of them we cannot even make any allusion. But our author is by no means an indiscriminate believer of all that is said against that unfortunate Princess. She discredits the story of her intrigue with her brother-in-law, Louis XIV., and seems to throw some doubt upon others, but admits that with the Count de Guiche, and, the most shameful of the whole, with her own nephew, the Duke of Monmouth. The details of her murder by poison are given with some incredible particulars. The following anecdote is of a less serious cast, and has the advantage, by no means frequent with the Dutchess's stories, of being one that can be repeated without any great violation of decency.

‘ Monsieur a été lui-même la cause de l'intrigue que Madame a eue avec le comte de Guiche. C'était un des favoris de feu Monsieur, et l'on dit qu'il était beau alors. Monsieur pria instamment Madame d'avoir de l'affection pour le comte de Guiche, et de trouver bon qu'il fût à toute heure auprès d'elle. Le comte, brutal envers tout le monde, mais plein de vanité, mit tous ses soins à plaire à Madame, et à s'en faire aimer. Il réussit en effet, étant secondé par sa tante, madame de Chaumont, qui était gouvernante des enfans de Madame. Un jour Madame se rendit dans la chambre de cette dame, sous prétexte de voir ses enfans, mais dans le fait pour avoir une entrevue avec le comte de Guiche. Elle avait un valet de chambre appelé Launois, que j'ai encore vu chez Monsieur : celui-là reçut ordre de se mettre en faction sur l'escalier pour avertir dans le cas où Monsieur viendrait. Tout à coup ce Launois accourt, en disant : Voici Monsieur qui descend. Les amans furent effrayés ; le comte ne pouvait se sauver par l'antichambre, à cause des gens de Monsieur qui s'y trouvaient. Launois dit : Je ne sais qu'un moyen, et j'en ferai usage sur-le-camp ; cachez-vous, dit-il au comte derrière la porte ; puis il court au-devant de Monsieur, lui heurte avec sa tête le nez, au point que Monsieur commença de saigner fort. En même temps il s'écria : Monseigneur, je vous demande pardon et grâce, je ne vous croyais pas si près ; je voulais courir vite pour ouvrir la porte. Madame et madame de Chaumont accoururent tout effrayées, avec des mouchoirs qu'elles placèrent sur la figure de Monsieur, en l'entourant si bien que le comte de Guiche eut le temps de s'esquiver de la chambre, et de gagner l'escalier ; Monsieur avait vu fuir quelqu'un, mais il s'était imaginé que c'était Launois qui se sauvait de peur. Il n'a jamais appris la vérité. ’ pp. 187, 188.

Constant intrigues, as might be supposed, form a large proportion of the Dutchess's intelligence communicated to her Royal correspondents. Nor are these confined to the married females of the Royal race. It seems an ordinary occurrence, when a match is settled for any of the young ladies with some foreign sovereign, to mention some previous connexion which the illustrious maid has had with a courtier, while living under her father's roof. Not that the good Dutchess is always aware of the secret history of events which she sees passing even in her own family. One of her grand-daughters, for example, is seized with a vehement desire to take the veil ; our author expresses much wonder at her choosing a kind of life of which she has herself such a horror, that she cannot talk of ‘ *ce maudit cloître*, ’ and ‘ *ce projet diabolique*, ’ the more especially because the poor girl is not only by far the most beautiful of the family, but has all the tastes of a young man ; loves nothing but dogs and horses and guns, and is all day long either amusing herself with these, or with firing pistols. Nevertheless to the nunnery

she is sent in good earnest, and takes the veil under the name of *Sœur Bathilde*. A note of the Editor, however, informs us, that one night at the opera a very tender exclamation escaped the fair devotee, addressed to a famous singer, which alarmed the mother, and soon produced the '*projet diabolique*.' But debauchery of a more vulgar cast appears not to have been uncommon among the ladies of the most refined court in the world. We are frequently told of the inordinate eating of some of these beauties; of one who attached one of the Royal family to her by her '*gourmandise*,' and the resources which he found in so congenial a propensity; of another who drank both wine and spirits most freely; and of a third, a Dutchess of Bourbon, who could drink hard without being affected by it, but whose daughters, wishing to imitate so glorious an example, and not having her Royal Highness's strength of head, got drunk and misbehaved themselves. '*Ses filles veulent l'imiter; mais elles sont bientôt ivres, et ne savent pas se gouverner comme leur mère*.' The delicacy with which all love affairs were managed, and talked of among these '*lights of the world*,' merits our admiration. We take the following passage, almost at random; it relates chiefly to the Duke of Bourbon.

'La princesse de Conti s'est plainte auprès de moi de ce qu'au bal, M. le duc est allé derrière elle, en chantant à haute voix: "*Maman ça, maman là, maman carogne*," et qu'alors des masques se sont écriés dans tous les coins de la salle: Non, ce n'est pas celle-là, c'est l'autre qui est la carogne.

'M. le prince est amoureux de la Polignac, mais celle-ci aime M. le duc, qui ne peut pas encore oublier madame de Nesle, quoiqu'elle lui ait donné son congé, pour le remplacer par ce grand veau, le prince de Soubise. On prétend que celui-ci dit: De quoi se fâche M. le duc: n'ai-je donc pas permis à madame de Nesle de coucher avec M. le duc, quand il voudra? Voilà la délicatesse qu'on a ici en amours!

'M. le duc est très-passionné. Quand madame de Nesle lui donna son congé, il faillit mourir de chagrin; il avait l'air de la mort en personne, et pendant plus de six mois il n'a pas su prendre son parti.

'Le marquis de Villequier, fils du duc d'Aumont, fit un jour une visite à la marquise de Nesle. Il vint dans la tête de celle-ci de lui demander s'il était vrai qu'il était amoureux de sa femme. Villequier répondit: Je n'en suis pas amoureux; je la vois même fort peu; nos humeurs diffèrent beaucoup. Elle est sérieuse, et moi j'aime la gaieté et les plaisirs. Je j'aime d'une amitié fondée sur l'estime; car c'est une des plus honnêtes femmes de France. Madame de Nesle, de qui on n'en peut pas dire autant, prit ce propos pour une insulte, et s'en plaignit à M. le duc, qui lui promit de la venger. Quelques jours après, il invita le jeune Villequier à dîner chez le marquis de Nesle

même ; il y avait, outre madame de Nesle, le marquis de Gèvres, madame de Coligny, et d'autres. Pendant le dîner, M. le duc commence tout-à-coup ainsi : " Bien des gens croient être à couvert du cocuage ; mais c'est une erreur. J'ai cru me mettre à l'abri, en épousant un monstre : cela ne m'a servi de rien ; car un vilain du Châllar, plus laid que moi me fait cocu. Pour le marquis de Gèvres, il ne le deviendra point, parce qu'étant impuissant, il ne saurait se marier ; mais vous (à M. de Nesle), vous l'êtes de tel et tel, etc." Nesle qui ne pouvait le croire, quoique cela soit vrai, se mit à rire tout de bon ; puis s'adressant à Villequier, il lui demanda : Et vous, ne croyez-vous pas l'être, Villequier ? Celui-ci se tut. M. le duc continua : vous l'êtes du chevalier de Pesay. Villequier rougit ; cependant il dit : " J'avoue que, jusqu'à présent, je n'ai pas cru l'être ; mais, puisque vous me mettez en si bonne compagnie, je n'ose m'en fâcher." Je trouvai que madame de Nesle n'avait pas été bien vengée.' pp. 231-233.

It is generally remarked, that when the odious and corrupting propensity of gaming takes possession of the female mind, its ravages are still more unsparing than upon the character and feelings of men. The mania which seized all ranks at the time of Law's famous Mississippi project, seems to have raged with the least controul among the women of the court at Paris. Our author relates of one Dutchess, that she kissed Law's hand in publick, and adds, ' Je crois que, s'il voulait, les Françaises lui baiseraient, sauf respect, le derrière !'—wherewithal she relates a very indelicate story of some of those ladies, which seems fully to justify this conjecture, but which we cannot further allude to. One lady, in order to obtain an interview with him, drove to the hotel where she had ascertained that he dined, and had insisted on being invited, but in vain ; she then made her servants raise a cry of fire, which brought the company to the window, and as soon as Law appeared she leapt from her carriage ; but he being warned by the hostess, made his escape. Another ordered her coachman to overturn her before the projector's door, who ran out at the alarm of the accident, and thus she obtained an interview. A Dutchess being wanted to accompany the Regent's daughter into Italy upon her marriage, some one said, ' Si vous voulez avoir le choix des duchesses, envoyez chez Madame Law ; vous les y trouverez toutes rassemblées.'

' La princesse de Léon s'étant transportée à la banque, fit crier par ses laquais : Place pour madame la princesse de Léon. Pendant ce temps, elle qui est très-petite, se glissa dans la pièce où les banquiers se tenaient avec leurs commis. Je veux des actions, dit-elle. Le commis répondit : Prenez patience, on les vend selon l'ordre des demandes ; ainsi il faut que d'autres soient servis avant vous, madam. En même temps il ouvrit le tiroir où les actions

étaient renfermées ; la princesse se jeta dessus : le commis voulut l'en empêcher : il s'ensuivit une bataille. Compendant le commis, effrayé d'avoir battu une femme de qualité, courut dehors, et demanda : Que est donc cette princesse de Léon ? Un des laquais répondit : C'est une dame de grande qualité, jeune et aimable. Eh bien, dit le commis, ce n'est donc pas celle-là ? Un autre laquais s'écria : La princesse de Léon est une petite femme, bossue par-devant et par-derrrière, et qui a les bras si longs, qu'ils pendent à terre. Oh bien, s'écria le commis, c'est celle-là.' pp. 256-7.

Next to Law—perhaps more prominently—the Abbé Dubois figured in the Regency ; and a more infamous creature was never bestowed by the church as a curse upon the state. To him, beyond all doubt, must the Regent's vices and errors be chiefly ascribed ; he was his tutor, and had the care of his education from his earliest years, and availed himself of his pupil's inexhaustible kindness of disposition, to maintain an influence over him, fatal to a character in other respects so brilliant, and even amiable. That it was naturally so, and that the seeds of cruelty and treachery could find in it no soil in which to take root, there can be no stronger proof, than that the lessons, the example, and the intimacy of such an accomplished master of every base art, failed to pervert the frankness, and even gentleness, of his nature. The Dutchess speaks of this wretch with the execration and contempt which he deserved ; but almost the whole ground of these feelings seems to have been her discovery that he secretly joined Madame Maintenon in promoting the Regent's marriage with one of the King's natural daughters,—the act of his life which she uniformly speaks of with the greatest horror, and which she plainly regards as by far the most serious misfortune of her own. Compared with being the cause of a *mesalliance*, his having contributed mainly to introduce the hateful debauchery of manners which formed the great stain upon the Regent's administration, appears as nothing in the eyes of our truly legitimate author. What signifies the corruption of publick morals, in comparison with a Prince of the Blood marrying a person deficient in the just number of quarters, nay, one who actually has the cross-bar in her blazon ?

It must be confessed, that the Dutchess's belief of slander had become extremely easy during her long residence at so profligate a court, where she daily saw quite enough to convince the most charitably incredulous of the prevailing laxity of morals. We take for granted that she is generally in the right ; but one remarkable and very inexcusable mistake which she falls into, deserves to be corrected. She may do little harm by

retailing the scandal of the day against the contemptible crew that composed the court of Versailles; but a character like that of Queen Mary (King William's Mary) is sacred ground in this country, and ought to be so wherever liberty and public virtue are respected. The Dutchess thinks proper to charge that illustrious Princess with levity of conduct while she lived in Holland, and upon the worst possible authority, that of a man dishonourable enough to have boasted of enjoying her favours. The Count D'Avaux, it seems, French ambassador at the Hague, informed our author that he had himself had secret interviews with her in the apartment of Mrs Treslaine (*qu. Trelawney?*), one of her maids of honour. Happily this man added another invention to this, and thereby has enabled us easily and surely to detect both. The Prince of Orange, he said, having received information of the intimacy, dismissed the maid of honour, under some pretext, to conceal the true cause of her disgrace. Now, were we to cite the strong general testimony to the Princess's unsullied purity of conduct, to her extraordinary private as well as public virtue in all the relations of life, as borne by an historian who knew her long and well, and had lived constantly in her society in Holland as well as England, it might be said that the stories of the ambassador were true, although Bishop Burnett knew nothing of them. But those stories *cannot possibly be true* if the Bishop has not invented the words which he relates King William to have used when in the agony of his grief for her loss: He showed feelings 'greater than those who knew him best thought his temper capable of,'—'fainting often, and breaking out into most violent lamentations.' This vehemence of feeling is of itself enough to make the Frenchman's account most improbable; but what passed renders it impossible. 'He burst into tears, and cried out that there was no hope of the Queen; and that, from being the happiest, he was now going to be the miserablest creature upon earth. He said, that, *during the whole course of their marriage, he had never known one single fault in her.* There was a worth in her that nobody knew besides himself.' (*Burnett, II. 137.*) No one will suspect King William, of all the men who ever lived, of having acted this scene, had there been the least foundation for the vile calumny of D'Avaux. We are therefore left to choose between these two alternatives, either that D'Avaux deceived the Dutchess of Orleans, or that Burnett invented this scene, and made this speech for the King. Nor is the choice a matter of much difficulty. We confess, however, that even for the purpose of vindicating their memory, we feel some repugnance to introducing among the

princes and courtiers who composed the group of Louis XIV.'s court, any mention of those exalted personages, the illustrious patterns of all royal virtues, to whom the constitution of this country owes a debt of gratitude, rarely indeed due from any nation to its sovereigns.

We venture to hope, that much of the scandal which the Dutchess so freely retails against some great men, rests on no better foundation;—we allude more especially to the foul charge which she is so fond of bringing, and often in the most coarse language, of propensities not fit to be named. She hardly excepts one of the French generals in Louis XIV.'s reign. Not only Villars, by far the most distinguished during the war of the Spanish succession, but even the great Condé, and Prince Eugene himself, are sacrificed to this love of scandal, as if to show that the abomination was not confined to the French armies. It seems as if, aware of the more ordinary debaucheries of which her son was but too justly accused, she was anxious to show how many great men had fallen into excesses of a kind infinitely worse than any imputed to him. Her odious accusations are not confined to men. Our Queen Anne, Christina Queen of Sweden, and numberless others, are, we trust, calumniated by her in terms nowise fit to be cited. Indeed, we may apply to herself what she says of Christina—'Elle pouvait parler de choses qui ne sont connues que des plus grands débauchés;' but we can by no means add what one of her relations said of the same royal personage. 'Le duc Frédéric Auguste de Brunswick étoit charmé de Christine; il disoit que de sa vie il n'avoit vu de femme qui eût autant d'esprit, et dont la conversation fût aussi divertissante; il ajoutoit qu'il n'y avoit pas moyen de s'ennuyer une minute avec elle. Je lui fis observer qu'on disoit que cette reine tennait fréquemment des propos orduriers. Cela est vrai, me répondit-il; mais elle voile les choses de manière à leur faire perdre tout leur dégoût.'

It really is a very painful circumstance to reflect, that the indecency and filth which stain so many of these pages must all have been written to and read by a Princess hitherto supposed to be so great a pattern of propriety as Queen Caroline; one who certainly devoted some portion of her time to the conversation of the greatest philosophers of the age, and who was even understood to have a taste for the study of their immortal writings. That she should have permitted any one to tell, and still more to write to her familiarly, and it should seem habitually, stories like those which fill this volume, which are in general only remarkable for their coarseness and indelicacy, and

hardly one of which we have been able to quote to an end, cannot be easily accounted for upon any supposition consistent with the respect due to her character and station. We must therefore rest satisfied with expressing a hope, that the manners of the age were a good deal less refined than we had supposed, even after all we had seen preserved of them; and that her Majesty was obliged to bear with much from a person a great deal older than herself, and who stood in so near a relation to one always favourably disposed towards the House of Hanover, and of very extensive influence in political affairs.

We have remarked already the exemplary impartiality with which the Dutchess dispenses her anecdotes, without any regard either to the station or the sex of those against whom she has any thing to record; and certainly if nobles and kings fare ill under her hand, the priests have not much reason to congratulate themselves on their escape. She has, indeed, a very manifest horror of the whole tribe, founded probably upon her experience of their unprincipled lusts, their hard-hearted cruelty and pride, and their endless frauds and intrigues at the French Courts. 'C'est un malheur,' says she, 'que de grands seigneurs, tels que l'électeur palatin, Jean-Guillaume, se fassent gouverner par la prêtraille; il n'en peut résulter que des calamités. Il ferait mieux de suivre le conseil des habiles hommes d'état: laisser ses sujets en repos, et jeter son père dans le Necker. Voilà le conseil que je lui donnerais, et je croirais qu'il ne serait pas mauvais.'

Some of her most curious anecdotes indeed concern this *sacred* order. The marriage of the Queen Mother, widow of Louis XIII., with Cardinal Mazarin, who had before been her paramour, is well known; but the old priest's treatment of her is not so familiar.

'Il se lassa terriblement de la bonne reine et la traita durement, ce qui est la suite ordinaire de pareils mariages; mais c'était l'usage du temps de contracter des mariages clandestins. La reine-mère d'Angleterre, veuve de Charles I^{er}, en avait contracté également un, en épousant son chevalier d'honneur, qui la traitait aussi fort mal. Tandis que cette pauvre reine manquait de bois et de nourriture, il avait dans son appartement bon feu, et donnait de grands repas. Il s'appelait my lord German, comte de Saint-Albain: il n'adressait pas une parole douce à la reine. Quant au mariage de la reine-mère de France, on en connaît maintenant toutes les circonstances. Le chemin secret par lequel il se rendait chaque nuit chez elle, se voit encore au Palais-Royal. Lorsqu'elle venait le voir, il disait toujours, à ce qu'on prétend: Que me veut cette femme! Il était amoureux d'une dame qui était chez la reine. Je l'ai connue, elle logeait au Palais-Royal, et on la nommait madame de Brégie. Etant très-

belle, elle a fait naître bien des passions ; mais c'était une honnête femme qui a servi fidèlement la reine, et qui a fait que le cardinal a mieux vécu avec la reine qu'auparavant.' p. 320.

This crafty churchman had been libelled in every form that was most atrocious,—though probably without any violation of truth. He pretended to be extremely incensed, and had the publications all collected, for the purpose of having them burnt ; but he had them sold underhand, and as if unknown to him, and pocketed, says the Dutchess, ten thousand crowns, by thus speculating on his own reputation. The beastly anecdotes of Alberoni's rise have been related by other writers of memoirs ; by none are the details given so disgustingly as by this fair author. But the true history of the origin of St Francis de Sales, the founder of the Order of Filles de Sainte-Marie, is less known. It seems this devout personage was a sharper in his youth.

' Il avait été dans sa jeunesse lié d'amitié avec le maréchal de Villeroi, père du maréchal actuel. Aussi le maréchal ne pouvait-il jamais s'habituer à l'appeler saint. Quand on parlait devant lui de saint François de Sales, il disait : J'ai été ravi quand j'ai vu M. de Sales un saint ; il aimait à dire des gravelures et trompait au jeu ; le meilleur gentilhomme du monde, au reste, mais le plus sot.*' p. 339.

It matters not to our author that the priesthood and the highest rank should be found united ; or peradventure both combined in the softer sex. She tells us of a daughter of Frederick V., elector Palatine, who was Abbess of Maubuisson, and whose constant oath when she swore, was (with reference to the number of bastards whom she had born), '*Par ce ventre qui a porté quatorze enfans.*' The following anecdote is more in the ordinary manner of the priestly nobility.

' Il y a un évêque de qualité, assez jeune mais laid, qui était d'abord si dévot qu'il voulait se mettre à la Trappe ; il portait les cheveux plats, et n'osait pas regarder une femme. Ayant appris que dans la ville où il siégeait, il y avait une pécheresse dont les galanteries étaient fameuses, il eut envie de la convertir, et la faire aller à confesse. C'était, dit-on, une très-jolie femme, ayant de plus beaucoup d'esprit. A peine l'évêque avait-il commencé de la fré-

* ' M. de Cosnac, archevêque d'Aix, était très-vicieux, quand il apprit que l'on venait de canoniser saint François de Sales. Quoi ! s'écria-t-il, M. de Genève, mon ancien ami ? Je suis charmé de la fortune qu'il vient de faire : c'était un galant homme, un aimable homme, et même un honnête homme, quoiqu'il trichât au piquet, où nous avons souvent joué ensemble. Mais, monseigneur, lui dit-on, est-il possible qu'un saint friponne au jeu ? Ho ! répliqua l'archevêque, il disait, pour ses raisons, que ce qu'il gagnait était pour les pauvres. !'

quenter, qu'il prit soin de ses cheveux. D'abord il y mit de la poudre, puis il les frisa, et à la fin il mordit si bien à l'hameçon qu'il ne quitta plus la jolie pécheresse, ni jour ni nuit. Son clergé osa l'exhorter de faire cesser le scandale ; mais il répondit que si le clergé ne cessait de lui faire des remontrances, il lui ferait donner des coups. A la fin il se promena en voiture dans la ville avec sa pénitente. Le peuple en devint si furieux qu'il lui jeta des pierres ; à ces nouvelles, ses parens se sont rendus dans son diocèse, pour l'exhorter à leur tour ; mais il n'a voulu recevoir que sa mère, encore n'a-t-il point écouté ses avis. Alors les parens se sont adressés au régent, pour qu'il fit venir la femme à Paris : ce qui a eu lieu. Mais l'amant l'a suivie pas à pas, et l'a reprise ; il a fallu la lui enlever par une lettre de cachet. On dit que l'exempt les a trouvés couchés ensemble : on a conduit la femme dans une maison de correction. L'évêque est désespéré, et déclare qu'il ne pardonnera jamais à ses parens l'affront qu'ils lui ont fait.' pp. 325, 326.

The considerate and unprejudiced reader of this volume, cannot fail to rise from the perusal with an increased respect for the most important, the most virtuous, and, we may now safely say, not the least refined class of society—that which occupies the middle rank, approaching more nearly, and connected more intimately, with the lower than the higher orders. It is at least abundantly evident, that, in grossness of idea, in coarseness of expression, in a familiarity with thoughts which are impure, and a proneness to make those thoughts the subject of conversation, in language alike degrading to the speaker and the hearer—the very highest class of all approaches most closely to the lowest of the vulgar. We will suppose a young woman taken, not from the best educated ranks of society, those which are placed above all pecuniary difficulty, without being above the controul of publick opinion—taken not even from the better parts of the middle class, where ease of circumstances is to be found without the highest refinement—but taken from those classes which know few of the luxuries of life, and not many of its comforts—we might descend still lower, to the class which, with a moderate share of comfort, is not always above the fear of want—and suppose a young woman of this class leaving her home, and marrying into a family of her own rank, whose adventures form the subject of her correspondence with the relatives whom she has left behind—in the first place, we have the testimony of the Editor, who saw the originals of the Dutchess's letters, that, in language and spelling, our yeoman's or mechanic's daughter could not fall short of the Princess—and in every thing that deserves the name of purity and refinement, can a comparison for a moment be instituted? Ideas which the peasant would reject with loathing, not from igno-

rance, but natural and virtuous disgust, are selected for constant meditation and sedulous handling by the dame of three score and twelve quarters;—expressions which neither she could, nor her brother would use, are habitually bandied about by the grandee, to women and to men indiscriminately; and the superior refinement which the atmosphere of a palace has given its inhabitants, resolves itself into the learning of not a few things so odious, so far removed from the course of nature, that the tenants of the workshop and the farm-house live and die in a happy ignorance of their existence, or, when taught them by the writings of their superiors, disbelieve their possibility. We are now leaving altogether out of view the contrast which the two stations present of hardheartedness, selfishness and fraud, with kindness and tenderness and honesty; and indeed we have nothing, in respect of these mightier matters, of which to accuse the author whose letters lie before us. Few in her station can be named, who, to great natural sagacity, united so much frankness of disposition, and so much real kindness, without affectation or cant; but we speak merely of the coarseness of her and her connexions, which is to the full as remarkable as the gross profligacy and criminal indulgence of all kinds in which the court she lived in rioted without restraint. When we find such want of propriety and delicacy in this quarter, let it further be borne in mind, that we are speaking of one of the very greatest ladies in all Europe; the niece of the Electress Sophia by birth, and sister of Louis XIV. by marriage. We are speaking, too, of the most polished court, at the most polished period of modern times—the Augustan age of France.

That what is properly termed refinement, the utmost delicacy of sentiment and feeling, may exist in very humble life, is a truth which every day's experience will tend more and more to inculcate. In proportion as even the lowest classes of society learn to withdraw their affections from the vulgar enjoyments of the senses and to fix them upon intellectual gratification, their thoughts will be more exalted, and their words and actions become more pure. Whoever has read one of the most delightful pieces of biography that exists, the early life of Marmontel, written by himself, must long ago have come to the important conclusion that a delicacy of mind, and an elegance of taste almost romantic, are perfectly compatible with a state of poverty hardly to be envied by the poorest of our peasantry; and there is not a cottage in the whole kingdom where equal refinement and equal happiness might not be naturalized, by banishing ardent spirits, infusing a taste for books, and teaching children from their youth upwards to place half their enjoyment on the prosperity

and the affection of those around them. This is the point at which society may arrive, and to which it is tending—in spite of the interested efforts of its deceivers and oppressors: But we have digressed from our purpose, which was to show how much better the middle classes now are, even in their unimproved state, than the highest of all, in the very delicacies which these have been wont to claim as peculiarly their own. We are not thoughtless enough, or prejudiced enough, or ignorant enough, to institute any such comparison with the ranks immediately above them, and below the highest; because in these, until corruption has destroyed it, refinement must always be expected to prevail in its purest state. But these too would swiftly feel the debasing effects of exaltation, if the wholesome checks under which they lived were removed.

We cannot dismiss this work without adding a few words upon the kind of publications which have lately issued from the press both of France and England, under the title of *Memoirs*. The Dutchess of Orleans, no doubt, wrote without the least expectation that her memorable Letters would ever see the light; but as they disclose nothing which affects any person living for near a century past, and as they almost exclusively regard sovereigns, their immediate connexions, and persons in great offices about their courts, the offence of giving them publicity is of inferior moment, and of less bad example. But some details and some letters have of late been made publick which affect many private individuals, many of whom are still living, and all of whom have their nearest and dearest relatives alive to feel the cruel effects of such an unwarrantable license. The infamous *Memoirs of M. de Lauzun* stand at the head of this class. A wretch having been base enough to chronicle his own intrigues, there were found tradesmen so abandoned as to print them, without the disguise of a single name, and hundreds, of course, so thoughtless, or rather so neglectful of their duty, as to encourage this outrage upon society by buying and reading the book. It must be some satisfaction, at least, to those who are foully calumniated in its pages, that so much of it is manifestly, and on a cursory perusal, perceived to be wholly false, (some things being plainly impossible to be true), that all authority is taken away from its statements generally. But the guilt of the author and the publisher is hardly increased by the falsehood which is every where mingled with the details; the crime against society consists in the scandalous breach of all confidence to which the work owes its origin, and more especially the foul dishonour of divulging secrets, of which, as far as the details are true, the writer could only become possessed

through the frailty of persons whose affections he had seduced. The example of the Frenchman, though not in its worst feature, has been followed more recently by some of our own countrymen, to whose works we purposely abstain from making any more particular allusion,—desirous to do nothing which, by increasing their publicity, might aggravate the great mischief, of which, in common with every rational person, we complain. It is impossible, however, to omit the opportunity of reprobating both the recent increase of such publications, and the tacit encouragement that is given to them, by their purchase and perusal, even by those who most cordially disapprove of the practice.

Lord Byron, it seems, had amused his leisure hours by writing memoirs of his own life. In these he appears to have set down many things which ought never to have met the publick eye; and not a few which should have been confined for ever to himself and the other parties immediately concerned. He made a present of the manuscript to Mr Moore, whose honourable feelings decided against making it publick, and it was destroyed. By this act of strict propriety he sacrificed, as is understood, a large sum of money which had been offered for the copy-right.

Nothing can be more absurd than the clamour that was raised, especially by some of the newspapers, upon this suppression. They represented the publick as *defrauded of its rights*;—as if the publick had a title to that which it would be a violation of all decorum—an offence against the most sacred laws of society—an outrage upon every honourable feeling to divulge; as if, because Lord Byron had written what he had no right to put upon paper, another was bound to preserve it for ever;—as if Lord Byron's intention, at some time, to print what he was bound never to have even told, gave a right to, nay, imposed a duty upon, his surviving friend, instantly to have it circulated in a book, and copied into every newspaper in the three kingdoms! As well might an unfeeling mob contend, that the keepers of a madman defrauded them of their sport. The meaning of all this outcry, however, was plain enough: The public have, especially of late years, become voracious of all gossip respecting individuals: if it be mixed up with slander, the relish is higher; but mere idle gossip is thankfully received. They knew the memoirs must contain abundance of this plain matter at the least, and they thought it probably might have the seasoning also. They and the newspapers, therefore (which but too often degrade themselves from their important functions of instructing the country, and assume the office of pandering

to its most silly, or most hateful propensities), were disappointed of an expected gratification, and gave plain indications how thankfully it would have been received.

This demand was speedily supplied, and in a manner infinitely more reprehensible than by the publication of Lord Byron's Memoirs. Persons who had enjoyed the honour of Lord Byron's intimate acquaintance,—who had been admitted to his most private society,—who had (some of them, we believe) been fed by his liberal charities, set down whatever had passed in the most unguarded moments of their unreserved intercourse, and sell the whole to booksellers, by whom they are published! This is their own statement; and supposing it to be scrupulously true,* and that such a proceeding is to be not only borne, but encouraged and rewarded by the community, we shall only say, that those who tolerate and patronize, by purchasing such works, and suffering them to lie on their tables, have themselves alone to blame if another step be speedily made in the process of universal publicity, and their servants led to disclose all the details of their most private affairs and most unguarded conversations to some bookmaker, who may put them in shape for some bookseller to publish. We presume the 'publick' would then be put in full possession of its 'rights;' and the addition of '*Pièces justificatives*,'—'*Proofs and Illustrations*,' in the form of Letters and Notes, picked up as they were dropt occasionally, would complete the '*Art d'écrire l'Histoire*,'—the Art of writing Domestic History!

We are now speaking of the most authentick statements that can be given of matters free from any slander. The conversations shall be all correctly given, and contain nothing but unquestionable facts, and no crime, nor even any impropriety of conduct, shall be imputed to the persons whose secret lives are dragged forth, and whose domestic talk is thus put on record during their lifetime, or that of their immediate relations. We might even admit that it should be so contrived as that no *ridicule* could attach to the individuals named—still a gross outrage is committed, and such proceedings utterly destroy the whole comforts of society.

But what classes in the community have the deepest interest in putting down such practices? Undeniably those classes which have encouraged, if not created them,—the upper classes of society. There is little fear of the lives and colloquies of ploughmen and milkmaids, footmen and waiting

* Much has been published with a view to show that the statements are untrue; but, in our view of the case, this question is of secondary importance, and we abstain from entering into it.

women, or even yeomen and tradesmen, becoming food for the curiosity of the reading world; and if they were all chronicled, little or no pain would be inflicted. The demand is confined to the concerns of the higher orders; they are sure to furnish matter which will interest every reader; while its publication is hurtful chiefly to them, because it destroys that intercourse of private society, which is to all a great source of enjoyment, to many the only object of life. Is it not marvellous, then, that *they* should be the persons who promote beyond all others, an evil which themselves alone are menaced with—nay, which is an evil only to them? Assuming them to be the real encouragers of such reprehensible publications as we are alluding to, we would remind them very seriously of the risk they are running, nay, of the danger into which they have already gotten themselves. We suppose the booksellers may have given five hundred pounds for some of those works. The waiting-maid of a woman of fashion has perhaps forty pounds a year; and if she loses one place, she may change her name and find another. What a temptation to such a female would a fortune of 500*l.* be! and can the bookseller be hard to find who will give this for all the secrets of some distinguished family, when there has not been wanting avarice shameless enough to buy and sell the disgusting anecdotes that have lately polluted the press;—including, among others, as we are credibly informed, for we have nor read it, the letter of a husband describing his marriage night? Yet, what right would any woman of fashion have to complain of publicity given to her most private life, who has either purchased such books, or laid on her tables newspapers filled with extracts from them, and accompanied with no one comment or even hint, of disapprobation—and how indeed can they condemn the publication of that which they are in the act of making still more public?

We submit these reflexions to the publick generally, but especially to the higher classes, warning them, that if they do not at once set their faces against practices so pernicious, the mischief must of necessity go on, increasing, until either all social intercourse is destroyed, or all feeling eradicated of delicacy, propriety, and shame. We have no manner of doubt that the classes of society to which we allude will join loudly enough in the reprobation of what has been done, will feel all the alarm which the risk they run so fully justifies,—and will, as usual, vent their spleen upon the newspapers and the press! Let them reflect, however, who alone it is that encourages the mischief they reprehend, and they will find that the danger which they dread is of their own creating, and that they are the only persons who have no right to complain.

ART. III. *Plans for the Government and Liberal Instruction of Boys in large Numbers, drawn from Experience.* 8vo. pp. 238. London, 1823.

THIS is a remarkably clever and sensible little book, on the principles and theory of Education,—illustrated by a very clear and interesting account of a large experimental establishment which has been maintained, with constantly increasing success, at Hazelwood, in the neighbourhood of Birmingham, for nearly ten years. The soundness, manliness, and modesty of the views that are taken in the theoretical part, incline us to defer very much to the practical suggestions to which the author has been conducted; and give us at all events the most implicit confidence not only in the substantial truth, but in the absolute accuracy of the statement he has recorded of the result. We must add, however, that we do not go along with him in the importance he ascribes to all these suggestions; and suspect that he has fallen into the common error of imputing to some favourite device or contrivance, in itself altogether inoperative, or worse, that success which is truly due to the general spirit of diligence and good sense with which the undertaking is practically conducted, and which would have been equally conspicuous under any other harmless scheme of forms and observances. Such forms, we are disposed to think, are often in education of no more value than rites and ceremonies are in religion—sometimes disturbing the true spirit of rational devotion, and sometimes slightly promoting it—but never essential to its support, and capable of being infinitely varied, without prejudice or benefit to the cause.

Our readers, however, will be better able to judge of the value of our scepticism in those particulars, when they know the extent of it on the whole subject of education; and, as we could not well explain our opinion of the improvements suggested in the volume before us, without explaining our notions as to the necessary limit of all such improvements, we shall take the liberty of premising a few words on this subject, before giving any particular account of the establishment at Hazelwood, and the doctrines of its able conductors.

It is impossible for any persons to have a deeper conviction than we have of the infinite importance of extending the means of instruction to as large a portion of the population as possible, and consequently of the value of those arrangements by which the time and the money necessary for such instruction

may be best economized. Upon these points we have no doubt or hesitation; and the whole tenor of our speculations has shown, we trust, that we have no want of confidence or zeal. But we profess, in the first place, an entire unbelief in all projects for regenerating mankind, and giving a new character to future generations, by certain trite or fantastic schemes of education. In the next place, we have great doubts whether any thing material can be done towards the formation of moral character or habits, by any course of early or elementary instruction, or any thing, in short, that depends on schools and preceptors; And finally, we consider it as of no very great importance, even as to the culture of the understanding, what the studies are to which the time of the pupils is preferably devoted in such seminaries,—or in pursuit of what acquirements they acquire habits of attention, self-command, and reflection. On the first of these articles of unbelief we suppose we need say nothing, as we do not find that the extravagances of Mr Owen are making much way in the world. But as to the other two, we wish to be indulged with a few words of explanation.

Moral character, principles, or character in general, are not formed by precepts inculcated at school, or by observations made, or experience collected in that narrow and artificial society,—but by the unconscious adoption of the maxims and practices that prevail among the free agents around us, and the spontaneous assimilation of manners and sentiments which results from this contagion. The true measure of morality, to which every man is primarily and passively trained, is that of the age and country in which he lives, and the class and circle of society to which he belongs. He may improve upon this, or degenerate from it, according to the strength of his reason, his passions, or temptations; but this is the fixed point, from which these variations are calculated, and from which, in the great majority of cases, they never recede very widely. The *society* of a school may have a little share in the adjustment of this standard,—but its discipline and training scarcely any. The habitual sentiments and habits of the boys, in their idle and unrestrained intercourse with each other, will no doubt form a part of it, and it may even be affected by the master's habits and conduct in private life, in so far as these come under their observation: But all the intercourse that is regulated, all the training that is imposed, will go nearly for nothing as to the formation either of habits or of opinions.

All children, at every school,—and we may almost say in every home,—are taught the same precepts of morality,—warned against

lying, and thieving, and gluttony, and quarrelling,—and exhorted to be industrious, obedient, and obliging. Nay, they are not only taught these doctrines, but they are all aware, generally, of their truth. They know well enough what is right and what is wrong—and why things are called the one or the other. What they do *not* know, is the true practical *extent* of the penalties which would be incurred by doing wrong—and the advantages that may be secured by doing right. But it is entirely according to their views of these, that their power or disposition to resist temptation can be measured,—or, in other words, their moral character and moral conduct. Now, under the artificial discipline and arrangements of a school, these penalties and advantages never exist in the same proportion as in the natural world; and, in spite of all the cunning contrivances that may be resorted to, are known all the while to the boys not to exist in that proportion. Wrong, on the whole, is much more certainly and severely punished, and merit much more certainly and signally rewarded, in these seminaries than out of them;—and though the conduct of the boys, while subjected to this discipline, may consequently be accommodated to its severer rules, they know perfectly well that a greater latitude is habitually assumed by those who are not subject to it, and square their notions of morality and purposes of general conduct by the standard of the *free* agents, and not of the subjects to authority around them. Even if it could be supposed that they were kept under any delusion in this respect while at school, and really believed that there was no other practical standard of morality than that which was there established, it is plain that this illusion would be dissipated as soon as they entered the world, and that the discovery would probably tend to discredit rather than to confirm that part of their early training which was in conformity with more natural maxims.

Some few men, of bold and vigorous understanding, may find their morality on reflection, and regulate their conduct by principles which they have thoroughly weighed and digested into a system. This, however, can never happen in early life—and by far the greater number never give themselves any trouble about the matter; but are guided, in their notions and their actions, by that practical standard, of the general opinion of their equals and their own experience of consequences, to which we have already referred. Men, in point of fact, always follow their inclinations, and yield to their passions, as far as it is safe, or not plainly dangerous to do so: the only real check being that fear of consequences, that anticipation of the ultimate pains of indulgence, which this standard supplies. It is quite

plain, however, that these consequences and these deterring pains are quite different, both in amount and in certainty, in the artificial society of the best regulated school, and in the common world—that world from which the boys came when they went to school, to which they must return when they leave it, and of which they have all the time such glimpses and specimens as to keep them perfectly in mind that it is the only real world by which their conduct is to be judged, and their place among their fellows determined.

While this is the case, it really seems quite idle to expect that any permanent effect on the moral character will ever be produced, either by the precepts or the constrained practices of a school. In so far as those are merely coincident with the great course of training, which the general opinions and practices of the world is imposing on all who live in it, they may be regarded as merely indifferent. In so far as they differ from, or outgo that general training, it seems impossible to suppose that they should produce either habits or sentiments that will outlast the constraint in which they originate;—and we might as reasonably expect the pupils of such seminaries, to go on all their lives rising at five, and going to bed at nine, as to find them generally adhering to a more rigid and exact observance of morality than prevails among their natural associates in the world, in virtue of any doctrines or practices that had been imposed on them at school.

On these and on other grounds, we profess to set the least possible value on the effects of institutes and arrangements for teaching a patent morality at schools; and are persuaded that the best that can be said of the elaborate contrivances and ingenious machinery that have been resorted to for this purpose, is that they do no harm, and produce no permanent effect whatsoever;—so that the year after the boy has left the school, he will be precisely in the same state, as to actual and prospective vice and virtue, as if he had been all the time at home, or in the hands of some old-fashioned preceptor, who used no contrivances at all, and adopted no precautions but such as common sense and common affection must prompt to every one in his situation.

So much for our scepticism as to the effects of *moral* training in schools. As to *intellectual* culture again, it goes this length, —that all that is really worth caring about in early education being the regular exercise of the faculties, it is no great matter in the acquisition of what kinds of knowledge they are so exercised; and that it is scarcely worth while to dispute about the relative value and utility of any one study that can be adopted among rational men, as compared with any other. Systems

of education, it should always be remembered, can be of use only to ordinary minds, and in ordinary situations: For, not only will Genius always develop itself, but wherever strong motives exist for the cultivation of any branch of knowledge, it will infallibly be cultivated,—and that whether this motive consist in a peculiar natural propensity for the study, or in some accidental circumstance that has made it a requisite for professional advancement, or a necessary tool for the work of ambition, cupidity, or any other strong passion. These motives, however, can scarcely have much force in very early life; and if there be an habitual course of education established in any country, it must obviously be independent of such considerations. Now, after reading and writing, about the precedence of which rational men will *not* dispute, we profess to hold it as a matter of great indifference to what branch of study the attention of boys is primarily directed,—and think Greek and Latin really as good as any thing else.

It is very true that the knowledge of those languages is not of itself indispensable, or very certainly useful for most of the important pursuits or enjoyments of life; and it is also true, that more than half of those whose chief occupation they form for five or six years, never acquire any comfortable use of them, and have apparently but little pleasure or profit from the knowledge they have been trying to acquire. But then, in the course of these laborious and apparently unprosperous attempts, they have almost infallibly acquired those habits of spontaneous and continued attention—of methodical observation and memory—of abstraction and generalization, and even in some degree of taste, judgment, and invention, which are not only useful, but in reality indispensable for any serious occupation—and that in all probability as easily and quickly as they could have been acquired by any other course of application. It is plain, however, that it is in the acquisition of these habits that the main benefit of education consists; and, whatever teaches them most effectually, is the best course of education.

Without entering at all into the idle dispute as to the uses and advantages of classical learning in general, it is but fair to state, that it can never be justly considered as limited to a mere acquaintance with the words of a foreign language, but necessarily imports the acquisition of a good deal of historical and geographical knowledge, and a pretty extensive acquaintance with some of the best specimens of eloquence, reasoning and anecdote, that are yet to be found in the world. It is quite absurd, too, to suppose that, in any modern scheme of education, the attention of the pupil is *exclusively* directed to the study of those languages, or that there is not, in

reality, time enough for the simultaneous acquisition of any other accomplishment. There is no seminary, we believe, in these kingdoms, public or private, where the classical tongues now possess any such monopoly; and it is matter of notoriety, that they are almost always conjoined with the study of arithmetic, French, mathematics, and drawing, and generally with some history, natural philosophy and metaphysics, or theology, besides a sufficient institution in the accomplishments of dancing, horsemanship, fencing, and other gymnastics. There is time enough, we find, for making a reasonable proficiency in all those studies, languages included, between that period of life when mere play begins to become irksome to the expanding intellect, and the period when the task of instruction and the duty of superintendence can be safely brought to a close. For those who are not obliged to earn their subsistence by bodily labour as soon as their physical strength is at all matured, it is plainly expedient that all this interval should be devoted to the acquisition of knowledge, or rather of good intellectual habits and exercises—and it has always appeared to us, that any occupation which led to the cultivation of such habits, was nearly as good as any other; and that the choice might safely be left either to the restlessness of the present, or the wisdom of the last generation.

The study of the ancient languages, as now conducted in all good schools, seems to us quite as fit to exercise the attention, the memory, and the powers of analysis, combination and taste, as any other study that can be suggested. In itself, indeed, we do not know that it is entitled to a preference over many other studies. But so long as a certain knowledge of these tongues is generally considered as the badge of a liberal education, we apprehend that *it is entitled* to a preference. The error, if it be an error, is not in those who originally planned or now persist in that mode of education, but in the body of intelligent society, which requires from all well bred persons a knowledge which no other education can supply. In this sense, no knowledge is so truly useful and indispensable as that of Greek and Latin; since, without it, a man can scarcely take his place in the ranks of polite and intelligent society, or, at least, must be continually exposed to mortifications of the most awkward description. Accompanied and diversified as the classical training of our youth now is with so many other pursuits, what is there, we would ask, that we could substitute for it with advantage as the staple of the complex education? Would it really do any good to leave out our grammars and dictionaries, and teach boys of 13 to parrot over the names of plants or minerals—or to go through the foppery of landsurveying or astronomical ob-

servation? Is it at all more likely that a greater part of boys so educated would turn out botanists and geologists—than our schools now turn out of Greek scholars? Would their knowledge be more likely to fall in with their after occupations in life? Would it be half so producible in society? Would it not be much more likely to make them awkward from the feeling of its uselessness, or conceited from a notion of its rarity? And is it not true, on the whole, that most of those acquisitions, depending in great part on mere memory or manual dexterity, do, in point of fact, give less exercise to the intellectual faculties, and cultivate less effectually those habits that lead to their *social* development, than the old, monkish, traditionary study of the classics, which the *Chrestomaths* of the present day hold in so slender reverence? We have no sort of horror at innovation, and rather like trying experiments:—But we have a considerable distrust of all who pretend to make discoveries in morals and education. We suspect vehemently that the faculties will develop themselves, with nearly equal rapidity and sureness, under *any* rational system of training from boyhood to manhood; and are very much tempted to believe, that all the real improvements that have been made in education amount only to this, not that the boys become sooner men, or wiser men, but that they have more play, or less useless suffering, in the course of the transition.

In our view of the matter, then, the only material improvements in Education will be found to resolve into saving of money,—saving of time,—and saving of suffering, to the children, or to their teachers. The first two branches, and they are in that view of incalculable importance, relate chiefly to the lower classes of society; but it is curious to see how they all run into each other. The *expense* of education is saved chiefly by saving the *time* employed in it; and as the great source of *suffering* is in the prolongation of irksome and useless restraints, this also is relieved by the same contrivance. Considered abstractly, however, the objects of the three classes of improvements are no doubt distinct, and the means taken to attain them may be shortly described as follows. Money is saved mainly by teaching faster, but in no small degree also by enabling one master effectually to teach a greater number of children,—an end which is accomplished by making the more advanced and intelligent of the children teach the rest,—by their distribution into classes, and by an enlightened system of reports by the monitors, and constant inspection by the master. The object is farther promoted, by great saving in the use of books and other implements, as by writing the lessons on slates, or black boards,—forming letters in sand, or with chalk,—and other ingenious

contrivances. The economy of time is chiefly effected by making the pupils really work all the time they are in school, instead of sitting idle and wretched, to learn habits of inattention while the others are employed,—by making their tasks short, and the changes of employment frequent,—and by reducing the elementary instruction to the greatest possible simplicity, and making the progress to more complicated operations at once gradual and incessant. The diminution of suffering, however, is the most important, and was, till very lately, the most necessary of all those improvements; for, in spite of the sentimental sayings we constantly meet with about the felicity of school-boys, we are persuaded that there was a great deal of misery most unnecessarily inflicted in that course of education. The abominable practice of keeping boys shut up in school for five or six hours, who had often learned and said all they had to learn or say in as many minutes, was almost universal; and, taken together with the cruel and degrading punishments, and the fear of them,—the cumbrous uniformity of progress imposed on a large body, alike distressing to the clever by its slowness, and to the dull by its rapidity,—the long-continued monotony of the leading occupations,—the despotic authority of the master, unbroken by any intermediate body, and naturally aggravated, therefore, by the existence or the suspicions of favouritism and antipathy, and the absurd system of formal at least, and apparent tyranny, often established among the boys themselves, which, though generally innoxious, was unspeakably grievous to many gentle spirits,—made altogether a sad inroad on the enjoyments of this naturally happy period of existence, and threw some deep shades across the brightness of this boyish Elysium.

Most of these evils, however, have been greatly mitigated, and many of them entirely cured, in the recent practice of most of our respectable seminaries. But we must say, that we have neither seen any where so good a system of suggestions for their entire abolition, nor heard of any actual establishment where they have been so thoroughly excluded, as in the observations that are made, and the practices that are described, in the volume before us. We ought perhaps to follow the example of the ingenious author, in beginning with a clear account of the practice; but we think it is fairer to him to premise the few following observations, in which he sets forth his claim to a candid hearing and a favourable interpretation, in a manner which we are confident will bespeak the respect and attention of all intelligent readers.

‘No topic of complaint is more common among professional men, than that of ignorant interference. The physician inveighs against

quacks; the attorney ironically thanks the author of "Every Man his own Lawyer," for the increase of litigation; and the public teacher, when pestered with hints and objections, sighs at the recollection of the implicit confidence with which parents of the last generation intrusted their offspring to the experience of his predecessors.

* But professional men should not forget that some of the most eminent of their number were intruders;—that John Hunter did not sit down to study anatomy, until he had passed many years at the carpenter's bench;—that Erskine had served both in the army and the navy, before he became a lawyer;—and that Joseph Lancaster, who has so much improved the machinery of elementary education, long exercised the trade of a basket-maker.

‘ Still the professional man, though not bound to follow implicitly the suggestions of his friends, ought by no means to turn a deaf ear to them; for a valuable hint may be thrown out by one who would in vain attempt to form a system. Long familiarity will ever tend to render us insensible to many imperfections, which are at once detected by the unpractised; and the bystander's want of skill is often more than compensated by his freedom from prejudice. Mental habitudes are at least as powerful as those of the body, and not at all more visible to their possessors. If Sir Joshua Reynolds carefully listened to the criticisms of children, few men, we conceive, would be degraded by giving some moments of their attention to even the casual remarks of those whose opinions are unfettered by system.’

‘ We claim no praise for the candour of our opinions, as we have in some degree taken them “upon compulsion;” for we have found, that while few have hitherto presumed to discuss with their physician the correctness of his prescriptions, and still fewer to follow their legal adviser through all the mazes of his practice, every one considers himself, as a matter of course, a complete adept in the science of education; and it has been for some time held as an axiom, that the only good reason for sending children to school, is want of time on the part of the parent for their instruction at home. We doubt if a man could be found in the three kingdoms, sufficiently vain to make a similar avowal with respect to the repair of his old shoes. Such being the state of public opinion, we have found it convenient to bring our own ideas on the subject as near to it as possible; but although, as we have shown, something has been accomplished in this way, much remains to be done; for we have never succeeded in ridding ourselves of the prejudice, that it is one thing to have learnt, and another to be able to teach; that it is very possible to possess vast stores of knowledge without being able to impart them, even to the willing and anxious pupil; and that to fix the volatile, stimulate the sluggish, and overcome the obstinate, demands an acquaintance with the human mind, not quite innate, nor likely to be gained without some experience.’ pp. 70-73.

‘ We are told (and, after what we have said, we ought not perhaps to deny the position,) that the bystander sees most of the game;

but we venture humbly to suggest, that he cannot possess this superiority, unless he be so placed as to see the whole board; for if his view of part of it be intercepted by a head or an elbow, he will be very likely to form erroneous conclusions. A good player will sacrifice many a choice move, because he cannot spare a particular piece from its place; but if the spectator be so situated that he cannot see the reason of the detention, he will be very likely to attribute to inadvertence, that which is the result of deeper investigation than his own. In like manner, we have often had parts of our plan the subject of criticism, from which we could readily have defended them, if we could have entered into an examination of the whole system; but this is not to be done in the short time which a teacher can subtract from his labours for the purpose of oral explanation. This full investigation we are about to commence: we have already laid before our readers an exposition of our means.' pp. 75-76.

The school, which contains about 100 boys from nine to seventeen years of age, has been established since 1815 under the charge of Mr T. W. Hill, the head master, assisted by three of his sons and four other teachers. The most remarkable, and perhaps the most questionable feature in its constitution, is the admission of the boys themselves into a share of the government, and the creation of an elective legislature, judiciary, and executive among them, in all the forms of law. The laws, which extend to every thing but the hours and species of teaching, are enacted by a committee elected by the boys themselves, but are not finally of authority till they obtain the assent of the head master. This same committee also appoints a chairman, and secretary, and keeper of the records;—and then a judge and magistrate, an attorney-general, a sheriff, a clerk, and two constables. In order to maintain these officers in a due dependence on their constituents, the founders of the Hazelwood constitution have gone even beyond the advocates of annual parliaments, and limited the endurance, both of the legislative committee and all the judicial officers, to one month. All offences are tried by a jury of six boys, presided by the judge; and a regular record is kept of the proceeding. The constables and magistrate are bound to give information of every delinquency, and to carry the sentences—which the master, however, can always mitigate or remit—into execution. The punishments consist occasionally in a short imprisonment, but chiefly in the forfeiture of certain counters which form the currency of the school, and are earned by various sorts of merit, and by voluntary labour.

This system of currency may be said to form the second great peculiarity of this institution. They are originally issued by the different teachers as rewards, either for general excel-

lence, or more commonly for spontaneous exercises, or work done for the express purpose of earning them; and their use is to enable those who incur penalties to discharge them, in this way, out of the fruits of their former deservings; or, if not exhausted in that less creditable way, to purchase general rank in school, or even holidays, and half holidays, in certain situations. The work by which this valuable currency is to be acquired, is left entirely to the choice of the boys themselves; every proof of voluntary exertion, in any way within the line of their studies, being thus rewarded to some extent or other—though the value set upon it is left to the discretion of the teacher—subject, however, to an appeal to the legislative committee. The desire to obtain these counters, or marks, as they are called, is said by Mr Hill to be very great—prudent boys, he assures us, are never without several hundreds of them, and some can even count their riches by thousands. The number to be forfeited for any common fault or negligence is settled by the law; the mulct for any offence tried by jury, is of course assessed by their verdict. Delinquents who have no marks to liquidate their fines, are detained in the school-room, and obliged to rise earlier in the morning than the rest. If they seem hardened or desperate in their insolvency, they are handed over to some of the elder boys, who urge and help them to work, till their affairs are somewhat retrieved. Besides this vulgar currency, which is chiefly of use to measure and pay off the consequences of transgressions, there is another, which is used only and purely for the reward of merit, though capable, like the other, of accumulation, and conversion into all kinds of advantages.—This is the author's account of it.

Besides the counters already mentioned, rewards of another description are given, which we call premial marks: these can only be obtained by productions of the very best quality, and, unlike the penal marks, are strictly personal; that is, they cannot be transferred from one boy to another: with a certain number of them, a boy may purchase for himself an additional holiday, which can be obtained by no other means; and in the payment of penalties, they may be commuted at an established rate for penal marks. To prevent unnecessary interference in the arrangements of the school, the purchase of holiday with premial marks is confined to a certain afternoon in each week, when any one who is able may obtain his liberty. But an inducement to save their premial marks is offered to the boys by making them the means of procuring rank. Thus once and sometimes twice in every half year, (according to the number of weeks from vacation to vacation), the first place is put up to auction, and given to the boy who is willing to sacrifice for it the greatest number of premial marks: the second place is then sold in the same manner, and so on. By these means the possession of premial marks is

made to bear upon the determination of the prizes; and so powerful is the motive thus created, that we find, on an examination of the accounts, that a boy of fourteen, now in the school, although constantly in the possession of marks amply sufficient to obtain a holiday per week, has bought but three quarters of a day's relaxation during the whole of the last year. The same boy, at a late arrangement, purchased his place on the list by a sacrifice of marks, sufficient to have obtained for him twenty-six half days' exemption from the labour and confinement of the school.' pp. 28, 29.

Upon this part of the system we have not a great deal to say. At first sight we were disposed to treat this popular legislature, in which one of the teachers is always entitled to sit, and these solemn jury-trials, where the *veto* of the master can always render the verdict inoperative, as but feeble and puerile attempts to disguise that actual despotism which seems inseparable from all such establishments. We begin, however, to have other thoughts when we are assured, that the teacher has often been left in a minority in the legislative committee; that though almost all the laws, and changes in the laws, have originated with the boys, the master has never once had occasion to interpose his *veto*, or even to hesitate about his assent; and that, in the innumerable verdicts that have been submitted to him in the last seven years, there have not been more than five or six from which he was inclined to dissent. There is something childish, no doubt, in the fine names of Legislators, Judges, and Attorneys-General, under the sanction of which, boys of thirteen or fourteen proceed to investigate into the delinquency of coming too late into school, pocketing a stray pencil, or breaking an associate's bat; and we confess we do not much believe either that offences are more effectually prevented by this splendid apparatus, or that the performers in these masquerades are either trained by them to any extraordinary perfection of morality, or fitted for the exercise of such high functions as are here anticipated, in actual life. In these respects, we must take leave to consider Mr Hill's judicial establishments as little better than harmless pageants, with which the boys may be very innocently amused, and at which grown men may very well be permitted to smile. In another view, however—(though we could wish at all events to see the ridicule of the fine names done away)—his contrivances may be of higher utility. By softening the rigour of the master's authority, and giving the boys an interest in the maintenance of that discipline against which they are naturally inclined to murmur, they probably render the situation of both more comfortable; and remove all that suffering which arises from dread of severity or belief of partiality on the one part, and from consciousness of unpopularity

on the other. It is one splendid testimony in favour of this new system of discipline, that under it all corporal, and indeed all degrading punishments, have been found unnecessary; and that perfect order and regularity have been maintained without any other infliction than a very little *extra* confinement, temporary incapacity from offices of honour, and the forfeiture of certain sums of the currency we have already described.

As to the establishment of that currency, or the coining into permanent and exchangeable tokens the whole value of all kinds of school merit, the idea, we confess, appears to us extremely ingenious; and as we are here assured that it works admirably in practice, we are inclined to give Mr Hill great credit for the invention. It has no doubt, at first sight, the air of being too troublesome and artificial; but this, we are aware, is an impression that the description of any new method for accomplishing a familiar object is always apt to create. As it tends to equalize, and indeed to confound, in the ultimate results, all the different kinds of excellence that may be aimed at, it has been found proper to keep an exact register of every boy's failures and successes in every different branch of study, from inspection of which his friends can at once ascertain in what departments he has made most proficiency, and in what he is defective.

The boys perform all the different movements which the changes of their occupations require, in a regular step, to the sound of music, which they themselves perform. There is some foppery, we think, in this, though it is harmless enough; and if it amuse the boys, better than harmless. They are taught English Grammar—Latin and Greek—French—Arithmetic—Mathematics and Surveying—Geography—Elocution—Composition and History—and the method of teaching in all these seems to us excellent. The system of monitors, and division into classes, is carried fully into practice, and with many original observances. The tasks are all short, and changed with singular frequency. They are seldom half an hour at any one work—and such as attend all the classes seem to change their occupations twelve or fifteen times in the course of the day. They have abundance of play-time—and all manner of exercises and amusements. There is a printing press, at which they print a magazine of their own composition, and various other little things;—such of them as chuse are instructed in music—though they seldom practise many minutes at a time. There is an excellent account, in the volume before us, of the particular process of instruction in each of these departments. But we cannot now afford to abstract it. The

author is very zealous for what he terms ‘the natural method’ of teaching languages, by translations and exact repetitions, synthetically,—instead of the analytical method of grammars and vocabularies. But though zealous, he is perfectly reasonable, and does not ascribe to this method the miraculous powers that are claimed for it, we find, by Mr Hamilton and Mr Hall—of whose pretensions, as well as M. Dufief’s, we hope soon to be able to give a more particular account. At present, we think it better to place before our readers a few extracts from our author’s excellent observations on the *motives* by which boys may be induced voluntarily to prosecute their studies.

‘Leaving out of consideration,’ he observes, ‘the motive of sympathy, of which we have already spoken, they may be arranged under five heads: Love of knowledge—love of employment—emulation—hope of reward—and fear of punishment. We have placed them in what appears to us to be the order of their excellence. Some of our readers may perhaps think that emulation stands too low in the scale; for it is common and very natural to suppose, before a trial of the experiment, that emulation alone is a motive sufficient to overcome all obstacles, and carry the student to the goal of his destination without suffering him ever to flag in his course. But emulation is a stimulus, and it is in the very nature of stimuli to lose their power when constantly employed. Indeed such a state of excitement, as in the absence of all other motives would be sufficient to produce the desired effect, would be too powerful for the human mind to bear for any length of time. It may be very useful as a temporary expedient, and the skilful instructor may sometimes find it accord with his views to blow up a vivid flame for a particular purpose, but he must be aware that extraordinary exertion is always followed by extraordinary languor.’ pp. 92, 93.

After some very judicious remarks on the effects of rewards and punishments, he proceeds—

‘The best means of exciting a love of knowledge will be readily discovered, if we reflect a few moments on the origin of knowledge itself. Every acquisition would at first be made from an immediate view of utility. No man would undergo the trouble of investigating the nature of plants, unless he, or his friends, stood in need of their medicinal virtues. The motions of the heavenly bodies were first observed by sailors and husbandmen. As mankind became civilized, a prospect of advantage more and more distant sufficed to induce their exertions; still that prospect, though remote, was visible, and beguiled the toilsomeness of the road. But in the present state of education, the young traveller is expected to set out without having the most distant idea of the end of his journey, or the cause for which he travels; for how can he, by any vigour of intuition, even imagine the future fund of pleasure and profit which is to accrue to him from committing to memory “*Propria quæ mari-*

bus : " or from poring into the mysteries of long division, with a dirty slate before him, and the *frustum* of a pencil, half an inch long, in his fingers, heaping one set of figures upon the ghosts of their predecessors ?

' We commence arithmetic with easy questions, the scope and utility of which the little pupil can readily comprehend. Every child at once feels that he has made an important and valuable acquisition, when he has learned how to calculate all the various little problems which may be constructed respecting his tops and marbles, their prices and their comparative value. It is of little consequence whether these questions are carefully arranged or not ; their being miscellaneous will only more agreeably exercise the mind of the scholar, if care is taken that the simple operations, the multiplying and dividing, the subtracting and adding, are not of themselves too difficult.

' There is almost always a reason for every custom, which renders it eligible at the time of its establishment. That of commencing with mechanical operations partly arose, we conceive, from the difficulty which instructors found in teaching their pupils to extract the numbers from a question, and to place them so as to be worked by the arithmetical machinery. With the assistance of our chalking-boards and classes, we have conquered this difficulty. If no boy of the class can state the question, the master does that without loss of time, which by the common mode is done after a period of idleness—he goes through the statement himself. By united efforts the problem is answered before the meaning of the question, and the curiosity excited by it, have faded from the mind of the learner. Another question is immediately given ; practice soon presents every difficulty in every variety ; the young scholar begins gradually to see the use and value of signs, and daily exercise renders the increasing lines of numbers easily manageable.' pp. 100, 101.

' All the operations of Surveying are, by the same feeling of utility, joined to the love of imitation, rendered extremely pleasant to boys ; nor is their enjoyment lessened by the necessity of performing their labours in the open air. Thus engaged, they feel that they are employed in real business, and have an opportunity of measuring their attainments with those of men. Many of their former studies are at once brought into use ; they now see the reason for an accurate acquaintance with the laws of numbers and spaces. To a familiarity with arithmetic, mensuration, and trigonometry, they must join the manual facility of constructing maps and plans ; they exercise their discretion, in choosing points of observation ; they learn expertness in the use, and care in the preservation of instruments ; and, above all, from this feeling that they are really *at work*, they acquire that sobriety and steadiness of conduct, in which the elder schoolboy is so often inferior to his less fortunate neighbour, who has been removed at an early age to the accounting house.' pp. 103, 104.

' From this very simple and well known truth, the teacher may derive an important lesson. He may learn the advantage of practical

illustration: he will find that his time is well employed in showing his pupils many things which they might otherwise think they would as well imagine for themselves. We should advise him to provide himself with the various weights, commonly spoken of, and the measures of content and of length. Let him portion off upon his play-ground with a land-chain, a rood, and, if the extent be sufficient, an acre. Let his pupils, when they read history, be furnished with maps to trace the *routes* of armies; let them be shown plans of towns; plates exhibiting the variations of costume which distinguish one people from another; or at least let them have access to these latter documents (as they might very justly be called) in the library of the School; and then so very delightful is it to boys, to fix and verify their ideas by means of the senses, that much knowledge will be gained in this way by the pupil, without any other care on the part of the master, than to furnish him with the requisite opportunity. Indeed, we have sometimes wondered that instructors have not more fully availed themselves of the multiplicity of little works which the press almost daily issues, to furnish their scholars with a fund of entertainment and useful general information; which has so great a recommendation as that of diffusing itself among them, without calling for exertion on the part of the master.' pp. 118, 119.

These citations may suffice to give our readers a notion of the spirit of sagacity and practical wisdom in which the book is written; and we can now scarcely afford to extend them. The author discusses very largely the question of public and private education; and decides, on the whole, in favour of the former, on grounds which are frequently original, and always stated with equal candour and force. In the case of domestic education, he observes, that it is always more difficult to enforce obedience to any rule,—

‘Because the child perceives that no one but himself is subjected to its coercion. How much more easy is the obedience of the school-boy? Instead of finding himself alone—set apart from the family for submission to rules, to which others pay no attention,—he is a member of a large community, governed by one law, partaking of the same pleasures, and subjected to the same privations; and if, in addition to that undeviating regularity which governs the schoolboy by the power of association, and that obedience of numbers which impels him by the love of imitation, we add the recollection, that he and his comrades enact their own laws, and that they have no force but by the consent of those who obey them,—their gall and bitterness evaporate, and the young legislator feels himself called upon for “a proud submission,” and “a dignified obedience.” We have often had boys brought to us with a character for rebellion worthy of a Wat Tyler, who, upon being put into the school, have submitted to the regulations, not only without a struggle against them, but apparently without a struggle with their own feelings.’ pp. 196, 197.

In like manner he states, with equal truth and acuteness, that

‘ To cut off children from all intercourse with servants is considered by some authors a very important object; and so it is, if it can be done without teaching them to despise their servants, or to consider them as an inferior race of beings; of which we think there must be great danger in a private family. In a school, if the buildings are well arranged, opportunities for private communication may be readily prevented; indeed the comparative smallness of their number, and their full employment, necessarily preclude any great degree of intercourse, especially when the occupations of the pupils themselves are sufficient to fill up their time, and supply their minds with subjects of interest. It is from the idle, and consequently dissolute, servants of the rich, that bad morals are learnt. The laborious domestics of a school have neither leisure nor inclination for the work of corruption.

‘ The undue ideas of self-importance which a child must gain in a course of private education form a very powerful objection against it in our minds. To be the object of constant attention, as the Emilius of Rousseau must have been, would, without any vanity on his part, lead him into the error of supposing that himself and his education were the great business of the world; especially if we take into account the cumbrous conspiracies (for we can call them by no other name) that were formed against him; some of which the boy, unless he had been an idiot, must have discovered. In one instance, all the neighbours and the *boys of the street* are trained to act against the little urchin, who wanders out of his father’s house unaccompanied by his tutor.’ pp. 200–202.

We shall finish our extracts with the following very just, and, to us, original observations.

‘ Parents often mistake with regard to the powers of children: sometimes they expect them to do what no child ought to be expected to do, and sometimes they consider them quite incapable of performing tasks to which they are fully competent. The disposition which they have to consider their own offspring as prodigies is often a source of great misfortune to the poor children; and the parent, in the bitterness of disappointment, frequently places his child as far below the just estimate of his talent as he had fondly raised him above it. Godwin well remarks, that the intense interest which a parent feels in the improvement of his offspring frequently renders him totally unfit for the office of teacher. In fact, extreme attention is almost sure to counteract itself; children cannot be *manufactured* into scholars. Education rather resembles *agriculture*, and the tutor must take care that he does not fall into the error of plucking up the sprigs of knowledge which he has planted, in his anxiety to ascertain if they have taken root.

‘ In a school, a boy naturally dull may, by remaining for a very

long time in the lower classes, acquire a great deal of real information. We have seen instances of boys, who entered with the reputation of being idiots, and who were almost so in reality, rise in the course of time, by dint of an uninterrupted study of elements, to a very respectable station among their companions. We firmly believe that the patience of no individual on earth could have held out against the stupidity of these unfortunate children, if he had had no other objects to engage his attention: and if the boys themselves had attended their studies under the feeling that their teacher's anxious eye was always watching their movements, we feel but little doubt that their minds would not have been in that state of perfect calmness, so necessary to the correct performance of any mental exercise by persons of weak intellect. By studying with their juniors, they always had the advantage of companionship; occasionally they found opportunities of distinguishing themselves, and of tasting the pleasure of success.' pp. 208-210.

On the whole, we think very favourably of this work—and are inclined to augur well of the establishment, under the charge of its very intelligent author. On this point, indeed, our own theoretical conclusions have been powerfully confirmed by the report of a very intelligent friend, who lately inspected the whole establishment in the most careful manner, and has kindly allowed us to see the note he made of his impressions at the time. By his permission, we are enabled to lay a part of this interesting document before our readers. After observing, generally, that he has no hesitation in saying that the scheme 'works admirably in practice,' he proceeds—

'The most striking circumstance, perhaps, is the universal cheerfulness, and the kindly terms which they are on with the masters. I had abundant opportunity of satisfying myself that this was sincere. There was also an air of hearty attention to their business, which I never saw in any other school—no langour—no yawning—but all activity, and abstraction from every thing but the lesson. They all seemed to go about their work like persons who knew their business, and had no doubts about success; and the frequent changes from topic to topic, kept this degree of animation always afloat. The various musterings, ringing of bells, music and marching, which certainly in the book appear a little like trifling and loss of time, are in practice excellently adapted to maintain good order, and are all performed so rapidly, that, although I was quite familiar with the description, and was warned by the master from time to time what was going to be done, I could not, sometimes with the closest attention, follow these movements. In a written description, it will sometimes happen that what in fact is the work of a moment, and must be performed in some manner at every school, occupies as much space, and is as prominently put forward, as the essential instruction which these mere forms are but the preparation for. And I think it right to state, that after seeing the whole pro-

ceedings of a day, I am not aware that any of those musterings, and other arrangements, having punctuality as their object, could be dispensed with without harm. The music consists of a band of twelve boys; their instruments are the same as those used by military bands; and they play extremely well. The study of music, of drawing, of fencing, and several other similar accomplishments, is quite voluntary. The play hours of the boys is occupied partly in mere play, but chiefly in objects having some useful end in view. They have a printing press of their own, and publish a monthly magazine, embellished with etchings on copper, and lithographic prints, all executed by the boys. Reports of their trials are given at length—the school discipline is canvassed—accounts of the expenditure of their funds are drawn up in a business-like manner, and, in short, the whole system is a curious epitome of real life. It is extremely important to remark, that all this, being quite general, the every-day business of their lives, produces no coxcombry amongst the boys. They are not converted, as I had apprehended they would be, into little men. They are still boys, but boys with heads and hands fully employed on topics they like.

‘They were all very neatly dressed, and remarkably clean and tidy—all rosy and healthy looking, and merry as any children could be at home. The house is thoroughly ventilated—their library is well arranged and catalogued. It is managed, like every thing else, exclusively by the boys. Every body is allowed to propose any book for purchase, and the name is submitted to a committee, who decide.’

Since the preceding pages were sent to the press, we have had an opportunity of seeing a very interesting letter from Mr R. Hill to the gentleman whose notes we have just been extracting, in which, in answer to his inquiries, he communicates several pieces of information which we think it material to lay before our readers, as supplementary to the slight sketch we have already given of the constitution of this academy. The following extract is characteristic, we think, of the true spirit of the system; and is well calculated to show it, in its strength to those who are disposed to admire—and in its weakness to those who incline to distrust.

‘The titular division of the school has been much improved since we wrote. A boy, at entering the school, takes the name of Ward, and stands at the zero point in the scale of rank. A certain time of freedom from tasks is allowed him, in order that, by voluntary labour, he may entitle himself to a fund of marks to enable him to pay the fines to which he may become liable by the breach of the school regulations. The fund is always increased by the donations, which it is the established custom for the boys in the school to make to a new comer. This custom is not grounded upon any law; each individual gives what he pleases, without any concert or

collection. These advantages being given, the pupil is expected ever after to pay every fine the moment it is demanded; and if he should fall into a state of insolvency, he is degraded into a Defector, and is obliged to work while other boys are at play, until the rewards for the labour so performed have enabled him to pay off his debts, and furnished him with a certain stock of marks to begin the world again with credit. This being accomplished, he again becomes a Ward. If the new comer keeps his wardship unbroken for three months, he is raised to the title of Frank; but a ward having once become a defector, must keep his wardship unbroken for six months before he arrives at this honour. The privileges of a Frank are, *first*, that, under certain restrictions, he is entitled to take a short credit for the liquidation of his fines. *Secondly*, He is admitted to a superior playground, which the wards and defectors are precluded from entering. *Thirdly*, The Franks have four holidays in the year, on each of which they take some pleasant excursion, the particular day and the route being determined by the majority. A Frank may lose his title, and become a defector, by insolvency, and must work up again, through the *grade* of Ward; but in consideration of his having been once a Frank, his wardship is limited to three months. Frankship unbroken for the space of a whole year creates the boy a Veteran Frank. His privileges are, exemption from bounds, and from several other restrictions to which all below him are subjected. A Frank having made certain acquisitions, may be raised to the rank of Autarch. The election lies with the Conference, the Committee, and the previous Autarchs, either of which bodies has a *veto*. An Autarch, in addition to the rights of the Veteran Frank, is privileged from all fines; but he receives no reward. The institution of Veteran Franks and Autarchs is very recent. At the close of the last session, among the 102 boys of which the school was composed, there were 62 Franks, of whom, I believe, 25 were veterans, and two Autarchs. The average number of defectors has been about three. The proportion of Franks has regularly increased for some years. A boy being convicted before the Court of Justice, whatever his rank, becomes instantly a defector, and must work his way back to honours in the manner I have described.

* The Court of Justice takes cognizance only of bad *acts*; but it has appeared to us that bad *habits* are a fair object of attack; and now, whenever a boy is found to have acquired vicious habits of speaking, either with regard to grammar or accent, habits of slovenliness, trifling, talkativeness, &c. he is summoned before the Committee, and the charge being proved, a weekly tax of marks is imposed upon him, which is levied until he is able to show, to the satisfaction of the Committee, that he is reformed. On the other hand, there is a list of boys who have acquired a character for great personal neatness, and for their care of property. These boys, who are called *Mundi*, and are appointed by the Committee, are alone intrusted with the more valuable works of the library, and are exempted from the daily inspection as to personal appearance.*

We shall add only the following short passage, in which the sanguine views of the author unfold themselves, in no unworthy emulation of Milton's noble 'Tractate of Education,' as accommodated to a large and generous instruction of the better orders.

- 'The only modification of the system as regards its adaptation to pupils from the *higher* or *lower* classes of society, would grow out of the different expenditure which might be made in the one case or the other. This expenditure might be applied in two ways; *first*, in increasing the number and rank of the teachers; and, *secondly*, in furnishing the means of self-instruction in great abundance. This department of education seems to be generally under the curse of pauperism. If it were placed on the liberal footing on which a gentleman puts his stables and dog-kennel, there would be little to wish for! Every school worthy of the name ought to have an ample library; there should be a good collection of philosophical apparatus. As this is eminently a manufacturing country, there ought to be a work-shop well supplied with tools and materials; and a laboratory. There should also be a gymnasium; and for the purposes of our system, where so much of the knowledge which the boys gain of language is obtained through the drama, a permanent theatre would be a most useful addition to the usual buildings. There should be opportunities for learning to ride, to swim, to row, to guide the sail-boat. In short, no means of developing the human powers ought to be overlooked; and all this might be accomplished at an expense perfectly contemptible, if the numbers of the school were large. A thousand boys would command every advantage of this kind which the wildest imagination could wish for, at a cost per boy much less than the direct charges of any of our great schools, to say nothing of those indirect expenses into which boys are almost driven for want of less costly and more rational means of relaxation.'

To some of our readers we may seem to have dwelt too long on so humble a subject. But the reach and vigour of Mr Hill's speculations entitle his practice to no common attention;—and we conceive we have done no more than our duty in endeavouring to fix the public attention on an experiment which, if eminently successful, must lead to most important consequences, and cannot now fail, whatever be its issue, to furnish valuable hints to all those engaged in the arduous business of Education.

- ART. IV. 1. *Journal of a Residence in Ashantee.* By JOSEPH DUPUIS, Esq. late his Britannic Majesty's Envoy and Consul for that Kingdom. To which is prefixed, *An Account of the Origin and Causes of the present War.* 4to. London, 1824.
2. *A Voyage to Africa; including a Narrative of an Embassy to one of the Interior Kingdoms, in the Year 1820.* By WILLIAM HUTTON, late Acting Consul for Ashantee. 8vo. 1821.

WITHIN these few years, a new power has appeared on the coast of Africa, and has recently begun to act a more conspicuous part than had formerly been ventured on by any of the native states. We communicated some time ago to our readers the information respecting it, obtained by the mission of Mr Bowdich; and expressed our opinion that its growing power, though attended with the usual features of violence and ambition, was, on the whole, a promising circumstance for the improvement of Western Africa. This opinion remains unaltered, by the deplorable events of which that coast has since been the theatre. The publications before us prove, we think, completely, that this dreadful war was entirely of our own seeking—that the disasters which have lately befallen us—the temporary extinction of British commerce, and suspension of all plans for the improvement and civilization of this part of Africa,—have been the result of the erroneous system adopted by our own African administration. We have no idea, however, that this system was recommended by the Government at home; who are entitled to great credit for having sent out a person of so much talent and discretion as Mr Dupuis. But they have not been equally lucky, we fear, in the choice of their other functionaries,—and were not perhaps aware of the temptations to which men, intrusted with a little local, half mercantile half military authority, are exposed in such situations.

It must be owned, that there is scarcely any position so difficult to maintain with discretion as that of a commercial factory on a barbarous coast. A fatal and almost irresistible necessity constantly urges it beyond its original and legitimate limits. Occasionally exposed to insult, plunder and outrage, a fortified position, protected by a body of troops, becomes of plausible, and perhaps real necessity. This fort must have a governor, and the governor must have a council. These functionaries soon begin to imagine themselves bound to maintain not only the interests, but the dignity of the empire. This disposition

is not long of generating quarrels with a rude race, wholly insensible of this dignity, and disinclined to admit in these strangers a right even to the spot which they occupy. The first issues of such a contest, usually displaying an immense military superiority on the part of Europeans, are too apt to inspire further projects, and gradually open a wide vista to their ambition. Hostile feelings soon become rooted on both sides, under the influence of which no alternative is left but either to be victors or vanquished—either entire expulsion from the territory, or extensive and burdensome conquest.

Let us now observe the actual operation of these principles on our African concerns. The two works at the head of this article contain a narrative of the last mission to Ashantee, and of some subsequent transactions, which laid the foundation of our rupture with that kingdom. Mr Dupuis's work is that of a man of considerable talent, and impressed with the soundest political views; and that of Mr Hutton, though the product of an inferior intellect, affords some additional information, particularly in the shape of public documents. The train of events is then continued downwards, by several letters communicated to the public prints by Captain Laing, an officer of merit, who fought with distinction in the commencement of the war. In order to form a connected view of the politics of the Gold Coast, we must also look back to Mr Meredith's plain and valuable account of it, published in 1812, and to the copious evidence collected in 1816 by the Committee of the House of Commons on the African forts.

The many small conflicting powers between whom the Gold Coast was formerly divided, have, by recent events, been condensed into two great interests. One is that of the interior kingdom of Ashantee, whose armies, within the last fifteen years, have repeatedly overrun, and reduced to a tributary and dependent state, all the nations of the coast. The opposite interest is that of those nations now rallied under the leading standard of Fantee, and eagerly seeking the opportunity to shake off the yoke. Britain, in plunging into the vortex of African politics, has attached herself to this last confederacy, and is now following its fortunes. Let us examine if there was any thing in the character of the two parties such as, if a choice was to be made, rendered this a happy one.

It is remarkable, that, in the early narratives and descriptions of the Gold Coast, which are copious, the name of Ashantee should very rarely occur. When named, indeed, it is as 'very powerful;' but its immediate influence was not then felt. In fact, a range of considerable kingdoms, Dinkira, Akanni, Assin,

and Aquamboe, then intervened, and received the first shock of its hostility. It was not till the commencement of the present century that Ashantee finally burst this barrier of interposed states; and, having reduced them all to vassalage, came into immediate contact with the maritime districts.

It is not very easy to fix the place which Ashantee holds in the scale of civilization. Even in regard to population, we are involved in extreme perplexity by the two narratives of the last mission. All the estimates of Mr Dupuis are three, four, but most usually ten times larger than those of Mr Hutton. Coomassie, the capital, is by the one given at 15,000, by the other at 200,000. Although Mr Dupuis be the most intelligent of the two, we suspect he is the farthest wrong here. His usual expression, 'it is said,' seems to imply that he listened to the boasting report of the natives, while Mr H. seems to have consulted only his own eyes. From some hints of Mr Bowdich, we imagine, that Africans include in their idea of a town a crowd of little surrounding villages, where the serfs and inferior orders carry on a sort of garden cultivation, for the supply of the principal men, who alone occupy the body of the place. Perhaps the ancient *pagus* and *civitas* had a somewhat similar import. Upon the whole, Mr Bowdich's estimate of a million for the kingdom, does not seem likely to be overrated. But this applies only to the original Ashantee, not including the numerous states which now pay tribute in peace, and follow its standard in war, and amount probably to double the number.

The feature which peculiarly degrades Ashantee, and throws it back almost into savage existence, is the extent of human sacrifice, accompanied with circumstances of deep horror. Civilization, however, does not always advance with uniform steps; and peculiar circumstances often maintain among a people institutions which belong to their earlier stages, and are out of harmony with their actual attainments. The usages of a despotic court, especially when combined with superstition, acquire a sacred character, which tends to prolong them beyond their natural period.* To the same cause we may probably refer the very rude welcome, by weapons brandished in menacing attitudes, with which visitors are first admitted to the court of Coomassie. Still less of elegance appears in the parting mark of kindness which the King bestowed on Mr Dupuis. In considering,

* It would seem, by representations found in the tombs of the ancient Egyptians, that human sacrifices existed among that people, at a time when they could raise the mighty structures of Thebes.

however, these unfavourable specimens of Ashantee etiquette as the relics of former barbarism, we seem justified by the dignity, politeness, and even grace, which are described as marking their general manners. Mr Swanzey, in his examination before the Committee, says, 'It is a singular thing, that these people, who had never seen a white man, nor the sea, were the most civil and well bred people whom I have seen in Africa.' Mr Meredith, in treating of the people of Accra, imputes it to their intercourse with the Ashantees, that their manners are more polished, and that they are better acquainted with the rules of decency and morality, than any other people on the coast. The king evidently studied to model his whole demeanour on a standard of dignified courtesy; and though the barbarian worked pretty strongly within him, and broke out sometimes in gusts of ungovernable passion, he was always ashamed immediately afterwards, and made even humble apologies. The laws of victory are dreadful; but upon this ground, no nation of the ancient world, however civilized, could have had any right to reproach the Ashantee. There is evidently among them a regard to international law, a respect for treaties, and for the persons of ambassadors, to which the neighbouring states are strangers. The military establishment is in a highly effective and disciplined state; and, notwithstanding the distance and imperfect communication with the coast, the troops appeared from the first completely armed and equipped after the European model. It is needless to add, that their valour is such as to render them formidable adversaries, even to British regular troops.

There are no *letters* in native interior Africa, not even a hieroglyphic or symbol of any description. The only reading class are the Mahometans, whose austere bigotry is scarcely compatible with any communication of their knowledge, unless accompanied by the Koran. The Ashantees, high and low, neither read nor write. Sai Tootoo Quanim, *his mark*, is the only guarantee of the most solemn treaties. This illiterate condition, however, is not incompatible with a considerable development of intellect and fancy. All the nations on the coast have a great memory, a fluent and graceful oratory, with some talent at improvisatory poetry; and in all these finer arts, the Ashantees display a superiority. The language, with the exception of a few terms, is original, and very inartificial. There are no articles, no inflexions of nouns and pronouns, no derivative adverbs. All the languages are fundamentally one; but the Ashantee is considered by Mr Bowdich as the Attic among the dialects of Western Africa. Their habitations, though still rude, are decidedly superior in cleanliness, neatness, and a

certain degree of comfort, to those on the coast. Their cloths, woven of cotton mixed with silk, and some other ornamental articles, are positively fine; though their manufacturing industry is on the whole inferior, not only to that of Europe, but of some countries on the Niger.

Upon the whole, the main ground of hope with regard to this kingdom, arises from the display of an active and improving spirit, not to be found elsewhere in this, or perhaps any other part of the continent. The empire appears to have reached nearly the utmost extension, in point of conquest, which circumstances admit; and the ambition of its rulers is now chiefly directed to the increase of its interior splendour, which they can only effect by the introduction of arts, commerce, and civilization. Sensible of the superiority of Europeans in all these respects, intercourse with, and imitation of these, are viewed as affording the main hope of converting Ashantee into a splendid and polished region. All testimonies agree on this subject. Mr Swanzey says, 'The King of Ashantee was exceedingly desirous to have and to keep open a further communication with the British;' and he elsewhere mentions, that the monarch early applied to the governor of Cape Coast Castle for an English resident to be sent to his court. Although the Dutch have cultivated his favour much more carefully, he seems justly impressed with higher ideas of the power and magnificence of 'King George.' This love, indeed, seems somewhat tinged with fear. A party at court remonstrated on the danger of allowing to the English the opportunity of acting as spies; and once when, inquiring about Buonaparte, he was told, that, on account of his ambition, the English had dethroned him, and sent him to an island in the Atlantic, Mr Hutton thought he perceived on the countenance of his Majesty a very peculiar expression. This mixture of feeling, however, seems on the whole to have produced no other effect, but to increase his anxiety to avoid a rupture with so powerful a nation. When the last mission was at Coomassie, the king was busily engaged in erecting a palace in the European style, destined, consequently, to eclipse every thing yet seen in Western Africa. His account of it to Mr Dupuis shows evidently the working of the impulses above alluded to. 'Do you know,' said he, 'Captain, why I sent for you? That building you see is to be made very grand. The inside shall be gold, ivory, and brass pan; so you must tell my great master, I do it for his sake, to honour him, that the people may know it was a great day when I saw your face, and that all the Black countries may know that I am a great king here. Now White men know me, I must live in a great house as White kings do;

‘ then I shall not be ashamed when White people come.’ He had procured workmen from El Mina, under whose direction his own subjects laboured, but in so awkward a manner as excited the ridicule of the monarch himself, who exclaimed, ‘ Ashantees fools at work !’ They made up, however, in numbers, what was wanting in skill ; and suggested to Mr Dupuis the singular image of ‘ a legion of demons attempting in mockery a Babel of modern invention.’ On another occasion, the King’s views were still more fully expressed by his saying, ‘ I must have every thing suitable, and live like a White king.’

It is upon Ashantee that the commerce of this coast rests almost exclusively. A remarkable circumstance is, that the first notice of its importance in this respect, was derived from the opposite extremity of Africa. Mr Lucas, in 1792, heard it mentioned at Tripoli as the goal of a caravan route of more than two thousand miles, across the broadest diagonal of the continent. The earlier accounts from the coast, indeed, describe the gold and ivory, which form its staples, as drawn from Dinkira, and other intermediate countries ; but it is now ascertained, that the bulk of these articles come from beyond even Ashantee, though without its being possible to avoid passing through that kingdom, in its present extended state. Palm oil also, an article of growing importance, is chiefly furnished from the immense forest extending from the frontier to Coomassie.

Having thus surveyed one side of the African political world, let us turn to the other, comprehending the Fantees, and the other tribes on the coast, with whose cause we have had the wisdom to identify our own. Respecting the general character of these tribes, inquiries were made by the Committee of all the Governors of the British forts. The tenor of their reply was uniform. Governor Smith, then of Commenda, says, ‘ They are capable of every vice ; guilty of theft, extortion, imposition, and notorious for being a quarrelsome set. Europeans cannot place the least confidence in them.’ — White of Cape Coast Castle : ‘ They are deceitful, and greatly addicted to stealing ; they are superstitious in an uncommon degree. Instances of their being remarkable for fidelity to each other in times of danger, have not come to my knowledge.’ — Mollan of Sucondee : ‘ Like the inhabitants of all barbarous countries, the natives here are addicted to many vices ; and their character as liars, thieves, and cheats, is notoriously known. If they possess any virtues, I must confess they have entirely escaped my notice.’ — Mr Swanzy : ‘ They were a very shrewd, intelligent, and lively race, but very

‘much given to drinking, and possessed very few good moral qualities.’—The slave trade, indeed, could scarcely be carried on so long, and to such an extent, as on this coast, without demoralizing effects, which cannot be soon removed. It had given birth to a peculiar refinement of guilt. As the punishment of almost every offence was the sale of the criminal, the scheme of decoying men into crime, with a view to this issue, had become most extensively practised. Profligate females, not excepting the wives and daughters of the chiefs, are said to have been deeply concerned in it.

Anxious inquiries were made by the Committee as to any means or prospect that might exist of inducing the natives to extend cultivation, particularly of articles suited to the market of Europe. All the replies were most unfavourable. Smith, Mollan and Dawson, declared, almost in the same words, that the oldest resident had scarcely a recollection of a single change in dress, building, or mode of living, made in imitation of Europeans. Their habitual indolence, and bigotted attachment to old customs, appeared to leave only the faintest hope of their ever being induced to betake themselves to new branches of industry, and especially of cultivation. Mr Mollan saw as little prospect of their being induced to exchange the cottons of India for British manufactures.

As the Fantee tribes thus neither do, nor are likely to yield any commodities valuable in commerce, so the testimonies are equally unanimous, that they use the utmost efforts to prevent Europeans from reaching those nations in the interior, from whose intercourse greater benefits might be derived. Captain Irby mentioned to the Committee a singular manoeuvre which they sometimes employ for this purpose. When they see an European obstinately bent on such an expedition, they undertake to be his guides; but, instead of acting faithfully as such, they lead him into by-paths, through morasses and entangled thickets, till, overcome with fatigue and despondence, he is glad to seek his way back. It appears, then, that the conquest of the coast by the Ashantees, instead of being an evil to us, was a most important advantage, affording the only means by which we could enjoy the benefit of a direct intercourse with that people.

If the commercial benefit to be drawn from the Fantees be so slender, as little reason is there to fear or hope from their military prowess. On the contrary, though a turbulent spirit makes them always ready to rush into the field, they display, when brought into it, a smaller portion of heroism than almost any other existing race. Mr Meredith states it as their usual

practice, 'to creep into some concealed hole when cannon or musket shot are heard to whiz among them.' Captain Laing indeed saw them on one occasion, when covered with woods, discharge a few shots, but in so irregular and ill directed a manner, as merely to bring down upon their adversaries a shower of leaves. We may finally quote the recent despatch of Colonel Sutherland, who states, that when called upon to defend Cape Coast, they were to be driven every morning to their post at the point of the bayonet. The reader is left to judge, whether Britain is likely to reach a very commanding position, by placing herself at the head of such allies.

From the series of plain facts now stated, it can scarcely, we think, be denied, that if Britain was to make a choice between the hostile powers of Africa, there could not be a moment's room to hesitate between her present enemy, and the confederates, with whom her evil destiny has combined her. Let us now examine, whether, in the steps which led to this dreadful rupture, there was any thing tending to compel, or even to tempt, her African rulers into the adoption of so unfortunate a policy.

In the beginning of the present century, the monarchs of Ashantee, as formerly observed, had reduced to vassalage all the kingdoms formerly interposed between their territory and that on the Gold Coast. The chiefs of Assin, one of these kingdoms, revolted, and being totally defeated, sought refuge in the Fantee territory. The king followed, sending at the same time assurances, that he entertained no hostile intentions against the Fantees; notwithstanding which, that people not only received, but joined the revolted chiefs. They proved wholly unable, however, to contend with the invaders, and were vanquished in repeated battles. The victors came first in contact with the British at Anamaboe, a large seaport, the inhabitants of which were so imprudent as to follow the example of their countrymen. Confident in their numbers, they rejected the offer of mediation made by Governor White. They were unable, however, to stand the first shock, and were seen flying in wild confusion, and the shore strewed with their dead bodies. In this terrible extremity, the fort was opened to receive as many of the women and children as its area could contain; an interference in favour of humanity, and to mitigate the horrors of savage war, which, on whatever side exercised, must always be approved. It was a much more doubtful policy which induced him to keep up a constant fire on the enemy, while engaged in the work of destruction; and the consequence was, that when the latter had satiated their vengeance on the

Anamaboes, they immediately directed their arms against the fort. The English, who had calculated on meeting in their new adversaries a prowess somewhat on a level with that of the maritime negroes, were exceedingly astonished at seeing them rush to the very muzzle of the great guns, and fire with such precision, that not a man could appear at an embrasure, without being instantly brought down. In these circumstances, where only musketry could be used, a defence by 30 men, in a little old fort, against 15,000, must be considered highly creditable. It was not a situation, however, that could last long; and Colonel Torrane, then chief governor, hastened to send a reinforcement, and also to take measures for conciliating the power which was now destined to rule over the coast. With this view, he obtained possession of Cheboo, one of the revolted chiefs, then concealed near the castle, and sent him to the king, by whom he was immediately beheaded. Although this measure was probably demanded by the exigency of the time, we cannot, as Britons, but lament that it should have been thought necessary. The seizure and delivery of Cheboo was, we fear, somewhat of a base action, which even Mr Dupuis, however much disposed to *Ashanteeize*, and notwithstanding the veneration in which he found the name of Torrane held at Coomassie, cannot bring himself to applaud. However, even before the arrival of Cheboo, when a flag of truce was displayed from the walls, it was received with acclamations of joy. Two messengers returned with it, and made a long *expose* of the king's grounds of war against the Fantees, declaring that against the British he did not entertain the slightest enmity, but was anxious to cultivate their intercourse and alliance. Colonel Torrane having repaired to Anamaboe, made a formal visit to the camp. Our countrymen then beheld a splendid and imposing array, very much surpassing any thing that they had hitherto seen in Africa. The rich dresses and golden ornaments, the dignity and order of the ceremonial, the courteous and intelligent conversation of the chiefs; all gave the idea of a superior people. They were now indeed seen in their holiday attitude; yet this impression was by no means devoid of foundation.

Notwithstanding the disastrous character of this war, the Fantees grasped at the earliest opportunity of shaking off the yoke. The Ashantis, in 1811, made a second inroad, and, as before, carried all before them in the first instance; but the revolt of some of their eastern vassals prevented them from making much permanent impression. In 1816, another campaign took place, the result of which was still more disastrous to

the Fantees. Cape Coast was held in long blockade; and but for supplies afforded by the Castle, a great part of its inhabitants must have perished by famine. The final result appears clearly to have been, an entire acknowledgment, over the whole coast, of the sovereignty of Ashantee.

Under these circumstances, the British African Government felt more than ever the importance of cultivating the friendship of this great potentate. The mission was therefore sent, from Mr Bowdich's narrative of which we derived our first detailed notices of this interior kingdom. The cry seems general in Africa, and is even joined by Mr Dupuis, that his representations are very much coloured and exaggerated; but really this appears to arise very much from prejudice and jealousy; for one can scarcely find any specific point in which he is contradicted by the new mission, except that they consider the colours in his architectural plates as somewhat too bright. One point in particular is clearly made out by the official documents inserted in his work, which is the full acknowledgment, by the British Government, of the King's sovereignty over the Gold Coast. In his letter to Mr Smith, now governor of Cape Coast, he uses the following expressions: 'The King of Ashantee has made war against all the people of the water side, and all the Black men all about, and taken all their towns. All Fantee is his; all the Black man's country is his.' Smith, in his reply, instead of controverting these assertions, expresses himself thus: 'I observe by your letter, that the notes of *conquered* countries have been transferred to your ancestors; therefore it shall be the same on the present occasion.' The notes were for rent which had been paid to the surrounding Fantee princes, for the ground on which the castle stood. Smith now agrees to pay them henceforth, with some additions, to the King of Ashantee. Was it possible to make a clearer admission, that the whole of the coast on which these forts stood was conquered by, and subject to, the King of Ashantee? Mr Bowdich concluded a treaty, in which the same was implied; he parted on the best terms; and the British relations in Africa seemed established on the most satisfactory foundation.

The government at home showed at this time an equal anxiety to cultivate a good understanding with this new potentate. They determined to send out a permanent resident, under the title of Consul, to the court of Coomassie. To this situation they appointed Mr Dupuis, who had long held that situation at Mogadore, and is known by some very judicious notes appended to Adams's Narrative of Interior Africa. The choice appears to have been judicious. Mr Dupuis was pe-

cularly intimate with African manners, and is evidently a man of considerable talents, information, and address. His instructions, drawn up by Mr Cook, secretary to the African Company, direct that he should give full assurance of the determination of Britain sacredly to observe the treaty concluded by Mr Bowdich; that he should cultivate by every proper means the confidence of the King, with a view to forwarding commercial intercourse, and promoting measures that might advance the civilization of Africa; that he should also make any inquiries, and open any connexion that might be possible with the interior of the Continent.

The new consul, on his arrival, found matters already beginning to wear an inauspicious aspect. The King was engaged in suppressing an insurrection that had arisen in the subject state of Gaman, which, being supported by the powerful western kingdom of Kong, afforded full employment to his arms. The inhabitants of Cape Coast began to rear their heads; and here let it be understood, that, unless in the matter of prudence, we do not blame *them*, because they were impatient to shake off a foreign yoke so recently imposed upon them. This disposition led them to catch with a greedy ear disastrous rumours which arose, respecting the state of the King's affairs. The misfortune was, that the same rumours and feelings began to prevail in the Castle, and were finally embraced by Mr Smith the governor. Mr Dupuis in vain interposed his warning voice, and showed the slender foundation on which they were built. He even repaired to the Dutch settlement of El Mina, where he was assured that they were born, and expired within the precincts of Cape Coast, and that everywhere else, it was expected that the King would meet with his usual success. Unfortunately Mr Dupuis stood already in a hostile attitude to the governor and council. His instructions, in directing him to *appear* subject to them, had left an ambiguity whether he was to be really subject or not. This was interpreted by each party in their own favour;—the one claiming full jurisdiction, while the other insisted that he was, 'to all intents and purposes, plenipotent.' Indeed, while we admire the firmness with which this gentleman stood for the right cause, it appears doubtful whether he bore his faculties quite so meekly as so delicate a situation would have required. This suspicion springs from some epistolary documents presented by Mr Hutton, in which he is found charging the council with 'unjustifiable conduct,'—'insidious dealing,' and warning them against supposing that he considers their approbation as any thing respectable. In short, animosities rose to that pitch, which renders

it sufficient that an opinion be embraced by one party to fix the other in its opposite. Mr Dupuis was left to prophesy like another Cassandra; the governor and council entered into all the feelings of the natives, encouraged them in despising the authority of the King, and in showing contempt, and even insult to his subjects who were residents or visitors in the town.

At length it was announced, in a manner no longer admitting of doubt, that the King was returning triumphant from the conquest of Gaman, and that he and his chiefs were vowing vengeance on the Cape Coast inhabitants, of whose outrages in word and deed they had been duly advertised. The courage of the natives instantly fell; but Mr Smith, who had committed himself to the government at home, made a defying answer to the first messengers. It is understood that the King was then strongly urged by his military council to march direct upon Cape Coast, and destroy it. That desire, however, which he appears to have always cherished, of being on good terms with the English, made him resolve to exhaust, in the first instance, every pacific resource. A messenger of high rank was despatched, who, demanding an audience of the council, produced from a little Morocco trunk the treaty concluded by Mr Bowdich, and, causing it to be read over, article by article, made repeated appeals to the governor, whether it had not been violated. Mr Smith was thrown into a good deal of confusion; and, in this posture of affairs, Mr Dupuis so far prevailed as to have his mission mentioned, and its fulfilment offered. The messenger was pleased, and agreed to pause till he could learn the King's views on the subject. Soon after it was announced, that either an embassy or an army was approaching Cape Coast. This equivocal rumour was naturally enough excited by the approach of twelve hundred men, chiefly armed; but, on their coming nearer, a mixture of boys and girls was descried, and it proved a mere pacific array, escorting a nephew of the king, who came in solemn embassy. This great personage, being introduced to the council, made a long *paláver*, enumerating all the wrongs sustained by the king, and concluding for a large sum to be paid in compensation, both by the Castle and the town. It was ultimately found, however, that he brought a cordial welcome to Mr Dupuis, and an assurance that arrangements had been made for his conveyance and reception. The Council then, notwithstanding evident symptoms of reluctance, could no longer decline forwarding him to his destination.

The mission was well conducted, and prosperous. The king renewed, in the fullest manner, all his professions of a desire to maintain amicable relations with the British. He withdrew al-

together his inadmissible demand of money from the fort, and intimated his willingness to accept a very moderate composition for his claim upon the town. He even assumed the title of vassal to the King of England, and professed a readiness to lead 10,000 men to any part of the continent where their services might be wanted by him. At the same time, he asserted his own full dominion over all the countries on the coast, consenting, however, that the English should exercise jurisdiction over the natives, and even, to a certain degree, over his own subjects, in the immediate vicinity of their forts. A treaty was concluded upon these bases, and every thing, between the two powers, appeared to be again settled on the most satisfactory footing.

When Mr Dupuis arrived at Cape Coast, affairs sustained a fatal reverse. The governor did not see him for several days, and then only to disown his treaty, and brand it as one which betrayed at once the interests of Britain and of Fantee. He was even encouraging the natives to withdraw altogether their allegiance from Ashantee, and had persuaded Sir George Collier, who then commanded a squadron on the coast, to promise his support. Mr Dupuis wrote to Sir George, endeavouring to show the erroneous nature of the policy to which he was lending himself, and entreating him, at least, to take on board two ambassadors who had come from Ashantee, with a present of two beautiful leopards. Sir George, seeing matters run so high between the parties, adopted the resolution which, in a public man, is not always the wisest, of doing and saying as little as possible. He evaded all discussion, and excused himself, both as to the leopards and ambassadors, alleging, in one case, the want of room, and, in the other, a standing order of Admiralty not 'to carry away any natives from the coast.' We decline giving any opinion as to the leopards; but, with regard to the ambassadors, this step appears deeply to be regretted. Nothing could be more mortifying and irritating to their master; and the standing order in question could never have been made in contemplation of such a case as this, when its literal application would evidently have been much more honoured in the breach than the observance.

At the moment when our political relations were thrown into so precarious a state, an entire change took place in the administration of this coast. For reasons which we have not room to discuss, it was transferred, by act of Parliament, from the African Company to the immediate control of his Majesty's government. Here, too, we are left by Mr Dupuis, who took his departure for England; and we must derive our

subsequent details from Captain Laing, who writes in opposition to that gentleman, and with a view to justify the proceedings of the British African government. Thus, however, we hear both sides, and are assured that these proceedings are not presented to us under any jaundiced aspect. Captain Laing's narrative really does not deserve the imbibittered response which it drew from Mr Dupuis. It is written in a candid and gentlemanly tone, and with as much of reflection and combination as can be reasonably demanded from a captain of foot. Our confidence in his facts is the more implicit, as they afford the most complete confutation of the conclusions in support of which they are stated.

Government placed this coast under Sir Charles M'Carthy, who for some years before had been governor of Sierra Leone and the adjacent territories. It is with pain that we animadvert on the conduct of a gallant and amiable man, who appears to have been active and useful in his former station, and has since paid so dreadful a forfeit of his errors. But where such deep interests are at stake, it is impossible that any consideration should deter us from expressing our most decided opinion on the subject.

Sir Charles was placed in a somewhat hard situation, by a compact formed among the servants of the Company, not to accept of office under, or hold any communication with, him. Little good, however, after what we have seen, was to be expected from them; and it was under entirely erroneous views, that a knowledge of the military strength of the neighbouring states was to be made the basis of his policy; instead of its being the object to clear himself from every relation of that nature. Still less can it be conceived, whence he derived that contempt of the Ashantee monarch and his power, which is admitted by Captain Laing to have been the ruling principle of his policy. If it had become fashionable at Cape Coast to decry Bowdich's work, there was that of Meredith; there were all the testimonies before the African Committee; and, lastly, oral communications from Mr Dupuis, who, however, we regret to observe, declined complying with Sir Charles's urgent request to write to him more fully. In short, there was the notorious fact of the Gold Coast having been repeatedly and completely conquered by this power. Sir Charles, however, soon formed the resolution of setting it at defiance, and of placing himself at the head of the Fantee confederacy.

'The natives of the Gold Coast,' says Captain Laing, 'soon comprehended the nature of our policy, as explained by Sir Charles M'Carthy, who was looked upon by them, in a very

‘ short time, as their deliverer, both from internal and foreign oppression; they beheld with satisfaction the privileges which were conferred upon them by the change, and they had full confidence in the promises he made to them of British protection. The name of M‘Carthy rung along the coast from Cape Apollonia to the mouth of the Volsa, and the great influence which he gained over these people (the hitherto acknowledged subjects of the King of Ashantee), was viewed with silent and gloomy indignation by that monarch, whose pride was not only stung at the sudden revolt of his subjects, acknowledged as such by British treaty, but at the neglect of his authority and dignity on the part of the British, in not sending to him a complimentary Embassy.’

Here, then, in this panegyric paragraph, written by the apologist of Sir Charles, we find him promising protection, in their *revolt*, to the subjects of the King of Ashantee, *acknowledged as such by British treaty*. Could this be considered as any thing less than an open levying of war—war contrary to the most solemn treaties, and without a shadow of ground or pretext?

Notwithstanding such high provocation, resentment was at first shown only by a suspension of intercourse; and every thing on the side of Ashantee remained as quiet as if no such power had existed. Those, however, who were familiar with the policy of that state, saw in this very silence the omen of approaching tempest. They knew that all its great expeditions are preceded by a long train, not only of military preparation, but of auguries, incantations, sacrifices, and careful study of good and evil times. In the interval, it was their obvious policy to lull the enemy into security. Sir Charles, in fact, imagining that all was tranquil, set out to visit the settlements at Sierra Leone.

The storm first broke by an act of violence against a single individual. A British sergeant was seized on the great square at Anamaboe, and carried off, on pretext of disrespectful expressions used towards the king. In noticing this only culpable act of the Ashantees towards the British, we must remark, that it did not take place till after full ground had been given for war, to which it was evidently, in some shape or other, intended as a preliminary. According to Captain Laing, it was afterwards understood that the object was to feel our pulse, and observe in what manner we would act on such an occasion. We cannot resist a secret suspicion, that some hopes were entertained by them of its leading to negotiation and renewed intercourse. Meantime, Sir Charles, seeing that matters were more serious than he imagined, hastened back to the coast, but

without adopting any decisive measure. Captain Laing offered to undertake an embassy, either to Coomassie or to Donqua, the place of the sergeant's confinement; but Sir Charles, overrating the danger of such a step, declined these very meritorious offers. We cannot but agree with Mr Dupuis in thinking it strange, that, in the course of six weeks, no steps should have been taken to obtain the release of the prisoner, either by negotiation or arms.

At the end of that period, the sergeant was beheaded at Donqua. This was evidently intended as an open declaration of war. The king sent round to all his vassal states, summoning them to his standard, and calling on them, in the figurative language of Africa, to arm against Britain the very fishes of the sea. He also sent a message to tell Sir Charles, that his skull would soon adorn the great war-drum of Ashantee! Yet, amid all this parade of hostility, a pacific overture was made through the medium of the Dutch governor of El Mina. Deputies from both sides met, when the enemy opened with a long invective against the Fantees, and the people of Cape Coast, to whom they imputed all the mischief that had happened, and even the seizure of the sergeant; but though this discourse is admitted by Captain Laing to have contained much truth, it was considered unworthy even of an answer. It may be here noticed, that Mr Dupuis decidedly, and, it would seem, justly acquits the Dutch of that disposition to foment hostility against the English, with which, in some quarters, they are so liberally charged. It is admitted that they, for themselves, carefully cultivated a good understanding with this powerful monarch, and even that they could not refrain from inly congratulating themselves on our infatuation, which rendered it impossible for a bale of goods to reach the interior, except through the medium of a Dutch factory; but this is only a venial trait of human frailty, and there appears no further ground for any charge whatever.

Although war was now openly declared, the enemy showed as yet on the frontier only a few small detachments. One of these was completely beaten by Captain Laing; and though the success was dearly bought on his side, its fame spread over the coast; and Sir Charles, we are told, in consequence, *received the allegiance* of most of the Fantee tribes. Captain Laing made also two gallant and successful attacks upon a larger division of the enemy. Entering the territories of the King of Ajumacon, who was suspected of Ashantee propensities, he compelled that prince to place his troops under British command. The reader is here besought to observe the rapid

progress of his countrymen towards African empire. First, they take the natives under protection; then they receive their allegiance; and, lastly, they compel them, by force of arms, to join the British standard.

These first reverses seem only to have urged the King to more strenuous preparation. He sacrificed daily nine or ten victims to propitiate his deities; and, more wisely, called upon all his chiefs and vassals to furnish their quota of troops. Sir Charles began to pause on the brink of the precipice to which he had hurried; and Captain Laing even supposes, that, had not some fatal counsels interposed, he might have been induced to hold out the olive branch. Deliberation was, however, too late, when tidings arrived, that the whole force of the Ashantee emperor was in rapid movement down upon Cape Coast. The result need not be told. All the troops in the Castle, with all the civil servants capable of bearing arms, were collected—hastened to meet the enemy—and returned no more.

We have no intention to enter into the details of this campaign; to paint the wide devastation of the open country, with its entire population flying in wild confusion to seek shelter under the guns of the British fort. The accounts, however, have closed with an important advantage on our side; one honourable certainly to the British arms, and precious if it be judiciously improved; but which may be ruinous if viewed as an encouragement to persevere in our present course of policy. In dread of this last issue, we feel bound to reduce it to its real dimensions. A perusal of the details will show it to have been merely a hard repulse, with great loss on our side, and partly gained through a display of valour on the part of the Fantees, which was never seen before, and consequently is never likely to occur again. Even the official despatches afford a specimen of the delusions under which the affairs of this country have so long been administered. Colonel Sutherland, doubtless on Fantee rumour, represents the whole army of the enemy as dismayed and scattered, and the King himself hastening home with a handful of troops, and doubtful of his personal safety. But all these visions are dispelled when we receive the subsequent despatch of Colonel Grant, and find that, six days after the action, the enemy remained encamped at five miles distance from the town. Then, indeed, he departed, but quite leisurely and unmolested; and, as was feared, to attack some other point upon the coast. The latest notice, however, mentions his having returned, or, as our African friends choose to term it, *escaped* to Coomassie. This pretended escape does not prevent an apprehension from being expressed, that he will soon return to disturb the peace

of the coast. Indeed, though the late check, with the difficulty of keeping a barbarous army long together, may induce the King to suspend operations for the present, it would be a most vain chimera to imagine, that the issue of a campaign on the whole so triumphant, should induce the King quietly to resign an extensive portion of his territories, on which he sets peculiar value. If then, Britain is to maintain her present position, it can only be under a system of fixed and almost interminable war, the whole burden of which will fall upon herself. It well behoves her then to consider, under what circumstances, and for what advantages, this war is to be waged.

It is presumed, that, in the discussion of this question, it will not be necessary to speculate on the plan of conquering Ashantee, and founding a great African empire. There is evidently no such design at home; and there are not perhaps twenty persons in the country who would advise such a proceeding. The practical question then is, whether we shall continue our efforts to support the Fantee Confederacy against its more powerful antagonist—to support the weak against the strong, the few against the many, the dastardly against the brave? The parallel already drawn, may have enabled the reader to form some estimate of the felicity of the choice we have made. But there are other circumstances, which render warlike operations upon this coast peculiarly serious. A residence even at the forts is found as injurious to health as one in the West Indies; but marches through the open country, inundated during a great part of the year, must be much more destructive. If even the Ashantees cannot carry on protracted operations on this coast without extensive sickness, what can white troops expect, but that pestilence must destroy those whom the sword has spared? Another difficulty is presented by the vast forests which cover interior Africa, particularly the Ashantee frontier. The word *forest*, to an European ear, conveys no idea of those impenetrable thickets, which are thrown up by the luxuriance of tropical vegetation. Not only are the trees of gigantic size, and all their interstices filled with crowding underwoods; but across these stretch numberless creeping stems, some as thick as the cable of a ship, which bind the whole into a mass, over which a monkey or an African may leap, but which no European can penetrate. It is easy to perceive what opportunity must thus be afforded for ambush, the favourite manœuvre of our present enemy; and it is actually said, that the King, on one occasion, remained with his army for three months in a deep forest, in the heart of an enemy's country, without being discovered.

After all, as Britain has conquered under every clime, we are

ready to admit, that by a large annual expenditure, and by thousands sent to perish on this pestilential shore, she may succeed in maintaining the Fantee confederacy in a state of precarious independence. What then will be the result? It must evidently be, hermetically to seal against herself the whole interior of Africa, and put an end to every benefit which she could derive from a settlement on this coast. It has been shown, that the Gold Coast produces no articles of any amount or value, which do not come either from Ashantee, or through Ashantee; and that there is no prospect of any extended consumption of British goods, unless in that kingdom, or in others which can only be reached across it. A system then, which places us in permanent hostility with that power, closes all our commercial intercourse with that part of the Continent; and, so far as any British interest is concerned, the garrisons might, with equal advantage, and much greater safety, be kept on the Rock of Ascension, in the middle of the Atlantic. In terminating our friendly intercourse with Ashantee, we equally bid adieu to all the prospects of extending our knowledge, and promoting the interests of civilization, in this only hopeful direction. Even the slender prospects of Fantee improvement must be given up, under a state of things which keeps that race in a perpetual state of irritation and alarm, and their fields perpetually exposed to the ravage of so formidable an invader. Thus the present system, be it successful or unsuccessful, involves equally the ruin of all the British interests in Africa, and the sacrifice of every object, with a view to which it could be desirable that her settlements should be maintained.

If the question be put, What remedy can be applied to the fatal consequences of this train of error? the answer is abundantly obvious:—They can only be remedied by undoing every thing that has been done, and replacing affairs in the state in which they were in 1817. Though it be generally much easier to do evil than to repair it, yet there are, in the present instance, grounds of hope, that an attempt honestly made would be successful. It has appeared, that Ashantee princes had all along motives and interests which led them sedulously to cultivate the alliance of Britain, and even, under great provocation, to be slow in proceeding to extremities against her. If then Britain withdraws her support of the Fantee insurrection, which has been the sole ground of the present quarrel, we are convinced that the former harmony might be very easily restored. On the other side, it would be our part to use our utmost efforts to induce the Fantees to return to their allegiance, securing for them a full amnesty. This would be the best atonement that could be

made for the dreadful calamities in which a reliance on our vain promises has already involved them. That this advice would be taken, if accompanied by a threat of otherwise leaving them to themselves, there cannot be a single doubt, since it was by these promises alone that they were impelled to their late disastrous revolt. Having proceeded thus far to extricate them from their present distressing situation, we ought carefully to avoid any permanent guarantee, and to withdraw from every relation with either party, except that of amity and good offices.

It may be necessary to observe, that though we consider it, in itself, very easy to restore to this Coast peace and the means of prosperity, no common firmness will be required in the individual who is to carry through this line of policy. When he arrives at Cape Coast, he will probably find both his countrymen and the natives calling aloud for an opposite course. It is difficult for a man to resist impressions which are daily repeated. He must breathe, as it were, the moral atmosphere of the place; he will never hear the Ashantee name mentioned but with hatred and execration, and will not easily escape being infected with the same spirit. The natives of the town have evidently for some time exercised a powerful and sinister influence on the British councils: And they support their rash designs and idle assertions by every form of deception, and even by no common share of eloquence, plausibility, and address. Mr Dupuis drops hints of female influence, which may not, we fear, be wholly without foundation. To be proof against all these seductions, and to administer well the affairs of this Coast, would require, not indeed a man of genius, for the course is quite plain before him, but a man of a very determined character, and thoroughly imbued with sound principles of African policy.

If a good understanding were once reestablished with this powerful interior monarchy, the prospects of future good appear to be very considerable. In no part of Africa is there such a cluster of populous and powerful states, at an easy distance from the coast; for the countries on the Niger can seldom be approached by a land journey of less than a thousand miles. If the kings of Ashantee succeed in their ambition of forming their court after the European model, the example will naturally be followed by their surrounding vassal states. After this, Kong, Degombah, and other kingdoms, which, though not quite so warlike, are richer and more populous, are not likely to allow themselves to be eclipsed. A wide circle of civilization may thus be spread; and with European habits, a taste for European commodities would spring up, which might give to the commerce of this coast an extension, greater than it ever derived

from that guilty trade, for which almost alone it has been hitherto visited.

This discussion, from the importance which we could not forbear attaching to it, has extended to such a length, that we have not room to dilate on Mr Dupuis's information, derived from Moorish merchants, respecting the interior of Africa. His materials are nearly the same with those of Mr Bowdich, but arranged with somewhat greater judgment and care. We observe in his map the great lake and river of Shary or Shady, though the latter, as in many similar instances, is made to flow in a direction opposite to the true one. As, however, we may soon expect, from the present successful mission, that a full light will be thrown on this quarter of the world, it is needless at present to dwell on that dim twilight which can alone be afforded by hearsay testimony. Even when that fuller information arrives, we may have occasion to recur to Mr Dupuis, in order to complete the views of some of the Western countries, and thereby aid in making up that distinct and connected scheme of interior Africa, which has been so long the *desideratum* of modern geography.

ART. V. 1. *Substance of the Speech of the Right Hon. Charles Grant, 22d April 1822, on Sir John Newport's Motion on the State of Ireland.* London, 1822.

2. *Speech of Sir Henry Parnell, on the Second Reading of the Irish Insurrection Bill, 24th June 1823.* London, 1823.

3. *The Orange System Exposed, in a Letter to the Marquis Wellesley.* Dublin, 1823.

4. *Report on the Employment of the Poor in Ireland. Ordered by the House of Commons to be printed, 16th July, 1823.*

5. *Population of Ireland in 1821, as taken by Act 51 Geo. III. cap. 120. Ordered by the House of Commons to be printed, 18th July 1823.*

THE actual state of Ireland—the magnitude, misery, fierceness and desperation of her population, the violence of their leaders, and the fury of the contending factions to which she is a prey—ought, if any thing can, to excite the earnest and anxious attention of the people of Britain. Centuries of oppression and misgovernment have generated a deep-rooted and cordial hatred of the English name and nation in the minds

of the vast majority of the Irish people, have depraved and vitiated their characters, and fitted them for the commission of every crime. There are, at this moment, from six to seven millions of peasants scattered over the surface of Ireland. And while this mighty and rapidly increasing mass is sunk in the most abject poverty—while it has no property to protect, no venerated institutions to defend, and nothing but injuries to redress, and wrongs to avenge, it is ready to engage in any scheme of combination and blood.

Is not this a state of things that calls loudly for inquiry? Is there any man so blind and bigotted, so stupidly attached to antiquated prejudices and errors, as to continue to lend his support to a system productive of such baleful results? Is not the experience of four centuries sufficient to convince the people and Parliament of England, that it is not by mere brute force, by penal laws and insurrection acts, that the peace of Ireland is to be secured, and the foundations of her prosperity laid? The period has at last arrived, when it is certain that measures of a decisive character *must* be adopted with respect to Ireland; and we are bold to say, that the integrity, and, for that reason, the fate of the British empire, depends on the nature of these measures. If we act on sound and liberal principles, it is not yet too late to repair the faults and follies of which we have been guilty, and to make Ireland our best bulwark: But if we resolve to abide by our present system,—if we are determined to continue to treat *five-sixths* of the people as an inferior and degraded *caste*, and to uphold and cherish all the gross, flagrant, and scandalous abuses with which every part of the internal administration of the country is infected, we must expect to see every species of outrage redoubled, and the flames of civil war rekindled with increased fury, and raging to an unprecedented extent.

Have the people of England yet to be told that peace and kindly affections do not spring from exclusion and the sword? If we are really desirous of attaching the people of Ireland to the government of England, we must render that government advantageous to them. The peasantry must know, and they must *feel*, that they are protected by the law, that they have a *stake in the hedge*, and that every avenue to power and emolument is open to their ambition. If you act thus, you may still attach them to your interests; if you do not, you will alienate them still more: The existing breach between the two countries will be gradually widened, and our ascendancy will depend entirely on the number of our bayonets.

But even this resource, miserable and humiliating as it is, is

one on which no certain reliance can be placed. The whole disposable revenue of Great Britain will most probably be found insufficient for the maintenance of an army capable of retaining a population of six or seven millions, who have every thing to gain, and nothing to lose, by revolution, in a state of unwilling subjection. But, supposing this to be possible in a period of peace, and when the whole power of England can be directed to this one object, it would be no easy matter to exaggerate the addition which the disaffection of the Irish peasantry must make to our difficulties and dangers in a period of war. Had Humbert, when he made his descent in Ireland in 1798, been accompanied by 10,000 instead of 1,000 French troops, and been furnished with 50,000 or 100,000 stand of arms, there would have been an end of the English government; and the tricoloured flag would have floated as triumphantly over Dublin, as it did over Berlin or Vienna. But the numbers and the exasperation of the people have been prodigiously increased since 1798. And if we do not totally change our conduct, it is certain that, whenever we are involved in war, either with France, or any of the other Continental powers, or with the United States, we shall find our bitterest foes, and our foreign enemies their most zealous and devoted allies, in the people of Ireland. No efforts will be necessary to seduce the peasantry from their allegiance, no intrigues, no subsidies will be required to tempt them to the field—but the first foreign standard that is erected on the Irish soil will be the signal for a rising *en masse*, of a whole population impatient of oppression and burning for revenge! The system of White-boy association, so unceasingly acted upon for the last thirty years, has trained and prepared the peasantry for the most desperate purposes: Nor do we think that it is possible to point out another instance in the history of the world, of a people so completely estranged from their rulers, and so thoroughly ripe for rebellion.

And are not these things enough to give us pause? Are they not enough to make even bigots abashed and ashamed?—and to stimulate the wise and good of all parties and denominations, to lay aside their petty differences, and to cooperate for the adoption of measures calculated to guard against such tremendous consequences? Let no one suppose that the questions respecting Ireland, that must necessarily be discussed in the ensuing session, affect that country only;—though, if they did no more than refer to the means by which *seven millions* of people might be raised from helotism to freedom, and from poverty and misery to wealth and happiness, they would be of the

very highest interest. But it is no exaggeration to affirm, that the destinies of the whole empire hang on these discussions. Ireland cannot sink into the abyss of poverty and degradation, without dragging Great Britain after her—Justice to Ireland is in fact justice to ourselves; and cannot be denied, without entailing equally ruinous consequences on the oppressor as on the victim.

Since June 1822, when we entered at pretty considerable length into an investigation of what seemed to us to be the leading causes of the distress and misery of Ireland, much new and valuable information has been obtained. This has resulted partly from the greater attention to Irish politics, created by the King's visit; from the extent and atrocity of the disturbances in the south; from the riotous proceedings of the Orangemen of Dublin, and the consequent inquiry into the conduct of Mr Sheriff Thorpe; from the organization of the Catholic rent, and the proceedings of the Catholic association; and more than all, from the discussions in Parliament and the investigations of Parliamentary Committees. It seems probable, from the part ministers took in the discussion of Lord Althorp's motion for an inquiry into the state of Ireland, that they had at first intended to stifle the inquiry, by limiting it to certain specified and local topics. But the powerful support Lord Althorp met with, not only from the opposition, but from many of the most respectable friends of ministers, induced them to abandon the idea of limitation; and the inquiry has been rendered as complete and effective as could have been wished. As the evidence given before this committee, though of the greatest interest and importance, has not been printed, except only for the use of the members, we can speak of it only by report; but as none of the members evinced the slightest indisposition to converse freely on the subject, its general import and bearing is sufficiently well known.

But notwithstanding the information derived from these and other quarters, much error and misapprehension still exist on many important points. Too much stress has been laid, in the discussions, both in and out of Parliament, on circumstances that exert only a very trivial influence, while some of the most prolific sources of misery and degradation have hardly attracted any notice. We conceive, then, that we shall not be doing an unacceptable service, by availing ourselves of this opportunity to enter on a fresh investigation of the causes of the misery of Ireland. We believe that Lord Wellesley, and a considerable proportion of the Cabinet Ministers, are sincerely desirous to adopt any practical measures that can be devised,

for allaying party violence, and arresting the progress of pauperism. But no measures, however worthily intended, which are not founded on sound principles, can possibly be advantageous. And we are anxious, by stating some of these principles, to assist in enabling the public to form a just estimate of the vitally important proceedings about to take place in Parliament.

An inquiry into the actual social condition of the people of Ireland, may be advantageously divided into two parts:—The *first* embracing an inquiry into the causes of those violent party and religious contentions, which have so long disgraced and agitated the country; and the *second*, an inquiry into the causes of the extreme poverty and wretchedness of the people.

I.—I. *Catholic Disabilities*.—We shall not enter, on this occasion, into any lengthened disquisition respecting the ancient state of Ireland. The radical defect of its government has always consisted in its being administered by and for the exclusive benefit of a small portion of the people. The broad and bloody line of demarcation that was formerly drawn between the English settlers and the mere Irish, has been effaced only to have its place supplied by the equally well defined distinction between Protestants and Catholics. The seventeenth century began auspiciously under the enlightened administration of Sir John Davies; but it was, in the sequel, marked by incidents the most fatal to the peace and prosperity of Ireland. ‘It was a century of injury, exasperation, and revenge—of war, and bloodshed, and spoliation.’* The entire surface of Ireland is reckoned at about *twelve millions of Irish acres*; and the late Earl of Clare estimated, that *eleven millions and a half* of this number were confiscated in the course of the century! The successes of William III. secured the ascendancy of the English interest; and the violation of the treaty of Limerick, and the penal enactments of Queen Anne, threw the whole wealth and power of the country into the hands of the Protestants, and completed the debasement and prostration of the Catholic population. It is unnecessary to recapitulate all the disgusting provisions of the Catholic penal code. It is enough to mention, that it debarred the Catholics from the exercise of every political privilege; that it prevented them from acquiring property in land, from lending money on mortgages, from teaching schools, and even from acting as the guardians of

* Mr Grant’s Speech, 22d April 1822—one of the best Speeches ever made on the subject of Ireland.

their own children ! Well might Mr Burke say, with reference to this code, that ‘ the laws made in this kingdom against ‘ Papists were as bloody as any of those that had been enacted ‘ by the Popish Princes and States ; and where these laws were ‘ not bloody, they were worse ; they were slow, cruel, outrageous in their nature, and kept men alive only to insult in their ‘ persons every one of the rights and feelings of humanity.’

It is true, that the most severe enactments in the penal code are now repealed ; that Catholics are allowed to acquire and transmit property, to exercise the elective franchise, and that they may be nominated Justices of the Peace, and appointed to subordinate situations in the army and navy. But enough of exclusion still remains to destroy the good effect of the concessions already made, by keeping alive all those feelings of self-superiority and insolent domination on the part of the Protestants, and of degradation, hatred, and revenge, on the part of the Catholics, which the penal code had generated. Nothing can be more completely erroneous, than to suppose that, as the *legal* operation of the existing exclusions is only to thwart a few individuals in the career of advancement, they can have no considerable influence on the mass of the people. Every man in Ireland knows that the Catholic code is not wholly repealed ; he knows that the law still excludes him from situations of trust and influence to which his Protestant fellow-countrymen are eligible ; and he considers this exclusion as the badge of the triumph of England over Ireland—of Protestantism over Catholicism—and as the seal of his own degradation. None but those who are acquainted with the powerful prejudices and strong nationality of the Irish peasantry, can form any idea of the effect which these feelings have on their conduct. ‘ The opinion I have formed, as the ‘ result of all my experience, is, that the whole mind of the ‘ people is occupied with politics ; that they thoroughly comprehend every law, and every measure of government that ‘ relates to them ; that they have a very accurate knowledge of ‘ all the privations to which they are exposed ; and that *they* ‘ not only know that they live as a class placed in a condition of ‘ inferiority with respect to a small party in the country, but that ‘ they practically feel all the disgrace and inconvenience of this ‘ inferiority.’* The meanest Catholic knows, that how much soever of the penal code may have been repealed in *law*, very little, comparatively, has been repealed in *fact*. ‘ It has been ‘ often asked, why, in the case of the Irish Catholics, satisfac-

* Speech of Sir H. Parnell, 24th June, 1823.

'tion has not followed concession? One reason may be assigned; it is this—because concession has been always followed by the curse of bigots in that country, which, like blight or mildew, fastens on the boon, whether it proceed from royal favour or legislative graciousness.'† The sectarian, and, until very lately, the decidedly Anticatholic spirit of the Irish government, has rendered the theoretical equality of the laws a mockery and an insult. The Catholics know that they are regarded by that government with aversion and distrust; they know that Protestants are almost exclusively promoted to those situations to which both sects are equally eligible;‡ they know that no vigorous attempt has been made to put down Orange processions and associations, or to save their properties or even their lives from the outrages and violence of the Orange party: And knowing and feeling all these things, how is it possible that they should be tranquil? or that they should regard the English nation, by whose interference they are held

† Mr Plunkett's Speech, 22d April, 1822.

‡ In the Irish post-office there were 466 persons holding offices, of whom only 25 were Roman Catholics. Under the Royal Dublin Society there were 17 persons, none of whom were Catholics. In the Bank of Ireland there were 127 persons, and of that number only 6 Catholics. In the board for paving—the board of commissioners for erecting fountains—for preserving the port of Dublin—for wide streets—amongst the trustees of the linen board—the Lord Lieutenant's household—the city officers and common council—the committees of the pipe and water establishment—of the police, and many other public establishments, there was *not one solitary Catholic to be found!* In the office of customs there were 296 persons employed, and only 11 of them were Catholics. In the Excise there were 265 persons employed, and of that number only 6 were Catholics. Of coroners in counties there were 108, and only 14 of them Catholics. Of commissioners of affidavit there were 262, and only 29 of them Catholics—of 71 officers under the linen board, 3 were Catholics! In fact, on an aggregate of the public establishments, the list of which he held in his hand, there were 20,459 persons holding offices paid by the public money, and of that number only 106 were Catholics! To show that the exclusion was not solely in the inferior offices but extended equally to them all, he would mention, that there were 31 assistant barristers but not one of them a Catholic. There were 106 offices in the law department of Ireland, which must be filled by barristers, the salaries and emoluments of which exceed 150,000*l.* a year, and Roman Catholics are admissible, since 1795, to 83 of these offices, producing an income of 50,000*l.* a year; but *there was not one solitary instance of a Roman Catholic holding any such profitable and honourable appointment.*—Mr Hume's Speech, 25th June, 1823.

in this state of vassalage and helotism, otherwise than as persecutors and enemies?

We are told by Mr Wakefield, on the impartiality, accuracy, and general excellence of whose great work no eulogium can be too high, that ‘the word Papist or Catholic carries as much contempt along with it as if a *beast* were designated by the term. When the comfort or interest of the Catholic is under consideration, he must always give way; for although he stands as erect before his maker as does the Protestant, he is yet considered as an inferior animal, and thought unworthy of participating in the same enjoyments. The Protestants are in general better educated than the Catholics; but many of them are still ignorant enough to believe that their Catholic fellow-subjects are the *helots* of the country, and that they ought to be retained in a state of perpetual bondage.’—(*Account of Ireland*, vol. ii. p. 570.)

We venture to say, that there is not an individual in the empire, not even Sir Harcourt Lees himself, who supposes that this proscription could continue for a month, were it not for the power of England. And in such circumstances, how can the Catholics avoid identifying the government of England, or rather the English nation, with their oppressors? The conviction that their debasement is the consequence of English ascendancy, is in truth universal; and this conviction binds them firmly together in opposition to the authority of Government and of the laws. From the era of the Whiteboy association in 1760 down to the present hour, insurrection has followed insurrection in one uninterrupted series. Laws of the most unheard of severity have been passed to repress these disorders; but as no attempt has been made to take away the causes whence they sprung, this severity has only given them a darker shade of atrocity. It is not to Parliament, but to their own efforts, that the mass of the Catholic population look for emancipation. They consider the Government as a hostile power, and they hesitate not to embrace every opportunity to wreak their vengeance on all who are either directly or indirectly invested with authority. Mr Stephen Woulfe, an eminent Roman Catholic barrister, corroborates all that we have now stated; and as this is a point on which his authority must be considered as unexceptionable, we shall take the liberty to make a short extract from a Tract of his. ‘The peasantry,’ he says, ‘carry on, as far as they have the means, an open war against the Government, and every thing connected with it: *They look upon that Government as an usurpation, as a dominion of force which it is meritorious to impede, to elude, to subvert*; and in pursuit of which, they

‘ consider an act of patriotism, to put to death, without remorse, all whom they consider enemies or traitors. They have neither arms, nor intelligence, nor leaders, nor money sufficient to draw out a regular army into the field; if they had, we should have a campaign in Ireland before Easter. They suit their mode of warfare to their means; they carry on a desperate guerilla contest with Government, in which they give and expect no quarter. Every straggling soldier whom they catch, every gauger, every tithe-proctor, every active magistrate who has distinguished himself against them, and whom they rank among their enemies, they put to the sword. This is a dreadful state of things; and the more so, because it sucks into its vortex of guilt men who would shudder at the very thought of committing such enormities, from the ordinary motives which impel to crime.’—(*Letter to a Protestant*, 1819, p. 84.)

The Catholic aristocracy and gentry are generally, we believe, sincerely attached to the English connexion, and are fully aware of the advantages that would result to Ireland from a real union with England. But every writer of authority on Irish affairs, from Mr Wakefield downwards, and all the witnesses examined last year before the Committee of the House of Commons, concur in opinion with Mr Woulfe, that the still existing remnant of the Catholic penal code is the grand source of discord in Ireland, and that it renders the peasantry universally hostile to Government, and disposes them to engage in every scheme of outrage and insurrection.

The events of the two last years have made the character of the Orange association pretty well known to the British public. The trials of Orangemen on the Northern circuits for the murder of Catholics; the habitual packing of Grand Juries in Dublin, as was established by the inquiry into Mr Sheriff Thorpe’s conduct, for the double purpose of peculation and oppression; and the open resistance to the act for suppressing illegal associations, set the conduct of this faction in its proper light. But it is the Parliament of England, and not the Orange party, who are really to blame for these excesses. So long as the system of penal exclusion is continued—so long as a small minority of the people of Ireland are *legally* invested with a monopoly of power and privilege,—so long will they combine together to preserve their ascendancy in fact, by making an ostentatious display of their superiority, and browbeating their inferiors. Combination on the part of the Orangemen leads again to counter-combination on the part of the Catholics; and thus the whole population of the country are

drawn into illegal associations, are bound by secret oaths and imprecations, and are induced to commit crimes under the supposed sanction of religion !

We believe the Catholic clergy to be, generally speaking—for we must say that there are very many exceptions—a respectable and useful body of men ; and we have always held, that it would be of the last importance to endeavour to attach them firmly to Government, and to procure the exertion of their influence to give effect to the laws. But until the penal code be entirely abolished, this great influence will either not be exerted at all, or will be cast into the opposite scale. It is not in the nature of things that the Catholic clergy should entertain either veneration or esteem for a Government which loads them with disabilities, and exposes them and their flocks to the most ignominious treatment ; and even if they did entertain this esteem, the strong feeling of hostility to Government, by which their flocks are so generally animated, would prevent them from acting according to their wishes. They have no tithes or glebe-lands on which to depend ; so that, if they did not humour the prejudices of those by whom they are supported, they would be left wholly destitute. But if the penal code were once effectually put down, the Catholic clergy might, without exciting any suspicions of their sincerity, enter into negotiations with Government, and arrange several matters of the utmost importance. Such a moderate provision might be made for them, as would secure them a respectable station in society, and indemnify them for relinquishing the fees now payable on marriages, baptisms, &c. By this means a double advantage would be gained : The interests of the clergy would be identified with those of Government ; and they would no longer have any temptation to encourage the prevailing and ruinous habit of early marriage. Arrangements might also be made for lessening the number of holidays, for allowing the priests to marry, and for improving the present grossly defective system of education. Complete and unqualified emancipation would give us these advantages ; and we ask whether it is possible to over-estimate their value and importance ?

There is at this moment no such thing as a real union between England and Ireland. The arrangement so designated, is purely nominal ; it rests on no solid or substantial basis ; the two nations are not bound together by the strong and powerful ties of mutual interest and reciprocal obligation. Ireland regards England as her oppressor, and not as her protector and ally. But if the miserable remnant of the penal code were abolished—if the Catholics were placed on the same level in

law and in fact as the Protestants—new interests and new feelings would arise. The recollection of past sufferings and persecutions would gradually be obliterated; good will and confidence between the different parties in Ireland, and between England and Ireland, would begin to grow up; and the ground would thus be cleared for the adoption of those other measures that are indispensably necessary for raising the peasantry from their present state of poverty and destitution.

And what are the evils to be apprehended from complete and unqualified emancipation? What imaginable danger could result from admitting, at most, twenty Catholic gentlemen among the six hundred and fifty-eight who compose the House of Commons, and some half dozen Catholic Peers into the House of Lords? But setting these dangers in the most exaggerated point of view, are they to be compared, even for one single moment, with the danger resulting from the determined hostility of the whole Catholic population of Ireland? The man who can maintain the affirmative of so monstrous a proposition, is fitter for a cell in Bedlam, than for a seat in the Legislature. ‘Lord Eldon,’ says Mr Wakefield, ‘is reported to have said in the House of Lords, on the 18th of June 1811, “Give me your distinct propositions, explain to me your safeguards and securities, and I will most anxiously consider and examine them,” as if there were any safeguard or security equal to that which would arise from promoting Catholic industry. Industry would create wealth; wealth would supply all those comforts of life which are objects of human industry; and it is in the enjoyment of these and the fear of losing them, that we must look for that attachment to country, which forms the surest pledge of loyalty and good conduct. Penal laws are a delusive defence planned by ignorance, founded on injustice, reared by the unhalloed hands of tyranny, and continued by folly. No bulwarks can be equal to the affection and loyalty of a free people. Place the Catholics of Ireland on the same footing as the Protestants, and no cause will be left for complaint; their destiny will then be inseparably connected with that of their country, and they will be sensible that it is their duty as well as their interest to maintain a constitution, by the justice of which they enjoy their rights, and to the stability of which they must look up for their protection.’ (Vol. II. p. 589.)

The folly and violence of the Catholic leaders have operated most injuriously and unjustly on the cause of emancipation. Nothing, indeed, can be more unfair than to judge of the feelings and views of the more opulent and intelligent portion of the Catholics, from the conduct of that junto of agitators who

have gained an ascendancy in the Association. None can think more contemptuously of these persons than we do. Their whole object seems to be to acquire an ephemeral and worthless popularity, by pandering to the worst passions and prejudices of the mob; nor if they were really actuated by a desire to thwart the very cause they pretend to advocate, could they possibly follow another line of conduct leading so directly to that end. But though it were true that the proceedings of the Association were approved by every Catholic in Ireland, that ought not to make us withhold emancipation one hour longer; on the contrary, it ought to be considered as an additional reason for granting it. So long as any fragment of the penal code exists, so long will there be dissatisfaction, rancour and disgust, brooding in the minds of the people; and while such is the case, artful and designing, and, it may be, well intentioned and honest, individuals will indulge in inflammatory harangues, and will endeavour to recommend their own quack nostrums, and poisonous drugs, as the only certain and infallible means of restoring the public economy to a sound state of health. But if you repeal the penal laws, the occupation of these spurious Othellos will be instantly gone. If you place the Catholics on the same level as the Protestants, it will be the bounden duty of Government effectually to suppress every association and combination for political purposes, that bears any considerable resemblance to any one of those that have been formed in Ireland during the last hundred years. But until you do this, you must bear with the violence of the Catholics; for it is the natural and necessary result of that system of exclusion and misgovernment, on which you are still acting. 'Are we,' asks Mr Burke, in his first letter to Sir Hercules Langrishe, 'to be astonished, when, by the effort of so much violence in conquest, and so much policy in regulation, continued without intermission for more than a hundred years, we had reduced them (the Catholics) to a mob, that whenever they came to act at all, many of them should act exactly like a mob, without temper, measure, or foresight?'—And in a second letter to the same gentleman, he says, 'After people have taken your tests prescribed by yourselves, as proofs of their allegiance, to be marked as enemies, traitors, or at least suspected and dangerous persons, who are not to be believed on their oaths, we are not to be surprised if they fall into a passion, and talk as men in a passion do, intemperately and idly.'

No one, we trust, will do us the injustice to suppose, that we mean to represent the emancipation of the Catholics as being of itself a sovereign panacea for all the miseries of Ireland. Nothing can be more remote from our opinions: And we shall

endeavour, in the subsequent part of this article, to indicate some of those measures which seem to us to be essentially necessary, for removing other grievances, and for rescuing the peasantry from that abyss of destitution and necessity in which they are now plunged. But without emancipation in the broadest sense of the phrase—without emancipation in *law* and in *fact*—without the abolition of every existing legal disability, and the adoption of a system of the most rigid impartiality on the part of Government, it would be worse than absurd to suppose that the spirit of discord should depart from the land, and that the foundations of national wealth or prosperity should be laid. Emancipation is an indispensable preliminary measure. ‘It is not a charm that will allay every discontent, or remove every grievance; but it is a *sine qua non* to this being done, and without it no system of measures can be successful.’ *

2. *Government and Magistracy*.—The defective state of the Magistracy, and of the administration of the laws, is the second great cause of the discontent and disaffection existing in Ireland. Dr Bell has observed, in his admirable Tract on the *Manners and Condition of the Peasantry of Ireland*, that ‘if a poor person is injured by one in a higher station, he may as well apply to the Grand Seignior for a guard of Janissaries, as to the laws of his country for redress.’ (p. 31.) Mr Wakefield, Mr Ponsonby, Lord Kingston, Mr Grant, Sir Henry Parnell, and an endless list of other authorities of the highest character, and who enjoyed the best means of acquiring information, have joined in reprobating, in the strongest terms, the gross corruption, neglect, and scandalous partiality of many of the Irish magistrates. Even Lord Reddesdale, who had been Chancellor of Ireland, publicly stated in his place in the House of Lords, in July 1822, ‘*That he had been connected with that ill-fated country, Ireland, for the last twenty years; and he was sorry to say, that there existed in it two sorts of justice, the one for the rich, the other for the poor, and both equally ill-administered!*’ The higher order of gentry, partly from a dislike to the trouble of the office, and partly from a desire not to expose themselves to the obloquy and danger consequent upon a faithful discharge of its duties, very frequently decline qualifying themselves to act as Justices of the Peace; so that this important situation is generally filled by persons in an inferior station, without property or leisure, without a sufficiently liberal education, without the slightest disposition to decide according to the law, of which, indeed, they are in most cases entirely ignorant, and

* Mr Plunkett's Speech, 26th April 1816.

influenced solely by the most violent party feelings and prejudices. It is clear that such magistrates can be nothing else than intolerable nuisances. We speak from a full and perfect knowledge of the subject, when we say, that the great object of a large proportion of the magistrates of Ireland is to forward their own party and selfish purposes, and that they are either occupied in screening powerful culprits, or in denying redress to the poor who solicit their interposition. Dr Bell tells us, that the magistrates of Ireland were formerly in the habit of making a *gentleman* compound for the most violent assault and battery, by paying *half-a-crown* to the poor man who had the hardihood to complain of such brutality ! (p. 32.) And now they exert their influence with the Grand Jury, to get the bills thrown out ; or, if that should fail, and conviction take place, to procure the mitigation or remission of the punishment.

Government has at length become sensible of the wretched state of the Irish magistracy ; and has recently made a considerable encroachment on the peculiar jurisdiction of the magistrates, by making an assistant barrister, with a salary, Chairman of the Quarter-sessions. This innovation has been attended with the best effects ; and this experience, and the flagrant abuses of the present system, will, we trust, incline Ministers to carry the principle of reform much farther. We hope, therefore, that we shall not be considered as presumptuous if we venture to suggest, that an assistant barrister, with a salary, should be made Chairman of the *Petty* as well as of the Quarter-sessions ; that the number of unpaid magistrates should be reduced to fifteen, or, at most, twenty in every county ; that no clergyman, whether Protestant or Catholic, should on any account be placed in the Commission of the Peace ; that no gentleman should be placed in it who is not possessed of at least 1000*l.* a year of landed property ; that no magistrate should be *allowed to act at his own house*, but only when associated with the assistant barrister at the *Petty*-sessions ; that these sessions should be held every day, and on successive days, in different parts of the county ; that if the county be above the medium size, two or more barristers should be appointed ; that the powers of all city magistrates, of manor courts, and of all inferior courts, should be abolished ; and that an assistant barrister should be appointed to each city.

If some such plan as this were adopted—if no barristers were appointed under five years standing at the Bar—if their salaries were such as to be a fair remuneration to men of ability, and if the prospect of higher promotion in their profession were liberally opened to those who distinguished themselves by their

impartiality, industry, and conciliatory conduct, they would have the strongest inducements to act fairly and honourably: At the same time that the magistrates, acting along with the assistant barrister, would be highly respectable, and would prevent, by their interference, any inconvenience that might be expected to arise from placing the administration of the laws wholly in the hands of stipendiary officers. We cannot doubt that such a reform as this would be productive of signal advantage. Protection would henceforth be extended to all classes and sects without fear or affection; and that sale and denial of justice, which has distinguished the conduct of the Irish magistrates up to this hour, would be for ever put an end to.

But no reform of the magistracy can ever have its natural and full effect, so long as any civil disabilities, on account of religion, are suffered to exist. A sectarian and partisan spirit vitiates and contaminates every thing, but above all the judicial character. It has the effect to give a suspicious colour, an appearance of partiality, to the acts even of the most upright Judge. 'It is in vain,' says an intelligent Irishman, 'while penal exclusion exists, to preach to the Catholic peasant the doctrine of equal justice between Catholic and Protestant. So long as he sees the Judges, the Sheriffs, and their official dependants exclusively Protestants;—the bigotted portion of the clergy on the bench of magistrates, their very bigotry and propensity to intermeddle in politics often forming their only title to that office;—the beneficed parson the Judge, and, in the ecclesiastical courts, the sole Judge of tithe cases, and of the numerous questions thence arising—often adjudging the claims set up by his own tithe-farmer—it is not within the power of rhetoric to persuade him to rely on procuring redress from oppression from such magistrates. So long as the wretched remnant of the Catholic code remains, so long will it excite suspicions of partiality—so long will every error—every accidental slip—and many such must occur in a country like Ireland—of the civil or judicial magistrate, be imputed to a premeditated design, on the part of the Protestants, to trample under foot those whom such distinctions continue to degrade.' *

But when the Catholic code shall be repealed, and some such reform in the magistracy been effected as we have ventured to propose; when seats on the Bench become objects of ambition, to which Catholic as well as Protestant barristers may aspire;

* Reflections on the State of Ireland in the Nineteenth Century, pp. 53, 55.

when clergymen, and the zealots of all sects, are excluded from the commission of the Peace; when Justices are obliged to act in open court, and under the eye and with the advice of a professional lawyer; when these things are done, and they may all be accomplished without difficulty, the peasantry will cease to regard the law only as an engine of oppression in the hands of the rich; they will gradually be taught to rely on its justice for protection; and will no longer trust to illegal combinations and associations to redress their wrongs, and repair their grievances.

It is unnecessary to repeat what we formerly stated respecting the venality and corruption of the Sub-sheriffs of Ireland. They still continue to fatten amidst all the rank luxuriance of the most profligate jobbing. This is the more extraordinary, as the law respecting those functionaries in Ireland is exactly the same as in England; the injured party has the same means of redress open to him; and the Court of King's Bench possesses the same powers of punishment. It is difficult, therefore, to come to any other conclusion, from the fact of the continued and prosperous delinquency of the Irish sub-sheriffs, than that the Judges of the King's Bench have been negligent in the performance of their duties with respect to them; for we know that it is not from want of attachments of sheriffs, that the evil has not been corrected. We have reason to believe, that the conduct of the Sub-sheriffs is now under the consideration of the Commissioners of Law Inquiry; but we hope that no scheme for reforming that office, that may have the effect to lessen the responsibility of the judges of the King's Bench, will be recommended. The judges have ample powers to repress the corruption of sheriffs; and they should be compelled to use these powers effectively, and to subvert a system which could not have grown to the baleful maturity it has attained, except by their inattention or connivance.

We regret to find that no steps have hitherto been taken for appointing Lords Lieutenant to the counties of Ireland. The want of such officers was fully admitted by Mr Peel, when the new Constable's Bill was under discussion, in 1822. It is said that proper persons could not be obtained to fill the office; but this is a mere pretext for doing nothing. The truth is, that it would be necessary, in order to make way for these officers, to displace several peers and county members, who now hold the nominal office of Governors of Counties, and that it would, moreover, be necessary to deprive these personages of their patronage and influence as colonels of militia, &c., inasmuch as it would be absolutely indispensable that all this patronage and influence should belong to the Lords Lieutenant. We trust,

however, that these trifling difficulties and obstacles will not be much longer allowed to stand in the way of the appointment of this highly useful class of public functionaries. If resident noblemen, or gentlemen of character and fortune, were appointed Lords Lieutenant, Government would, in future, have to deal with high public officers, who would feel themselves responsible for the conduct of their subalterns, and for the peace of their counties. Hitherto, in periods of danger and commotion, ministers, having no respectable individual in any quarter of the country, on whose statements and representations they could rely, have been obliged to derive their intelligence from the most suspicious sources. Every scheming and cunning magistrate, in every part of the country, has been in the habit of considering exaggerated representations as the surest test of loyalty, and the shortest and safest road to favour and patronage. In consequence, the offices of Government have been inundated with the memorials of Orangemen and alarmists, full of the most inveterate prejudices against their Catholic countrymen, regardless of the truth of their statements, and desirous only that they should make an impression, and thus become the means of enabling them to claim a reward for their services. Government has thus been continually deceived and deluded with respect to the real state of the country; and the most injudicious measures have, in consequence, been adopted. And we are not aware that there are any other means of subverting this injurious system, so easy, so constitutional, and withal so effectual, as the appointing of a well selected Lord Lieutenant to each county, who should be responsible for the public peace, and from whom Government might obtain that authentic information with respect to the state and feelings of the people, of which they seem hitherto to have had so little.

The new Constabulary Bill, though perhaps bordering too closely on the *gendarmerie* system, has, on the whole, been productive of the greatest advantage. The constables have now become an efficient species of force; and the protection they have afforded to witnesses and jurors, has been eminently serviceable, and has been the means of enabling several notorious criminals to be brought to justice.

There is a considerable Yeomanry corps existing in Ireland; but this is a species of force which never has been, and never can be, advantageously employed to maintain the peace of such a country. The yeomanry are at this moment, what they were twenty years ago, almost exclusively Protestants and Orangemen; and we have the authority of Mr Wakefield for stating, that it was 'their imprudence, *their excesses, and their*

'*bacchanalian exultations*, that enabled the Republicans to rouse the feelings of the Roman Catholics in 1798, and excite them to rebellion.'—(Vol. II. p. 370.) Should the civil power of the country and the police be at any time insufficient to repress disorder, and to enforce the due execution of the law, none but regular troops ought ever to be called to their assistance. It is their officer's fault if regular troops act improperly. A well disciplined soldier is a machine, made to shoot and be shot at. He is not fanatical,—he has no partialities, no hatreds, no antipathies;—he does what he is ordered, and he does no more. But a yeoman is inflamed with all the prejudices peculiar to the district or sect to which he belongs. When a corps of such persons is called to suppress a disturbance, neighbour is opposed to neighbour, Catholic to Protestant, and civil war appears in its worst and most disgusting form. Had none but regular troops been employed at Manchester, on the 16th of August 1819, the disastrous events which then occurred would most probably have been avoided; and, at any rate, would have left infinitely less of rancour and irritation behind them. But the employment of yeomanry is a thousand times more objectionable in Ireland than in England. Enrolment in that species of force, being a privilege conferred on a small minority only, adds to the exaggerated notions they entertain of their own importance, and enables them to trample with impunity on their fellow subjects. There is in fact a rooted antipathy between the yeomanry and the great body of the Irish people. The humanity, prudence, and forbearance of the regular troops in 1798, formed, says Mr Wakefield, the most striking contrast to the conduct of the militia and yeomanry; and he adds, that '*the moment the latter were separated from the army, confidence was restored, and rebellion shrunk back into the concealment whence it had issued.*'—(Vol. II. p. 372.) To keep such a force embodied, or to employ it, is of itself almost enough to excite outrage.

Perhaps, however, there is no one measure that would do so much to improve the administration of Ireland, and to divest it of that character of partisanship which has been its bane, as the abolition of the office of Lord-Lieutenant, and of the colonial and dependent Government of Ireland, by placing the entire management of Irish affairs in the hands of a Secretary of State resident in London, and having a seat in the Cabinet. This arrangement, by bringing the circumstances and condition of Ireland daily under the notice of ministers, and by rendering the whole Cabinet directly responsible for all that was done there, would get rid at once of all those petty provin-

dial cabals, which have always distracted and disgraced the mimic courts of the Irish viceroys. Where parties run so high as in Ireland, it is impossible for any Lord-Lieutenant to keep himself wholly aloof from them: But if the government were carried on in London, their effects would be comparatively impotent, and public measures would cease to be influenced by local considerations and a system of favouritism. The facility of communication between London and Dublin, renders it just as easy for a Secretary of State, resident in London, to govern Ireland, as to govern Cornwall or Cumberland. Indeed the business of the army and revenue is now wholly transacted in London, independently altogether of the Lord-Lieutenant; and we have yet to learn why the other, and less important, duties of government, may not also be discharged there.

The objection to the abolition of the office of Lord-Lieutenant, principally relied on by Mr Goulbourn and Mr Peel, is founded on the supposed difficulty that it would occasion in taking the opinion of Government in cases of capital conviction. But this objection is not entitled to any weight; for it is founded on a practice that prevails in Ireland, and which ought to be reformed, of trying every case of a capital conviction, first at the Assizes, and again in the chamber of the Lord-Lieutenant or his Secretary. No such thing takes place in England. If a man is sentenced to be hanged, the sentence is carried into execution on the day fixed by the judge, unless that judge thinks proper to respite him, or to forward a recommendation of mercy to Government. If there was any thing in this objection, it would apply with infinitely greater force to Scotland, or even Cornwall, both of which are farther from London than most of the Irish counties.

It is idle to refer to the quantity of business that occupies the Irish government. The fact is, that Ireland is over-governed. Every thing of the most trivial kind is submitted to the Lord Lieutenant. If the lighting or paving of the streets of Dublin is defective, an address is voted, and a numerous body of deputies appointed to carry it to the foot of the Throne. Every little junto of magistrates assembled at petty sessions, and every bustling and prodigiously loyal individual magistrate, is in constant communication with the Lord Lieutenant, and Messrs Goulbourn and Gregory impose on themselves the useless task of writing long and laboured replies to questions of no importance whatever. Abolish the office of Lord Lieutenant, and we venture to say, that ninety-nine parts out of a hundred of all the business that now occupies it will instantly cease, and the local authorities will learn, as in England, to do their duty, without perpetually pestering Government with representations.

Were the separate government of Ireland abolished, the public attention would be less distracted by party violence.—When a Lord Lieutenant, like the Duke of Richmond, favours Orange politics, he is the object of the unceasing attacks of Catholic orators and newspapers; and when, on the other hand, a Lord Lieutenant, like Lord Wellesley, is suspected of leaning to the Catholics, or meritoriously endeavours, as his Lordship has done, to conduct the government on a system of impartiality, he is assailed by all the ribald vulgarity of the Orange party, who, ten times more foul-mouthed than their opponents, scruple not to vilify and misrepresent his whole conduct, and to hold him up as an enemy to the constitution. In this way the public mind is kept constantly in a state of feverish and diseased excitement; the authority of government is brought into contempt; no real improvement can be matured, or even thought of; but a spirit of recrimination, slander, and violence, insinuates itself into every village, and even into every cabin.

But if the total abolition of the office of Lord Lieutenant should still appear too sweeping a change to be effected at once, there can be no imaginable reason why it should not be modified. The shadow of the thing will please the Irish mob, who are attached to this, as they are to many more of the evils that afflict their country, quite as well as the substance. If the office of Lord Lieutenant is to be kept up, its duties ought at all events to be confined to those that are wholly executive. Every thing belonging to the originating or perfecting of political measures, or the disposal of patronage, should be vested in the hands of a Secretary of State for Ireland, resident in London, and having a seat in the Cabinet. The office of chief Secretary to the Lord Lieutenant might be changed into that of under Secretary of State; and a second under Secretary might be appointed to reside in Dublin, and to form the channel of communication between the Irish Secretary resident in London, and those with whom he may have to transact business in Ireland. The sham Privy Council of the Lord Lieutenant should be entirely suppressed. Every order should emanate directly from London. And as the government would, under the plan we have proposed, be in regular communication with responsible Lords Lieutenant in the different counties, and would have an efficient magistracy to execute its orders, consistency and vigour would be given to the administration. The Lord Lieutenant would be as much, and as directly under the control of Ministers, as the commander of the forces, and would only have to execute certain specified and unimportant duties. The Castle would cease to be the theatre of plots and intrigues—the government would cease to be pro-

vincial—and Ireland would cease to ‘see a system with every Secretary, and a Secretary with every summer.’

3. *Church Establishment and Tithes.*—The existing Church Establishment, may be considered as a principal source both of the discontent and disaffection, and of the poverty and misery of Ireland. The population of Ireland in 1821 amounted to about *seven millions*: and we have the concurrent authority of all the writers best acquainted with the state of Ireland, as Dr Beaufort, Mr Newenham, Mr Wakefield, Mr Tighe, and others, for stating, that at the very least *six millions* of this number are Catholics; and that the remaining million is about equally divided between the members of the Established Church, and the Presbyterians and other dissenters. Now, without presuming to question the policy of making the religion of so small a fraction of the population the Established religion of the country, it is surely impossible to deny, that the numbers of the Established clergy, and the revenues destined for their support, ought to bear some reasonable proportion to the number of their flocks, and the extent and laboriousness of their duties. These considerations have, however, been entirely overlooked in Ireland. The 500,000 Lutherans of that island have an establishment which costs little less than the establishment for *nine millions* of Lutherans costs the people of England. In England there are twenty-six Archbishops and Bishops, and in Ireland there are twenty-two! Mr Wakefield has stated, that, exclusive of their other revenues, which are very large, the estates of *five* only of these dignitaries would, if fairly let, and properly managed, be worth 530,000*l.* a year, or nearly twice as much as the entire revenue of the English Bishops! This estimate has been accused of exaggeration; but the following extracts from the returns to an order of the House of Commons (11th of February 1824), of the quantity of land belonging to the different Sees, *exclusive of glebe lands*, will show that there is but little reason for this charge.

Sees.	No. of Irish Acres. *	Sees.	No. of Irish Acres.
Derry - -	94,836	Tuam - -	49,281
Armagh - -	68,470	Elphin - -	31,017
Kilmore - -	51,350	Clogher - -	32,817
Dublin - -	23,781	Cork and Ross - -	22,755
Meath - -	18,374	Cashel - -	12,800
Ossory - -	13,391	Killaloe - -	11,081

* Five Irish acres are about equal to eight English.

There are no maps of the Bishops' lands; and as these returns are made up from the accounts of the tenants, it is most probable that they are greatly short of the truth.

Now, it would be worse than idle to set about proving, by argument, that if twenty-six Archbishops and Bishops be, as is admitted on all hands is the case, fully enough for England and Wales, twenty-two such dignitaries must be a great deal too many for Ireland. Every one who knows any thing of the state of Ireland, must be satisfied that one Archbishop for the whole country, and a Bishop for each of the four provinces would be amply sufficient. Neither should it be forgotten, that the dioceses of Cork and Ross, of Leighlin and Ferns, and of Down and Connor, have already been united; and we should like to know the reason why this precedent should not be followed—why such unions should not be made in future, on the death of the present incumbents, until the dioceses are reduced to four. The simple and obvious plan would be, to make over the whole church property to the Treasury, to provide, in the first place, handsome incomes for the Archbishop and four Bishops, and the necessary parish clergy; secondly, to build churches and provide glebes where they are wanting; and, thirdly, to make some decent provision for the Catholic clergy.

In Scotland there are 950 parish clergymen, whose incomes may be taken on a high average at 275*l.* a year each; and as the Scottish clergy are not inferior in point of attainments to any in Europe, as no complaints have ever been made of the manner in which they perform their duty, but, on the contrary, as their exemplary conduct is the theme of well merited and constant eulogy, we can see no reason why the Irish clergy should be better paid than they are. The population of Scotland is 2,135,200, of whom a *third* may be supposed to be dissenters, which, being deducted, leaves about 1500 parishioners of the established kirk to each clergyman. On the same scale the half million of Irish Lutherans would require 331 clergymen, whose incomes, at 275*l.* a year each, would amount to 91,025*l.* But supposing that *double* this number, or that 662 clergymen were necessary in Ireland, because of the Protestants being thinly scattered over the surface of the country, the whole charge for the parochial established clergy would be 182,050*l.* a year; to which, adding 8,000*l.* a year as the income of the archbishop, and 20,000*l.* as the aggregate income of the four bishops, the whole cost of the established clergy would be 210,000*l.* a year, or not more than *one third part* of the entire revenue that either is, or might be, derived from *the church lands alone*: So that, were such a reform as this carried into effect, it would be possible to pro-

vide fully for both the Established and Catholic clergy, and for every other pious purpose, out of the church estates only; and government would have it in their power to abolish, at once and for ever, the whole of the oppressive and odious burden of tithes.

We hold it to be perfectly visionary, to suppose that tranquillity can ever be established in Ireland, so long as the Catholic cottiers and peasants are obliged to pay tithes for the support of a Protestant clergy. 'Place yourselves,' says Mr Wakefield, 'in the situation of a half-famished cottier, surrounded by a wretched family clamorous for food; and judge what his feelings must be, when he sees the tenth part of the produce of his potato-garden exposed at harvest-time to public *cant*; or if (as is most common) he has given a promissory note for the payment of a certain sum of money, to compensate for such tithe, when it becomes due, to hear the heart-rending cries of his offspring clinging around him, and lamenting for the milk of which they are deprived by the cow's being driven to the pound to be sold to discharge the debt. Such accounts are not the creations of fancy; the facts do exist, and are but too common in Ireland. I have seen the cow, the favourite cow, driven away, accompanied by the sighs, the tears, and the imprecations of a whole family, who were paddling after, through wet and dirt, to take their last affectionate farewell of this their only friend and benefactor at the pound gate. I have heard, with emotions I can scarcely describe, deep curses repeated from village to village, as the cavalcade proceeded. But let us reverse the picture, and behold the effects which are produced by oppression, when the load becomes so oppressive as to extinguish every sentiment in the breast but a desire of revenge. I have beheld at night houses in flames, and for a moment supposed myself in a country exposed to the ravages of war, and suffering from the incursions of an enemy. On the following morning, the most alarming accounts of Thrashers and of Whiteboys have met my ears,—of men who had assembled with weapons of destruction, for the purpose of compelling people to swear not to submit to the payment of tithes. I have been informed of these oppressed people having, in the ebullition of their rage, murdered both proctors and collectors, wreaking their vengeance with every mark of the most savage barbarity.' (Vol. ii. p. 486.)

It has been urged, as an apology for the tithe system, that the clergy are exceedingly moderate in their demands, and that, instead of a tithe, they rarely get a twentieth part of the

produce. We should be glad to believe that this statement is well founded; for, if so, it would plainly form a conclusive argument in favour of the abolition of tithes. The clergy may not get the whole tithe; but the question is not, whether *they* get it, but *whether the occupiers pay it?* Owing partly to the prevalence of non-residence, partly to the extreme division and subdivision of land, and partly and chiefly to the odium and danger consequent upon direct interference, the clergy almost universally let their tithes to a farmer or proctor. It is idle, then, to tell us that the clergy do not get their full tithes. It is not with them, but with their proctors, that the occupiers of the soil have to deal; and instead of its being true, that the proctor's demands are moderate, and that *he* is contented with less than what the letter of the law gives him a right to claim, the fact is distinctly and completely the reverse. The proctor is a harpy who preys on both clergy and people. He gives too little to the one, and takes too much from the other. 'In free countries,' said Mr Grattan, 'the farming of the revenue is not permitted. You would not allow it to the King, and you ought not to allow it to the Church. It is an evil in politics and a scandal in religion; and the more dangerous in the latter, because tithe being indefinite, the latitude of extortion is indefinite. The use of the tithe-farmer is to get from the parishioner what the parson would be ashamed to demand, and to enable the parson to absent himself from his duty; the powers of the tithe-farmer are summary laws and ecclesiastical courts; his livelihood is extortion; his rank in society is generally the lowest; and his occupation is to pounce on the poor in the name of the Lord! He is a species of wolf left by the shepherd to take care of the flock in his absence. He fleeces both, and begins with the parson. A tenth of your land, your labour, and your capital, to those who contribute in no shape whatever to the produce, must be oppression; they only think otherwise who suppose that every thing is little which is given to the parson; that no burden can be too heavy if it is the weight of the parson; that landlords should give up their rents, and tenants their profits, and all too little; but uncertainty aggravates that oppression; the full tenth must ever be uncertain as well as oppressive, for it is the fixed proportion of a fluctuating quantity; and unless the High Priest can give law to the winds, and ascertain the harvest, the tithe, like that harvest, must be uncertain. Now, this uncertainty is aggravated by the pernicious motives on which tithe frequently rises and falls. It frequently rises on the poor; it falls in compliment to the rich. It proceeds on principles the reverse

‘ of the Gospel ; it crouches to the strong, and it encroaches on the weak ; it is guided by the two worst principles in society, servility and avarice united, against the cause of charity, and under the cloak of religion.’ (*Speeches, Vol. II. pp. 44-46.*)

Mr Grattan’s gigantic efforts, though supported by some of the greatest and best men that Ireland has ever produced, were ineffectual to abate this nuisance. It still continues to be a most prolific source of riot, bloodshed, and murder. We know a Catholic parish in the south of Ireland with very nearly 10,000 inhabitants. Of these *one-sixteenth* part, or 625, only are Protestants, the remaining 9,375 being Catholics. The total amount of the dues and fees of all sorts paid to the Catholic priest, is about 240*l.* a year, of which he pays 80*l.* a year to an assistant. But this Catholic parish forms three Protestant parishes, and part of a fourth, the tithes of which, taken together, amount to not less than 1600*l.* a year ; which, as there are very large tracts of grass land in the parish belonging to Protestants, fall almost wholly on the poor Catholic occupiers and cottiers, and occasion endless heartburnings and disputes. The case of almost every parish in Ireland is similar, on a greater or a smaller scale ; and it is easy to conceive the consequences of subjecting the whole country to such a system. From a note on a speech of Sir Henry Parnell, it appears, that, in 1207, there were, in five counties of Ireland, no fewer than 1286 actions on cases connected with tithes : And it is stated in the Galway advertiser, of the 18th of October 1822, that ‘ at the Quarter-sessions at Gort, ONE TITHE PROCTOR PROCESSED ELEVEN HUNDRED PERSONS FOR TITHES ! They were all, or most, of the lower order of farmers or peasants :—the expense of each process about eight shillings.’ * In spring 1822, the inhabitants of Ballity, in the parish of Annadown, in Galway, presented an address to the Grand Jury of that county, in which it is stated, ‘ We suffer wrongs and oppressions beyond measure, and every effort made to redress our evils has been shamefully suppressed by influence, or baffled by intricacy. To add to our distresses, the payment of our tithes has been intolerable. We are charged much higher for them at present, when our wheat sells from 5*s.* to 8*s.* a cwt., than formerly when it sold for 2*s.* For the payment of these tithes our cattle are driven away at night, under the sanction of a

* It was stated by Sir Henry Parnell, in the House of Commons, that a citation in the Ecclesiastical Court for a tithe of only 18*s.* 10*d.*, costs the defendant 2*l.* 10*s.*

‘decree; different instances of which have occurred within this fortnight, at a period too when we have no money; several of us having been obliged to sell our little collection of wool, though in process for a coat. The demand for tithes and costs exceeds half the proceeds of our corn. Many of us are almost destitute of food and raiment; some amongst us are literally starving, and others subsisting solely on damaged wheat. What to do, or where to apply for relief, we know not; misery is heaped on distress, *and we bear it patiently*, rather than forfeit our exemplary character. We thus publicly disclose our misfortunes, in the hope that if there exists now-a-days virtue, integrity, or justice, something may be done to correct the present destructive system of tithes, and the frauds committed on the poor by a certain class of high constables.’

But whatever the inhabitants of Ballity may do, the great mass of the Irish peasantry do not patiently submit to this abominable and grinding rapacity. In despite of Whiteboy acts and Insurrection acts, they continue to wreak their vengeance on their oppressors; and unless they become more or less than men, they will continue to do so until this detestable system be wholly abolished.

We are told, however, and told by Mr Plunkett too, that it is idle to think of redress,—that the evil is irremediable! Tithes are said to be the *property* of the Church; and any scheme for their abolition, or even commutation, is represented as founded on a principle of rapine and spoliation! We are really astonished at the confidence with which this ridiculously absurd dogma has been maintained. It might as well be said that the taxes levied for the support of the army are the *property* of the soldiers, and that any attempt to reduce them would be a violation of the right of property! Tithes are *not* the property of the clergy. They are the property of the public; who give them to the clergy as a reward for their services, and who may, consequently, apply them to other purposes the moment they choose to dispense with these services, or to reduce their wages. Neither tithes, nor Bishops, nor Presbyteries, make any part of the Christian religion. An established Church is a mere human institution; and can boast of no higher or more respectable origin than a customhouse or a standing army. The clergy stand in exactly the same predicament as any other class of public functionaries. *They are servants of the public*, paid for instructing the people in their moral and religious duties; and it is mere drivelling, to suppose that Government has not a right to regulate their salaries, or to dismiss them altogether.

We admit that it would be most unjust to deprive the *present incumbents* of their revenues; and a full compensation, or equivalent ought, therefore, to be given them for whatever they might lose by the adoption of the plan we have recommended. But there is no reason, and there can be none, why the tithe system should be made perpetual,—why the public should be made to support the same number of established clergymen in all time to come, and to pay them *five* or *six* times the sum that would suffice to procure the services of an equally learned and pious body of men. No man of ordinary understanding will ever be induced to believe, that those who support the flagrant and almost inconceivable abuses of the Irish tithe system, do so, lest in subverting it they should be invading the right of property! Every one must see that tithes are nothing more than an arbitrary, oppressive, and ruinous tax on the gross produce of the land, exclusively laid out in paying the wages of a particular class of public servants. And although it were neither expedient nor politic to reduce the number of these servants, nor to lower their wages, Government would be just as little liable to the charge of injustice, or of invading the rights of property, were they to do so, as they are when they pay off a line of battle ship, or reduce the wages of the seamen.

It is due to the Marquis Wellesley to state, that he has been the first statesman who has had courage to meddle with tithes. Not that we think the bill introduced by Mr Goulbourn, and since passed into a law, can be of any material service. It is in vain to palter with the Irish tithe system. In fact, the only thing good about it, is the impossibility of mending it. But the late measure is valuable, inasmuch as it fully recognises the principle of Parliament interfering to regulate the incomes of the clergy—a principle which must be acted upon to an infinitely greater extent, before tranquillity can be restored to Ireland.

These three—the penal disabilities under which the Catholics still labour, the defective state of the Government and Magistracy, and the Tithe system—seem to us to be the main sources of the violent religious and party animosities with which Ireland has been so long distracted and disgraced. We have endeavoured briefly to trace the effects resulting from each of these sources of contention, and to show how they might be dried up and tranquillity restored. The remedies we have proposed are all easy of adoption—and if Government would but honestly and earnestly set about the work of reform, a few years would make the greatest possible change on the condition of the country. ‘Laws of coercion, perhaps necessary, certainly severe,

‘ you have put forth already, but your great engine of power
 ‘ you have hitherto kept back ; that engine which the pride of
 ‘ the bigot, nor the spite of the zealot, nor the ambition of the
 ‘ high-priest, nor the arsenal of the conqueror, nor the Inqui-
 ‘ sition, with its jaded rack and pale criminal, never thought of ;
 ‘ the engine which, armed with physical and moral blessing,
 ‘ comes forth and overlays mankind by services—the ENGINE
 ‘ OF REDRESS ; this is government, and this is the only descrip-
 ‘ tion worth your ambition ! ’ * This engine must be brought
 into the field, or Ireland will be lost. Hitherto the dominant
 party in that country have entirely overlooked the real cause of
 the disturbances and atrocities of which she has been the theatre.
 It does not lie in the perverse habits and inclination of
 the wretches whom they have trampled upon, oppressed, and
 sent to the gallows, but in *themselves*—in their own domineer-
 ing, rapacious, and intolerant behaviour. If they reform their
 own conduct entirely, the peasantry, they may be assured, will
 not be long in reforming theirs. Let them bear in mind, ‘ that
 ‘ *exile and death are not the instruments of government, but the*
 ‘ *miserable expedients which show the absence of all government.* ’ †
 Let them treat the mass of the people like men who ought to
 be as free, and who have the same rights and feelings as them-
 selves, and those disorders, which are the result of religious and
 political animosities, will soon cease to disturb and harass so-
 ciety.

II. With respect to the *second* great branch of our inquiry,
 or that which has for its object to discover the causes of the ex-
 treme poverty and destitution of the Irish peasantry, we believe
 it would be correct to say, that the oppression and misgovern-
 ment to which they have been so long subjected have had, even
 in this respect, a very powerful influence. Political degrada-
 tion most frequently leads to extreme poverty. Oppression,
 like that which has been practised in Ireland, lowers the moral
 dignity of the people ; it sinks them in their own estimation ;
 and, as it takes away all rational expectation of rising in the
 world by the mere exertion of honest industry, it effectually
 prevents its being made. Moral restraint cannot be expect-
 ed to have much influence in a country so circumstanced. An
 enslaved and degraded population eagerly grasp at any imme-
 diate gratification within their reach, and, reckless of the con-
 sequences, plunge into every excess. But as we have shown
 how these causes of degradation may be removed, we shall not

* Grattan's Speeches, Vol. II. p. 69.

† Mr Plunkett's Speech, 26th April, 1816.

farther insist on this point; but shall now proceed to show on what the rate of wages depends, and to investigate the more important of the causes, not hitherto noticed, which have tended to sink that rate in Ireland to a pittance so low as hardly to be able to support mere animal existence.

That the power of employing labour possessed by any country does not depend either on the fertility or extent of its territory, but on the *amount of its capital*, is a fundamental principle in the science of wealth, and it is one respecting which there is no longer any room for doubt or difference of opinion. By capital is meant all that portion of the national stock employed to maintain productive labourers, or to facilitate production. It comprehends the food and clothes of the workman, the raw materials on which he exerts his industry, and the various tools and machines of whose assistance he avails himself. There is no other fund from which the labourers can possibly draw the smallest portion of their subsistence: *And hence it is that the amount of subsistence falling to the share of each labourer at any given period, or the rate of wages, must wholly and entirely depend on the proportion which the national capital bears to the amount of the labouring population.* If the amount of capital be increased without a corresponding increase taking place in the population, a larger share of such capital will necessarily fall to each individual, or, which is the same thing, the rate of wages will be proportionally increased; and if, on the other hand, population is increased faster than capital, a less share will be apportioned to each individual, or the rate of wages will be proportionally reduced. The well-being and comfort of the labouring classes are, therefore, especially dependent on the proportion which their increase bears to the increase of the capital that is to support and employ them. If they increase faster than capital, their wages will be progressively reduced; and if they increase slower than capital, they will be progressively augmented. In fact, there are no means whatever by which the command of the labouring class over the necessities and conveniences of life can be really augmented, other than by accelerating the increase of capital, or by retarding the increase of population; and every scheme for improving the condition of the poor, not founded on this principle, or which has not for its object to increase the ratio of capital to population, must be wholly and completely ineffectual.

The principle we have now stated, goes very far indeed to explain the cause of the misery of the Irish peasantry. It is certainly true that there has been a considerable increase in the capital of Ireland during the last hundred years; though

no one in the least acquainted with the progress of the different parts of the empire, has ever presumed to say that this increase has been either a *third* or even a *fourth*, so great as the increase of capital in England and Scotland during the same period. But the increase of *population* in Ireland as compared with its increase in Britain, has been widely different from the increase in the *capital* of the two countries, or in their means of maintaining and supporting population. According to the tables given in the Parliamentary Reports, the population of Britain amounted, in 1720, to 6,955,000, and in 1821, it amounted to 14,391,000, having a little more than doubled in the course of the century. But from the same Reports it appears, that the population of Ireland, whose capital had increased in so very inferior a proportion to that of Britain, amounted to a very little more than *two* millions in 1731, and to very near *seven* millions in 1821; having nearly *quadrupled* in less time than the population of Britain took to *double*!

Attempts have been made to show, that the population of Ireland in former periods has been underrated, and that its increase has not really been so rapid as we have represented. But these attempts have entirely failed of their object; and have served only to confirm the conclusions they were intended to subvert. The first authentic account of the population of Ireland, is given by Sir William Petty, in his admirable little tract entitled the *Political Anatomy of Ireland*. Sir William had been employed by Government to superintend the survey and valuation of the forfeited estates, instituted during the Protectorate; and so well did he execute his task, that this survey still continues, after the lapse of near two centuries, to be the standard of reference in the courts of law, as to all points of property. He had, therefore, the best means of obtaining accurate information with respect to the numbers and condition of the people; and as the results of his researches on these points are exceedingly curious, we shall give them in his own words.

‘ The number of people now in Ireland (1672) is about 1,100,000, viz. 300,000 English, Scotch, and Welch Protestants, and 800,000 Papists; whereof one-fourth are children unfit for labour, and about 75,000 of the remainder are, by reason of their quality and estates, above the necessity of corporal labour; so as there remains 750,000 labouring men and women, 500,000 whereof do perform the present work of the nation.

‘ The said 1,100,000 people do live in about 200,000 families or houses, whereof there are about 16,000 which have more than one chimney in each, and about 24,000 which have

‘ but one ; all the other houses, being 160,000, are wretched
 ‘ nasty cabins, without chimney, window, or door-shut, even
 ‘ worse than those of the savage Americans, and wholly unfit
 ‘ for the making merchantable butter, cheese, or the manufac-
 ‘ tures of woollen, linen, or leather.

‘ By comparing the extent of the territory with the num-
 ‘ ber of people, it appears that Ireland *is much under-peop-*
 ‘ *pled ; forasmuch as there are above 10 acres of good land to*
 ‘ *every head in Ireland ; whereas in England and France there*
 ‘ *are but four, and in Holland scarce one !*’ (Pol. Anatomy of
 Ireland, pp. 114 and 118, ed. 1719.

In 1731 an inquiry was instituted, by order of the House of
 Lords of Ireland, for ascertaining the population, through the
 medium of the magistrates and established clergy, the result of
 which gives a population of 2,010,221. At this period, and for
 long after, Ireland was essentially a grazing country. To such
 an extent, indeed, was the pasturage system carried, that, in
 1727, during the administration of Primate Boulter, a law was
 made to compel every occupier of 100 acres of land to cultivate
 at least *five* acres, under a penalty of 40s. !

According to the returns of the hearth-money collectors, the
 number of houses in Ireland in

1754, was 395,439		2,372,634
1767, — 424,646	Which allowing <i>six</i>	2,544,276
1777, — 448,426	inhabitants to each	2,690,556
1785, — 474,322	house, gives a po-	2,845,932
1788, — 650,000	pulation of	3,900,000
1791, — 701,102		4,206,612

An incomplete census was taken in 1812, from which the po-
 pulation was computed at 5,937,856 : And by the last and com-
 plete census taken in 1821, it appears that Ireland contained,
 at that epoch, a population of 6,801,827, which were thus dis-
 tributed :

Leinster, - - -	1,757,492
Munster, - - -	1,935,612
Ulster, - - -	1,998,494
Connaught, - -	1,110,229

6,801,827

Now the area of Ireland, measured on Arrowsmich's map, con-
 sists of 31,640 square miles, of 69.15 to a degree, which gives, on
 an average, 215 persons to each square mile ! But the average of
 Leinster, Ulster, and Munster, is not less than 240—a density of
 population far exceeding what is to be found in the richest and
 best cultivated countries of Europe. England and Wales with

their improved agriculture, their immense manufacturing and commercial wealth, and their populous cities, have only 207 persons to a square mile; and the Netherlands, full of wealth, cities, and people, can only boast of a population of 212 to a square mile, being 23 less than the average of Munster! Connaught, covered with bogs and morasses, and without one great town, has, notwithstanding, a population of 137 to each square mile; while the Lowlands of Scotland, with Glasgow, Edinburgh, Paisley, Perth, Dundee, &c. to swell their numbers, have only a population of 127! Ireland, therefore, sunk as she is in beggary and destitution, *is the most densely peopled country in the world.* Other countries only become populous when they have the means of comfortably supporting a large population; but Ireland is populous without wealth—she is populous because her inhabitants are satisfied with the merest pittance that can support existence—because they have consented to divide among *three*, food and clothing not more than sufficient for *one*!

It is undoubtedly this excessive amount of population that is the immediate and proximate cause of the want of an effectual demand for labour in Ireland, and of the squalid and abject poverty of the people. The number of persons soliciting employment, compared with the means of employing them, is so very great, that wages have been reduced to the lowest pittance that can afford the smallest supply of the coarsest and cheapest species of food necessary to support human life. All the witnesses examined by the Committee of the House of Commons on *The Employment of the Poor of Ireland* in 1823, concur in representing their numbers as excessive, and their condition as wretched in the extreme. Their cabins are utterly unprovided with any thing that can be called furniture; in many families there are no such things as bedclothes; the children, in extensive districts of Munster and the other provinces, have not a single rag to cover their nakedness; and whenever the potato crop becomes even in a slight degree deficient, the scourge of famine and disease is felt in every corner of the country. The Right Honourable Maurice Fitzgerald, M. P., mentions that he had known the peasantry of Kerry quit their houses in search of employment, offering to work 'for the meerest subsistence that could be obtained, for *two-pence* a day, in short for any thing that would purchase food enough to keep them alive for the ensuing twenty-four hours.' (*Report*, p. 158.) Mr Sterne Tighe mentions, that 'the number of people supported in Ireland 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 disgraces that country.’ (*Report*, p. 108.) And Dr Rogan, whose excellent work on the Fèver in the North of Ireland was published in 1819, states that, ‘ throughout the extensive counties of Tyrone, Donegall, and Derry, the population is only limited by the *difficulty of procuring food*. Owing to the universal adoption of the cottier system, and to the custom of dividing farms among the sons, on the death of the father, *the labouring classes are infinitely more numerous than are required for the purposes of industry*. Under these circumstances, they are engaged in a constant struggle for the bare necessities of life, and never enjoy its comforts.’ (p. 8.)

These statements, which might, were it necessary, be multiplied to infinity, conclusively show, that a vast increase has taken place in the population of Ireland, and that it is now both superabundant and miserable in the extreme. And hence, the obvious and undeniable inference, that, in the event of the population having increased less rapidly than it has done, there would have been fewer individuals soliciting employment, and that consequently the rate of wages would have been proportionally higher, and the condition of the poor so far improved. No proposition, then, can be more true, than that *the unexampled misery of the Irish people is directly owing to the excessive augmentation of their numbers*; and nothing can be more perfectly silly and childish, than to expect any real or lasting amendment in their situation, until an effectual check has been given to the progress of population. Our next object will therefore be, to investigate the causes which have occasioned this extraordinary increase, and to point out the means by which they may be counteracted.

1. The Bounty acts of 1783 and 1784, seem to have given the first great stimulus to the population of Ireland. When the patriotic efforts of GRATTAN and the Volunteers had achieved the nominal independence of Ireland, and procured the abolition of those oppressive and absurd restrictions, with which the ignorant jealousy of the British Parliament had fettered her foreign commerce, the Irish Parliament make a powerful effort to awaken the industry and stimulate the energies of the people. But unfortunately the means resorted to by them for the accomplishment of this desirable purpose, were not of a kind that could possibly be productive of any lasting or real advantage. Instead of contenting themselves with breaking down the restraints under which they had laboured, and giving freedom to commerce, they had recourse to all the artificial expedients of the restrictive system. In imitation of the erroneous policy of

England, they granted high bounties on the exportation of corn and other raw produce (three shillings and fourpence per barrel on wheat, and other grain in proportion), at the same time that they laid prohibitory duties on their importation from abroad. In vain did one or two members urge, that though the bounty system might be apparently beneficial for a few years, it could not be otherwise than injurious in the end. Their feeble, and, as it was considered, anti-national opposition was drowned amid general acclamations, and measures which have done irreparable mischief to Ireland, were hailed with the enthusiastic plaudits of her choicest patriots!

Previously to the passing of the Bounty Acts (23 and 24 Geo. III. cap. 19.), Ireland was, as we have already stated, essentially a *grazing* country. But no sooner had they been passed, than the *pasturage* system gave place to *tillage*. The unnatural and artificial enhancement of prices caused by the bounty and the restriction on importation, occasioned an immediate and extraordinary increase of cultivation. In proof of this, we subjoin the following *official* account of the number of barrels of barley, oats, and wheat, exported from Ireland in the undermentioned periods:—

Exported from Ireland, on an average of the 5 years ended,	Barrels.			
	Barley.	Oats.	Wheat.	Oatmeal.
25 March 1773,	6,445	22,956	2,022	54,825
Do. 1783,	19,696	106,570	60,246	25,467
Do. 1789,	83,929	525,072	110,557	151,546

Had the Irish Bounty Acts been productive only of an increase of *corn* cultivation, they might not perhaps have been very injurious: But such has not been, and could not rationally be expected to be their only effect. In 1784, as at present, there was very little capital in Ireland; and the impossibility, resulting from this circumstance, of finding tenants capable of occupying and cultivating large tillage farms, induced the proprietors to divide their estates into small portions, and even to let them on the ruinous system of *partnership* leases. So that the stimulus that was intended to act exclusively on *agriculture*, had an infinitely more powerful effect in causing the subdivision of farms, and in deluging the country with a redundant and starving *population*.

In 1806, the previously existing restraints on the trade in corn between Great Britain and Ireland were wholly abolished. And while the markets of England were opened to the free competition of the Irish growers, the high prices that were obtained during the war, continued the impulse originally giv-

by the bounty acts, and occasioned a further and very great extension of tillage.

2. But the effect of the bounty acts, and of the opening of the markets of England, must have been comparatively trifling, had it not been for the peculiar customs and manners of the people, and the nature of their civil and political institutions. The custom of *gavelkind*, or of equally dividing the paternal property, whether freehold or leasehold, among all the children of a family, has always prevailed among the Irish. Sir John Davies particularly specifies this as one of the customs that had mainly tended to perpetuate the barbarism and poverty of the people; and it still continues to exert an equally powerful and disastrous influence. Taught from their infancy to depend entirely on the land for support, and assured that they will, either on their marriage or the death of their father, get a certain proportion of the land held by him, many of the most powerful motives to enterprise and industry are either wholly destroyed or greatly weakened, and the country is gradually split into small patches, and overspread with an idle, a beggarly, and an excessive population. 'The farmer,' says Mr Townsend, 'who has half a dozen sons, may, perhaps, for one or two of them find trades; *the rest are provided for by an equal partition of the land.* By such means, the farmers of this county are, for the most part, reduced to petty cottagers. As long as subsistence can be procured, and in this respect they are very moderate, nothing can induce them to quit the favourite spot on which they were born.—A farmer often estimates his riches by the number of his sons, whose labour precludes any necessity of mercenary aid; but this lasts only for a short time. They marry at an early age, new families arise, a separation of interest takes place, and with it a partition of the farm. The same system still going on, future subdivisions are to be made, productive of jealousy and quarrel.' (*Survey of Cork*, 2d ed. vol. i. pp. 87 and 208.) This custom obtains universally throughout Ireland. In many districts, when a daughter is married, her husband obtains a share of her father's farm.

So long, however, as the rearing of cattle formed the principal employment of the Irish farmers, the custom of *gavelkind*, or the equal partition of property among children, was comparatively harmless. For, as the pasture lands were generally let in immense tracts to opulent graziers, only a few individuals were required to feed and take care of the cattle, and these were not generally permitted to occupy any land. But the passing of the bounty acts gave birth to a new order of things,

Even though capital had been as abundant in Ireland as it was deficient, it would have been impossible for a tillage farmer to have managed such large tracts of land as were previously held by single graziers. Not only, however, was the size of the farms greatly reduced, but the new occupiers, being for the most part exceedingly poor, were glad to buy whatever labour they could obtain by granting the peasantry allotments of small pieces of ground, whereon they might erect cabins and raise potatoes. But the stimulus that had thus been given to population did not, as might indeed have easily been foreseen, cease, when a sufficient supply of labourers was obtained to cultivate the country. The habits of idleness and of early marriage, caused by the equal partition of the paternal farm, operate quite as powerfully on the children of the occupier of a farm of 50 as of 500 acres, and will certainly continue, if left to exert their full and natural influence, to operate until they have reduced the whole country into potato gardens, and farther subdivision and degradation have become impossible! In the counties of Clare and Limerick, and generally throughout Ireland, there are innumerable instances of farms of from 300 to 500 acres, originally let from thirty to forty years ago to single tenants *possessed of capital sufficient for their cultivation*, and now split, perhaps, among twenty, thirty, or forty families, by means of the repeated divisions that have taken place, in consequence of the death of fathers, and the marriage of children.

We have no hesitation in avowing our decided conviction to be, that no measures which it is possible to adopt for the improvement of Ireland can have any material influence, unless an effectual check be given to the practice of subdividing farms. Such a practice would of itself, and without the assistance of any other debasing influence, serve to pauperize and degrade any people. It is indispensable, therefore, that it should be corrected; a result which can only be brought about by *fearlessly changing the whole law of Ireland with respect to landlord and tenant*. The fact is, that this law, which is substantially the same as that of England, is totally inapplicable to a country in the situation of Ireland. Most fortunately the people of England have always been extremely indisposed, as we trust they will ever continue to be, to make an equal division of the lands occupied by an individual among his children, and to practise subletting. Marriages have, in consequence, been generally deferred to a much later period than in Ireland; and a large proportion of the population have been forced to depend for subsistence on manufactures and commerce: But in Ireland the custom of subdividing and sublet-

ting, sanctioned by the old Brehon laws, has always been acted upon. Her population have, in consequence, been always in excess, and never have had the least desire to obtain a livelihood, otherwise than by the cultivation of the soil. It was not to be expected, when the circumstances of the two countries were so extremely different, that a law, which was suitable for England, should at the same time be suitable for Ireland; and the experience of centuries has proved, that, far from being suitable, it is most injurious, and has powerfully contributed to her degradation.

But while Ireland has thus been sinking deeper and deeper into ruin and misery, under the operation of the English law of landlord and tenant, Scotland has risen under the operation of a wholly different law, from a state of extreme poverty, barbarism, and insubordination, to one of great wealth, refinement, and the most perfect tranquillity and order. And hence, in venturing to recommend the abolition of the existing law of Ireland on this subject, and the introduction in its stead of a system nearly similar to that which obtains in Scotland, we are not recommending any new or untried theory, but are proceeding on the sober and solid ground of experience and observation.

In Scotland,—to speak generally indeed, but with as much accuracy as our purpose requires,—a lease is considered as *real* and not as *personal* property. When a farm is let on a lease of ordinary endurance, 19 years for example, to an individual or his heirs, and even when no mention is made of heirs, if a power be not *expressly given in the lease* to assign or sublet, the farm cannot be sublet by the tenant; and must necessarily pass at his death to his *heir-at-law*, to the exclusion of every other person. The tenant under such a lease, has no power to introduce a new tenant into the farm, or to change the established order of succession to the lease held by him; he cannot dispose of it by will or testament to any particular individual or individuals, whether of his own family or not, to the prejudice of his legal heir. If the lease gives the tenant a power to assign or sublet, an assignment, or a sublease, will be valid; otherwise they are of no value whatever. Should the tenant assign or sublet, contrary to this general rule of law, and still more if contrary to a clause to restrain him, the landlord may bring an action in the Court of Session to have the lease forfeited, and the subtenants ejected from the farm: And the Court, who dispose of such actions without the intervention of a Jury, will, on the fact of an assignment or sublease having taken place being established, order them to be turned out of possession. This action is speedily decided, and is attended with comparatively

little expense. All actions regarding arrears of rent, mismanagement, and removals, are tried, in the first instance, in the Sheriff-court without a jury, and are very cheaply and expeditiously decided.

It is to this system that Scotland owes a very large share of her prosperity. It has prevented farmers from providing for their children by the subdivision of their farms; and has, consequently, forced these children to become comparatively considerate, industrious, and enterprising, and to depend for their means of support on something else than the occupancy of a petty patch of land. Had such a system been adopted in Ireland a hundred years ago, the condition of the inhabitants would have been very different indeed from what it now is; and its adoption still seems to us to be by far the best means that it is possible to resort to, for arresting that splitting of farms and multiplication of beggars—for these operations are really synonymous—that is now going forward in that country.

The law of Scotland, it will be observed, though, as a general rule, it interdicts both subletting and assigning, does not prevent a landlord granting a lease which shall convey these powers to the tenant. In Scotland, indeed, such a lease is very rarely granted; but in Ireland, the practice of subletting must, in the actual circumstances of the country, be acted upon to a very considerable extent. The vast majority of her cultivators are comparatively destitute of capital, and are as savage, turbulent, and unruly, as they are poor and miserable. In consequence, if a landlord either wishes, as every gentleman naturally must, to have any tolerable security for his rent, or to avoid the disagreeable and often dangerous task of inspecting and controlling the proceedings of such tenants, he has no resource but to let his estate to a middleman. It is useless, therefore, to declaim against a practice which necessarily and indeed unavoidably arises out of the state of society in Ireland. No wise legislator will ever attempt directly to abolish that which has its foundation in the nature of things, but will endeavour to free it from abuse, and to make it as generally advantageous as possible.

But, although we are thus of opinion that it would be wrong to attempt to prevent subletting altogether, we are no less firmly of opinion, that the law with respect to this practice in Ireland calls loudly for alteration, and that no inconsiderable portion of the misery of that unhappy country has been occasioned by its injustice and impolicy. By the law of Scotland, a landlord who has let a farm to an individual to whom he has given a power of subletting, is not entitled to distrain the goods of such subtenants as have duly paid their rents to the principal

tenant, should the latter become bankrupt while in arrear to him;—(Bell on Leases, 3d ed. p. 297.) And he is entitled to distrain the goods of those who have not paid the principal tenant, to the extent only of the subrents. This rule is bottomed on the sound principle, that a landlord has no right to claim the goods of subtenants, to whose being on the farm he has himself consented, as security for rent due by the principal tenant to him; that it is the principal tenant only who is his debtor; and that the bankruptcy of such principal tenant should not prejudice the interests of those who have made him a *bona fide* payment of rents he was entitled to receive. In England, however, a different rule has been adopted; for, according to the law of that country, a landlord is entitled, whether he has consented to subletting or not, to distrain the goods of subtenants, even though they may previously have paid their stipulated rent to the principal tenant, in the event of the latter falling in arrear. That such a rule should have so long obtained in England, can only be accounted for from the practice of subletting being there, generally speaking, extremely rare; and from the English being thus, in a great measure, ignorant of its gross injustice and ruinous tendency. But in Ireland the case is altogether different. The law of England is there applied to a country *where the practice of subletting is universal*, and it has, in consequence, been productive of the most disastrous results. In Ireland there is frequently a gradation of intermediate tenants interposed between the landlord and the cultivator; so that, though the latter may have paid every shilling of the rent due by him to his immediate superior, he is liable, in the event either of his bankruptcy, or the bankruptcy of any of the other intermediate holders, to have whatever stock or property he is possessed of driven to the *pound*, and sold to *pay their debts*! We question whether the law either of Morocco or Algiers, sanctions any more flagrant and shameful abuse. Security of property is the foundation of all industry, wealth, and civilization: But so long as this monstrous system is maintained, security must be unknown to the cultivators of Ireland. Can you expect any improvement to be made—can you expect that any individual will either exert himself to fertilize the land, or lay out capital upon it, when the whole fruits of his industry and toil may at any time be seized upon, under a system of legalized robbery, by one to whom he owes nothing?

The atrocious murder of the Franks, together with many of the outrages of which Ireland has been so long the theatre, have been the result of this disgraceful system. On this,

as on all other points of importance, we are happy to be able to corroborate our own statements by the unexceptionable authority of Mr Wakefield. 'In Ireland,' says he, 'six months credit is generally given on rents, which is called "*the hanging gale*." This is one of the great levers of oppression by which the lower classes are kept in a kind of perpetual bondage; for as every family almost holds some portion of land, and owes half a year's rent, which a landlord can exact in a moment; this debt hangs over their heads like a load, and keeps them in a continual state of anxiety and terror. If the rent is not paid the cattle are driven to the pound, and if suffered to remain there a certain number of days, they are sold.—*This I have frequently seen done after the occupying tenant had paid his rent to the middleman, who had failed to pay it to the head landlord.* The numerous instances of distress occasioned by this severity, which every one who has resided any time in Ireland must have witnessed, are truly deplorable; and I believe them to be one of the chief causes of those frequent risings of the people, under various denominations, which at different times have disturbed the internal tranquillity of the country, and been attended with atrocities shocking to humanity and disgraceful to the empire.' (Vol. I. p. 244.)

It would be easy to quote a thousand similar passages from the best works on Ireland, to show the effects of this law; but they are wholly unnecessary. Every one must see that, so long as it is suffered to exist, there can be neither security, nor peace, nor prosperity; and that it is the imperious duty of government to take immediate steps for having it totally changed, and made to approach very closely to the law of Scotland. For this purpose it should be enacted, that henceforth every lease is to be considered, unless an express exception be made in it, as *real property descending to the heir-at-law of the tenant, to the exclusion of every other individual, and as taking from the tenant all power to assign such lease, or to sublet either the whole or any portion of the farm; and it should be further enacted, that in the event of a landlord choosing specially to empower a tenant to assign or sublet, either by a clause in the lease to that effect, or by a power subsequently given by a deed properly attested, such landlord shall not be entitled to distrain the goods of subtenants, for bona fide payments of rent made by them to the principal tenant, in case of the bankruptcy of the latter, while in arrear to him.* Such a law would interpose a powerful check to the splitting of farms; while it would not only give security to the cultivator, and protect him from injustice and oppression,

but would also have the effect to render the landlords infinitely more attentive than they now are to the character and qualifications of their principal tenants. At present, an Irish landlord is but too apt to let his land to the middleman who offers him the highest rent, trusting, should he become insolvent, to his recourse on the subtenants; so that, by taking away this recourse, you will force the landlord to attend to other considerations besides the mere amount of rent promised him by the middleman; and respectable tenants will then meet with that encouragement and preference to which they are entitled, but which they have hitherto experienced from a few only of the landlords of Ireland.

It would not, however, be enough to enact, that all subdividing and subletting, which have taken place without the consent of the landlord, should be illegal: Fully to counteract this destructive practice, and to avoid all litigation on the subject, it should be enacted, that *every principal tenant, who presumed either to sublet or subdivide the whole or any portion of his farm, without a clause authorizing him to do so being inserted in his lease, or without the consent of his landlord, previously asked for and given in writing, should, by doing so, forfeit his lease; and that it should be made imperative on the Quarter-sessions, before which such cases should be tried, to grant a writ of ejectment, both against such principal tenant and his subtenant, or subtenants, provided the landlord applies for this writ within twelve months after the subdivision of the farm has actually taken place, or within twelve months after the subtenant has been admitted to possession.* And, in order to induce the landlord to avail himself of this power, and at the same time to prevent the tenants being kept in a state of insecurity, it should be further enacted, that, *in the event of the landlord not applying to have the tenants ejected from the farm, within the above specified period of twelve months, after the subdivision or sublease had taken place, he should be held as waiving all objections to their title, and that their right to their possessions during the currency of the lease should no longer be questionable, and that the landlord should have no power to dis-train the goods of such subtenants for bona fide payments of rent made to the principal tenant.* A law of this description would give effect to contracts, and would secure and protect the just rights and property of all parties. It would make it the obvious interest of the landlords to exert themselves effectually to check that subdivision of farms, which is the bane of Ireland; while no tenant could justly complain that he had been deprived of a lease whose plainest stipulations he had attempted to defeat and elude.

Every intelligent Irish gentleman with whom we have conversed on the subject, has readily and fully admitted all the evils of the existing law, and has not hesitated to say that the alteration of that law, in the way we have now suggested, would be productive of the greatest possible advantage. The only objection we have ever heard a landlord make to it was, that the habits of the people run so strongly in favour of subletting, and subdividing their farms among their children, that no jury would ever give effect by their verdict to such a law; and that, even though this difficulty could be got over, it would be impossible to carry the verdict into execution! If this were a really true representation, the situation of Ireland would be hopeless indeed; but we are satisfied that it is, to say the least, very greatly exaggerated. We confess we see no reason whatever, why the intervention of a jury should be required in such cases in Ireland any more than in Scotland. All questions connected with leases might be cheaply, and expeditiously, and most advantageously tried at the Quarter-sessions, in the Civil Bill Court, before the assistant barrister, without a jury. They are not questions that could involve any difficulty, or where there could be any room for a jury to exercise their discrimination. On evidence being produced to show that a farm had been subdivided or sublet, it ought to be made imperative on the Court, in the event of the tenant not being able to produce a lease, or a written authority from the landlord authorizing him to subdivide or subset, immediately to grant warrant for the ejectment of such principal tenant and all his subtenants from the farm. And with respect to the second point, or the alleged inability to carry such a warrant into execution, we contend, that Government must not permit the supremacy of the law to be questioned in a matter of such vital importance. If Ministers really mean to prevent Ireland from becoming a vast den of savages, or to stop the progress of pauperism and atrocity, they must, at all hazards, put down that system of intimidation on which the people have been accustomed to act. The peasantry could not be long in perceiving that such a law as we have proposed was calculated, in a peculiar manner, to protect them from oppression, and to promote their advantage; and if *really impartial* magistrates, backed by a sufficient civil and military force, were employed to superintend and enforce its uncompromising execution, we know enough of Ireland to be able to say, that, in a very short time, all violent opposition would cease, that its peaceable operation would be speedily secured, and that the greatest possible boon would, in consequence, be conferred on the country.

The opposition of the Judges and Lawyers of Dublin to the change we have proposed, may, we are afraid, be reckoned on. They will not fail to represent, in high sounding and solemn terms, that the adoption of such a law would be a dangerous innovation; that it would occasion a very great change in the succession to property; that it would be casting an undeserved reflection on the Juries of Ireland; and be giving too much power to inferior Judges and Magistrates. Such commonplace objections will not, we trust, be allowed to retard the progress of this truly important measure. That the adoption of the law we have suggested would effect a very great change, is most true; but it is no less true that the change is imperiously required, and would be most beneficial. Is the old womanish fear of innovation, to induce us to continue a system forever which has covered Ireland, from one extremity to the other, with mud cabins and beggars?—which exposes a subtenant to be distrained for a debt not due by him, at the same time that it nullifies every lease, and incapacitates a landlord from protecting his property from subdivision and ruin? We would not dispense with juries in the trial of cases with respect to leases, were it not that under the system we have recommended, they would be wholly useless, there being no room for discrimination or modification. What is every day done in Scotland by a sheriff-substitute, who is commonly bred an attorney, without a jury, may surely be done in Ireland by an assistant barrister. We, therefore, most earnestly implore the landlords of Ireland and the Government not to be deterred from proposing and passing some such law as this, by the representations of lawyers, naturally attached to old customs and prejudices, and afraid lest it should lessen, as it certainly would, the business in the courts. The effects of the present law of Ireland are palpable and glaring—they are seen in the subdivision and ruin of estates, in the wretched condition of agriculture, in the impoverishment of farmers, and in the misery and excessive numbers of the peasantry of that country: The effects of the system we have taken the liberty to propose are equally palpable;—they are seen in the extensive farms and improved estates, in the flourishing condition of agriculture, in the increasing wealth of the farmers, and in the comfort, happiness, and moderate numbers of the peasantry of Scotland! Let then the system which has been productive of so much misery be subverted, and the system which has been productive of so much good be substituted in its place. We will venture to say, after having reflected long and anxiously on the subject, that Parliament can adopt no measure that would effect a more salutary and desirable reformation in Ireland. The

further subdivision of farms, and the increase of population consequent upon it, would be effectually checked; the rights of proprietors, now left without any efficient protection, would be secured; subtenants would no longer be liable for the debts of others; and as confidence grew up, proprietors and farmers would readily undertake improvements that will never be thought of so long as the present miserable system is supported. We know that this subject will certainly be agitated in Parliament during the present Session; and if the landlords of Ireland be not wholly and perversely blind to *their own*, as well as their country's best interests, they will give their unanimous, zealous, and effectual support to the measure we have recommended. The existing system is subversive of all their just rights; it has deprived them of all control over their property; and if suffered to run its full course, it will most assuredly entail universal beggary on the occupiers of their lands, and end by rendering them unable to pay a single shilling of rent.

3. The system according to which Freeholders are created in Ireland, has had a very powerful influence on the splitting of farms and the increase of population. The qualification of a freeholder is the same in Ireland as in England—a clear *forty shillings* interest for life; but as it is customary in Ireland, and fortunately not in England, to insert lives in all leases, freeholders are created by thousands in the former country, without being actually possessed of any property whatsoever. Thus, when an Irish landlord wishes to extend his political influence, he immediately sets about subdividing his estate, and lets it in small patches, frequently not exceeding the size of a potato garden, to cottiers for life, who thus become invested with the elective franchise! In consequence of this system, Ireland has become a perfect freeholder; as well as pauper warren. In some counties a very near approach is made to the system of universal suffrage; and that system has been productive of the very results which every man of sense might have foreseen would, in the circumstances of the case, necessarily flow from it. The landlords have exerted themselves to secure and extend their political influence; and they have, in this respect, managed so skilfully as to get the perfect and thorough command of the occupiers of their estates; who are, in point of fact, just as much under their control as their own body servants. It is true that, to attain this object, they have adopted a system ruinous to the country, and which must also, for that very reason, prove ruinous to themselves. Still, however, we do not see how the landlords can justly be blamed for what they have done. It must always be desirable to be pos-

essed of political influence; and so long as the law of the land declares that the extent of that influence shall be measured by the number of *forty shilling* tenants, which a landlord can march to the poll, it would be worse than absurd to expect that he should not endeavour to manufacture them. Experience of the remote effects of this system may ultimately indeed convince him that he has mistaken his real interests; and that he has lost more by parcelling out his estate into lots to be occupied by beggars, than he has gained by his increased political importance in the county. But before experience can teach him this great lesson, the mischief is done; the division of his estate has been effected; its population has become excessive, and serious obstacles oppose the return to a better system.

So long as Catholics were excluded from the exercise of the elective franchise, the system of manufacturing freeholders, owing to the thinness of the Protestant population of the country, could be but little acted upon. But since 1792, when Catholics were permitted to exercise this privilege, freeholders have been manufactured and voters created, to an extent of which luckily the people of Britain can have no just idea.

‘The passion for acquiring political influence prevails,’ says Mr Wakefield, ‘throughout the whole country; and it has an overwhelming influence upon the people; *to divide, and subdivide, for the purpose of making freeholders, is the great object of every owner of land*; and I consider it one of the most pernicious practices that has ever been introduced into the operations of political machinery. It reduces the elective franchise nearly to universal suffrage, to a population who, by the very instrument by which they are made free, are reduced to the most abject state of personal bondage. I have known freeholders registered among mountain tenantry, whose yearly head rent did not exceed 2s. 6d.; but living upon this half-crown tenure, were obliged to swear to a derivative interest of 40s. per annum.—*This right, instead of being an advantage to the freeholder, is an excessive burden, as he is obliged to attend elections at the command of the agent, often with great inconvenience; and is ordered to vote for the object of his landlord’s choice, with as little ceremony as the Jamaica planter would direct his slave to the performance of the meanest offices.*—(Vol. II. p. 301.)

To put an end to this miserable system, and to rescue the peasantry from the degradation of being made mere offensive weapons, wielded by the rival candidates at elections for the annoyance of each other, without the smallest regard to their

feelings or wishes, it appears to us, that the best way would be to confine the elective franchise to persons actually in possession of freehold or copyhold property of the real value of 20*l.* or 30*l.* a year, and to the occupiers of farms paying 50*l.* or upwards of rent. By an arrangement of this kind, the proprietors of small estates, and the really independent class of freeholders, would attain that salutary and much wanted influence and consideration, which they have never hitherto enjoyed in Ireland; an obvious inducement would be created to consolidate the very small farms; and it would henceforth be impossible for a few noblemen to regulate the elections exclusively by the controlled suffrages of their serfs. Such a plan might be easily adopted, and it would be productive of the most extensively beneficial effects.

Such seem to us to be the circumstances that have principally led to the excessive increase of population in Ireland, and the measures by which they may be most easily, safely, and effectually counteracted, and the condition of the mass of the people lastingly improved. We have ventured to recommend the adoption of these measures, because we feel confident, as well from experience as from theory, that they would prove signally advantageous. But whether they are adopted or not, it is at all events obvious, that in the event of the present ruinous system being continued much longer, the destiny of Ireland will be irrevocably fixed. According to the scale at which population has been advancing in Ireland since 1784, the seven millions of 1821 must already be very little short of eight millions! Nor will this frightful progression cease, if left to itself, until the whole country has been parcelled into potato gardens, capital been annihilated, and the curse of poverty rendered universal. There is not, therefore, a moment to be lost. If the whole energies of Government be not speedily set in motion and steadily directed, to check the torrent of pauperism, it will prove too strong for them, and the reign of filth, beggary, and outrage will forever be secured.

The majority of our readers will, we apprehend, hardly conceive it possible that any one could, at this time of day, have seriously proposed the introduction of the English poor-law system into Ireland, as a means of arresting the spread of pauperism. But so it is. Such a proposition has been made, and has been favourably entertained, not by the declaimers at Catholic boards only, but by persons in high and responsible situations! It is this circumstance, and this only, that induces us to bestow a moment's attention on this extraordinary propo-

sal. If we were really desirous of immediately consummating the ruin of Ireland, of instantly destroying the little capital she is possessed of, and of eradicating whatever of prudence and consideration may be found in any class of her inhabitants, we could do nothing better than adopt the scheme in question. Is there not already enough of thoughtlessness, prodigality, idleness, and vice in Ireland, without passing a law declaring that the parish must provide the means of support for all who cannot support themselves without exception? The non-employment of the poor is unquestionably an evil of the first magnitude; but instead of lessening this evil, you will most certainly increase it in a tenfold proportion, by attempting to force employment by means of poor-laws. The non-employment of the poor must, in all cases, proceed from one or other of the following causes; viz. either, *first*, from a disinclination to work; or, *second*, from the want of capital to employ them; or, *third*, from the want of demand for the products of industry. Now, if the non-employment of the poor proceeds from the *first* of these causes, or from *disinclination* to labour, it is obvious they have no just claim on the bounty of others. A very high authority has said, that *those who do not work ought not to eat*; and the pressure of necessity will, sooner than any artificial remedy, cure them of their idleness, and force them to be industrious. It is true that the law which says they shall be supported, says also they shall be *compelled* to work. Legal constraint is, however, always attended with too much trouble, violence, and ill-will, to be productive of zealous and steady exertion. The fear of want, and the desire to save and accumulate a little stock, as they are the most natural, so they are also the most powerful motives to unremitted industry. The slave must be compelled to work, but the freeman should be left to his own judgment and discretion; should be protected in the full enjoyment of *his own*, be it much or little, and punished when he invades his neighbour's property. If we recur to those base motives which influence the slave, and substitute compulsion in the room of self-interest, we poison the very spring and fountainhead of industry, and do all that we can to render the masters tyrannical, and the workmen idle and profligate.

If, on the other hand, the non-employment of the poor proceeds from the *second* cause we have specified, or from *the want of capital to set them to work*, it is plainly impossible that this deficiency can be supplied by the fiat of the legislature, or the resolutions of overseers. All that such interference can do,

and all that it ever does, is to *change the natural distribution of the already existing stock of the country*—to take it from those into whose hands it would naturally have come, to force it into the hands of others, and thus to increase poverty in one class of the people to as great an extent as it diminishes it in another.

- But, supposing the non-employment of the poor to proceed from the *third* cause we have specified, or from the *want of demand for the products of industry*, how is this to be remedied by setting them to work? It is obvious, that the mere levy of a tax for the maintenance and employment of the poor cannot add to the income of the country, or be a means of increasing the demand for their products. And it is quite evident, that unless this demand can be increased, the taking of a portion of the income of the wealthier part of the community to form a fund to set the unemployed poor to work, can have no other effect but to increase the glut of commodities, and to drive the independent and industrious part of the poor from their employment, by the forced competition of those who are dependent, and a burden on the public.

In every point of view, therefore, in which this subject can be considered;—whether the non-employment of the poor proceeds from disinclination to work, from the want of capital to employ them, or from the want of demand for the products of industry, a compulsory assessment for their employment and support, seems to be equally inexpedient and improper. In the *first* case, such a provision is a direct encouragement to the idleness and profligacy of the vicious part of the community; in the *second*, it causes an artificial, and, consequently, a *disadvantageous* distribution of the national capital; and, in the *third*, it adds to the cause of distress, and throws those who are not paupers out of employment. It would not really be one jot more absurd to attempt to improve the health of the citizens of Dublin by poisoning their wells, than it would be to attempt to relieve the distresses of the people of Ireland by the establishment of such a system.

There have occasionally been in England, rich and industrious as she is, about a *tenth* of the entire population depending partly on parochial relief. But if the system of compulsory provision were once established in Ireland, we should not have *one-tenth*; but *seven or eight-tenths* of a population of *eight* millions depending principally on this resource. But taking the proportion of paupers so low as only *one-fourth*, and supposing that each individual were only to receive a pittance of 2d. a day from the rates, still the aggregate charge would amount to upwards of **SIX MILLIONS** a year, being about a third more than the en-

ture produce of taxation in Ireland, and constituting a charge of 15s. an acre on the *eight* millions of acres of cultivated land she is supposed to contain! With such a bounty held out to pauperism, population would be powerfully stimulated, and the whole rent of the land would be speedily absorbed. We do not know, after all, whether the landlords of Ireland will sanction this scheme; But if they do, it will be the only instance in the history of the world of a numerous and powerful class voluntarily consenting to ruin themselves, in order the better to complete the ruin and degradation of their country.

4. *Education.*—On the motion of Sir John Newport, on the 25th March last, the House of Commons unanimously voted an address to his Majesty, to issue a Commission for the purpose of inquiring into the state of education in Ireland, and reporting on the same to the House. Such a Commission has in consequence been issued; and the character of the Commissioners (Mr Frankland Lewis, M. P., Mr Glassford, and Mr Blake) is a sufficient security that the inquiry will not be a sham one, but that the whole subject will be patiently investigated and probed to the bottom. When the Report of the Commissioners is before the public, we shall enter on a full consideration of this most important subject: For we think with Mr John Smith—a sincere and intelligent friend to Ireland, and to all that can elevate the character and promote the happiness of his fellow men—‘That a government which does not provide for the instruction of its subjects, has no right to render them amenable to a bloody and ferocious code of laws.’ (Mr Smith’s Speech, 25th March 1824.) In the mean time, however, we may observe, that the offence taken by the Catholic clergy at some statements in a speech of Mr North’s, relative to the state of education in Ireland, was extremely unreasonable. If Mr North erred in saying that infamous publications were used in many of the Catholic schools, he erred in common with all the authorities on Irish affairs, and in common with many most respectable Catholics. Dr Bell, in his *Essay On the Condition and Manners of the Peasantry of Ireland*, says, that the books used in the Catholic schools were such as to give scope and activity to the worst passions, and tended powerfully to prevent the peasantry of Ireland from becoming good subjects. (p. 40.) ‘In speaking of education, Mr Wakefield says, ‘The only thing connected with it, the remembrance of which gives me pleasure, is the desire manifested to obtain it. *As to the manner in which it is conveyed, I cannot speak in terms of sufficient reprobation.*’

(Vol. II. p. 398.) Mr Wakefield subjoins, from Mr Dutton's Survey of Clare, a list of the common school and cottage classics of Ireland, abounding in books of the most flagitious description. The intelligent Catholic author of *Thoughts and Suggestions on the Education of the Irish Peasantry*, distinctly states, that the poor of his communion are entirely destitute of religious instruction, and that the schoolmasters are as bad as possible. (pp. 12, 41, &c.) And, not needlessly to multiply references, we shall only further mention, that Mr Spring Rice publicly stated, in his place in the House of Commons, on the 22d of April 1822, that he had been in a large school in the county of Cork, where the *text-book* for the instruction of the young was the life of a notorious robber—the Captain Rock of some fifty years ago! And Mr Rice farther stated, that he knew many places in which books of the same character, but of a *still more objectionable tendency*, were used! * Disgraceful, therefore, as Mr North's statement certainly is to the Catholic clergy, it is, we are afraid, idle for them to attempt to refute it. We do not presume to say that they have actually encouraged the use of such books; but we do say that it is quite impossible to conceive they could be ignorant of their being used, and that, considering the influence they have over their flocks, had they displayed a tenth of the zeal for their suppression they have so frequently displayed on the most trifling occasions, they would long since have been wholly discarded. They may object, and, for any thing that we know, justly too, to the reading of the Bible in schools. But if they will not allow the Bible to be used as a school-book, it is their duty, if they wish to save their flocks from beggary and the gallows, to take care that their schools should be supplied with books that will infuse sound principles of morality into the young mind. If they neglect this duty, Government must interfere. So long as those who are taught, are taught only to admire deeds of rapine and plunder, we may expect to find the Irish cottiers of the present day the genuine representatives of the Kernes and Gallowglasses of the days of Spencer—of those 'who did never eat their meat 'till they had won it by the sword; who made the day their night, and the night their day; who did light their candle at the flames of their foemen's houses; and whose music was not the harpe n'br layis of love, but the cries of the people, and the clashing of armor.'

* See also an excellent article on Ireland, in the first Number of the *Inquirer* (p. 42.), generally ascribed to Mr Rice.

5. *Commerce and Revenue.*—We are happy to have to say, that a most important and beneficial change has been effected in these departments, since the date of our former article, and that most of the suggestions we then made, have been adopted. The Commissioners of Inquiry into the Commerce and Revenue of Ireland, have discharged their duty to the public with a zeal and ability, and have displayed a fearlessness of giving offence to interested and powerful individuals, worthy of every commendation; and ministers are also justly entitled to the highest praise, for the vigour they have shown in following the plans of these Commissioners. The absurd and complicated system of duties and regulation, known by the name of *Union duties*, which, as we formerly showed, went far to suppress all trade in manufactured goods between Great Britain and Ireland, has been, with some few exceptions, entirely abolished. Whole boards of Commissioners, ignorant of their business, and only appointed because of the patronage they could command, have been unceremoniously dismissed; almost every Irish Act of Parliament, with respect to the collection and regulation of the revenue, has been repealed; and the whole business of the excise and customs has been transferred to London. The bill introduced by Mr Robinson, and passed into a law, for reducing the duty on spirits from 5s. 6d. to 2s. a gallon, and for authorizing the use of comparatively small stills, is by far the greatest boon conferred on Ireland since the Union. It has gone far to put down smuggling and its consequent train of evils; while by increasing the consumption of legally distilled spirits, it has been productive of a considerable increase of revenue. We are truly glad to have to state these things. They are proofs of a good spirit prevailing in the Cabinet; and the ease with which they have been effected, shows what may be done for Ireland, when government determines to put down abuse. But if ministers stop here, what they have done will be really of little or no value. If they do not remove those deeper seated and more fruitful sources of contention, hatred and crime, which we have now pointed out, the reforms they have effected will have but an inconsiderable influence in arresting the march of degradation.

But many reforms still remain to be effected, even in the financial and commercial departments. The excessive duties laid on tea, coffee, sugar, foreign wines and spirits, tobacco, and many other articles in general demand, have had the effect, by adding proportionally to the price of these articles, and placing them beyond the reach of the peasantry, to extinguish the desire to possess them in their minds, and thus to render them disposed to vegetate without repining in poverty and wretched-

ness. The almost universal want of all ambition to rise in the world, to acquire any share of the comforts and conveniences of life—forms one of the most powerful obstacles to the introduction of a better order of things in Ireland: And there are no means so effectual for exciting such an ambition, and for rendering the peasantry anxious to improve their condition, and to mount in the scale of society, as an effectual reduction of the duties laid on all articles in general demand. Such a reduction, by lowering the price of a great variety of useful and agreeable commodities, would afford new motives to stimulate, and new comforts and conveniences to reward, the industry of the peasantry. Those who are indolent—and this is notoriously the case with the Irish—will never become industrious, unless industry brings *visibly* along with it a proportional increase of enjoyments. Wherever labourers find it is impossible for increased exertion to make any material addition to their comforts and conveniences, they invariably sink into a state of sluggish and stupid indifference, and content themselves with the coarsest and scantiest fare. But the desire to rise in the world, and improve our condition, is deeply seated in the human breast, and can never be wholly eradicated.—And whenever labour has been rendered more productive, and a number of new conveniences and enjoyments made attainable by the labourer, indolence has never failed to give way to exertion: A taste for these conveniences and enjoyments has gradually diffused itself, increased exertions have been made to obtain them, and ultimately it has been thought discreditable to be without them. Nor, would such a reduction of duties as would be productive of these effects occasion the least diminution of revenue. On the contrary it is certain, as well from theory as from experience, that it would, by increasing the quantities of the articles consumed in a geometrical proportion, have the effect to add very greatly to its amount.

• A few additional measures are still wanting, to place the commercial intercourse between Great Britain and Ireland on that footing of absolute freedom on which it should stand. In consequence of the duty on foreign timber imported into the two countries being different, of the excise duties on spirits being higher in England than in Ireland, and of there being no excise duties in Ireland on glass, printed goods, soap, candles, vinegar, and wine, it is still necessary to put customhouse officers on board every vessel engaged in the trade between the two countries, when she comes into port, and to search her cargo. This is attended with very great inconvenience, hardship, and expense; and in order to obviate it, the duty on all these articles ought to made the same in both countries.

We shall take an early opportunity to show, that the timber duties now payable in Great Britain are not only oppressively high, but that they are imposed on the most impolitic and absurd principles that can well be imagined. With respect to glass, the case is but little different. To show the mode in which the duty on it operates, it is perhaps enough to state, that the gross produce of the glass duties in 1823 was 962,709*l.*, of which no less than 415,078*l.* was repaid in drawbacks! The injury done to the manufacturer by the operation of such a duty is obvious. If it were effectually reduced, the manufacturer would gain though no drawback were allowed; while the revenue would gain by the vast increase of consumption that would take place in Great Britain, and by the extension of the low duty to Ireland, and the consequent stop to the smuggling of glass from that country.

The duty on printed cottons is liable to the same objections as the duty on glass. Its gross produce, in 1823, amounted to 1,811,919*l.*, of which 1,146,750*l.* was drawn back on exportation. If a duty is to be laid on the cotton manufacture, the proper plan would be to lay it on the wool; and, by keeping it so low as not materially to affect the price of the goods, to avoid the necessity of granting a drawback, or of first paying a million Sterling into the hands of the customhouse officers, and then back again to the merchants.

The slight increase of duty that might take place in Ireland on a few articles, in consequence of the equalization of the duties payable in the two countries, could not justly be objected to. For the benefits arising from the unrestricted freedom of intercourse between the two countries, that would take place in consequence of this equalization, would infinitely overbalance the injury arising from the increase of duty; at the same time, that almost all the arguments in favour of the reduction of duties on articles in general demand apply with nearly equal force to Great Britain as to Ireland.

The bounties on the exportation of coarse linen from the United Kingdom amount to about 300,000*l.* a year. Mr Robinson proposed, last Session, immediately to repeal these duties; but he was induced, in consequence of the representations of the Irish members, to swerve from his own better purpose so far as to consent to their being repealed at the rate of 10 per cent. per annum, so that they will still cost the public 1,500,000*l.* But while the Irish members are thus taxing the public for the support of the coarse linen manufacture, they are themselves its greatest enemies; for, by enforcing the provisions of a linen board act, preventing the sale of yarn not wound on a

certain description of reel, they prevent the importation of foreign yarn into Ireland, though its price is generally from 25 to 30 per cent. less than Irish yarn, and thus lay the manufacture under a disadvantage which is not nearly balanced by the bounty. Government will, no doubt, interpose to remedy this abuse.

We cannot conclude this article, extended as it now is, without entreating all who take an interest in the subject, stedfastly to oppose every scheme for providing employment for the poor of Ireland, by grants of money, or by the aid of bounties on particular articles. Such palliatives and anodynes may lengthen, but they can never cure, a disease which has fastened on the vitals of the country, and vitiated its whole public economy. The case of Ireland is too desperate to be treated in this way. When the measures we have suggested for allaying the violence of religious and party contentions, for attaching the inhabitants to government, and for maintaining the peace of the country and the security of property, shall have been adopted, then, but not till then, capital will flow to Ireland as a place of advantageous investment. But until these things have been done, the *forced* transmission of capital to that country, by the agency of government, will merely act as a stimulus to population, and will thus really aggravate all the evils it was designed to alleviate. It is not by such puny measures—by the miserable quackery of bounties and forced loans—but by drying up the sources of disaffection, misery, and crime, that Ireland is to be improved. It is indeed the merest delusion possible, to suppose, so long as the various causes of outrage and degradation we have specified are suffered to spread their roots and scatter their seeds on all sides, that it is in the power either of individual or of national charity to arrest the tide of ruin that is now deluging the country.

We have thus, for the second time, endeavoured to show, by a minute and detailed inquiry into the state of Ireland, that the miseries and atrocities which afflict and disgrace that unhappy country are not the result of uncontrollable causes, but that they all have their origin in, and are, in fact, the natural and necessary consequences of vicious political and civil institutions and misgovernment. The question, therefore, which Parliament and the country are now called upon to decide, and none more important ever engaged their consideration, is, whether they will continue, at all hazards, to support the institutions and system of government now established in Ireland, and attempt to put down disturbances by the gibbet and the sword, or set about

making a thorough reform of the abuses which have filled her with misery and crime, and endeavour to bind her inhabitants to their interests by a sense of gratitude for benefits received and advantages conferred? The statements we have laid before our readers, as well as every principle of justice and expediency, and the experience of centuries, show, beyond all controversy, how this question ought to be decided. As Englishmen—as lovers of equal and impartial justice—we owe reparation to Ireland for the wrongs she has suffered at our hands; and we owe it for our own sakes. It depends entirely on our future conduct, whether Ireland is to be rendered our best friend and ally, or our most dangerous and mortal foe. If we treat her with kindness and affection, if we redress her wrongs, and open her a path to wealth and prosperity, the Union will cease to be nominal, and the two countries will be firmly and inseparably united: But if we obstinately persevere in our present system, if we continue to treat *six-sevenths* of her people as an enslaved and degraded *caste*, and to cherish all the gross and scandalous abuses which have cast them into the depths of poverty and vice, they will certainly endeavour (and who shall blame them?) to wreak their vengeance on the heads of their oppressors; dissension, terror, and civil war, will rage with increased fury and violence; and our ascendancy will be at an end, the instant it cannot be maintained *by force of arms*!

ART. VI. *Substance of the Speech of Mr M. A. TAYLOR in the House of Commons, on Wednesday the 30th of May 1821, on the Delays in the High Court of Chancery, and the Appellant Jurisdiction of the House of Lords.* London, 1821.

It is curious to observe by what slow degrees, and after how many struggles and difficulties, every public grievance is redressed in this country. Carelessness and indifference about the object proposed to be gained, jealousy of the person making the attempt, suspicion or misrepresentation of his motives, a blind and overweening confidence in whatever is, because it is,—must be admitted to be formidable obstacles in the way of the most temperate reforms. Nor do we here allude merely to the selfish and interested opposition of those who derive benefit from existing abuses, and whose resistance (in itself by no means trivial or unimportant) must, therefore, be calculated upon as of course. Our remarks are meant to be extended much further. There is, we presume, at all times—there certainly is in the present—a set of sleek and satisfied per-

sons, who, provided their own affairs go on well, care little about any thing else; and who, estimating the value of all institutions by their supposed good effect upon themselves, feel every project of alteration or amendment as, in some sort, an attack upon a system, with which they fondly imagine their own prosperity is bound up. Who, for instance, has lately heard of a large portion of that generally satisfied, tolerably well clothed, and perfectly well fed body, commonly called the landed interest or country gentlemen, distinguishing themselves in any other manner, than by throwing their dead and heavy weight into the doubtfully preponderating scale of the majority upon every question, which, by possibility, might affect the existence of any, no matter what, administration,—until suddenly a great light broke in upon the quarter of self-interest, and they became patriotic enough to vote for the repeal of some couple of taxes, not so much because the tenants could not pay those taxes, as because they could not pay their own rents? And of a congenial spirit and feeling are the whole body of snug and warm persons (as Parson Trulliber, if we mistake not, denominates them) throughout the whole community, whom the above mentioned class of representatives fitly designate, who are, in truth, the *vis inertiae* of society, and constitute, as it were, the natural resistance to every change, by whatever wisdom suggested, by whatever necessity enforced.

Time, however, and reason often enforced, operate at last; and that, too, in directions and through means sometimes least of all expected or foreseen. Nobody can have forgotten, by what slow and painful steps the late revered Sir S. Romilly advanced towards a very limited amendment of the penal laws,—each statutory provision having been fought for, as for a portion of the wisdom of our ancestors: But, within ten years after those meritorious and comparatively unsuccessful exertions, a Minister* of the Crown, and one whose claims to his situation depend not a little upon his belonging to the resistance faction, made, by virtue of place and authority,—almost without notice, certainly without opposition, a more extensive massacre of that portion of the above mentioned wisdom which consists in penal provisions, (such as making it a capital felony to steal the same article on one side of a fence, and not capital on the other), than the great man to whom we have alluded, with all his knowledge, experience, and wisdom, could effect in the whole course of his life. Who could enumerate, if any body could endure the enumeration, all that has been written and said

* Mr Peel.

in favour of the Navigation Act, and the whole code of maritime laws affecting our intercourse with foreign countries,—the true cause (as the orthodox doctrine has been) of our naval ascendancy and greatness,—the support and pillar of the wealth and glory of England? Long, indeed, have these venerable errors been exposed, by arguments not to be resisted, both in and out of Parliament; and we know, for how long a time, in vain. At length arise a set of revolutionary ministers, who, under the pressure of no adverse motion, upon the suggestion of no clamorous remonstrance or representation from the country, themselves bring forward measures destructive of all the cumbrous mummery, which habitual respect had consecrated, and, by so doing, have, we suspect, shaken, in no small degree, the confidence in them of the true admirers of the genuine and whole constitution. To take one example more. It must be fresh in the recollection of our readers, for how great a length of time the annual exposition of the financial affairs of the country was involved in studied and impenetrable obscurity. In vain did Mr Tierney and others, year after year, suggest that the same rules of arithmetic must be applicable to public and private accounts, and that the two operations of addition and subtraction are essentially different from each other, whether performed in a minister's budget, or a private trader's balance sheet. These appeared, at the time, most questionable and startling novelties, the invention of faction, and dangerous to the safety of the State. But men may be shamed out of their errors at last; and, accordingly, we have a Chancellor of the Exchequer (not indeed the right honourable gentleman who had so large a share in the explosion of these disgraceful absurdities), who has brought himself to acknowledge the established properties of figures, and has made such a proficiency as actually to set down the debts and credits,—the income and the outgoings,—on the right side of the national account; and, what is droll enough, all these things are promulgated as original ideas, redounding to the praise of the men who have been reluctantly forced to adopt them; and those who, by long perseverance, have forced them on their adversaries, are still reviled as factious innovators!

The course of proceeding, with reference to the Court of Chancery, has been very much in unison with what we have briefly described as the ordinary train of events, where any reformation or improvement is attempted. It is now fifteen years since Mr Michael Angelo Taylor, of whom we have, on a former occasion, justly made honourable mention, brought forward, in the House of Commons, the grievances endured by the country from the delay and expenses in that Court. It is

well known how often those motions have been repeated by that gentleman, and the attention of the public (which indeed required no hint), and of all persons connected with the subject, called distinctly to it. The fate which attended them, and the manner in which inquiry was evaded, though once voted to be necessary, we have formerly explained. Our present business is only with the renewal and repetition of his motion, which was met (with the single exception above alluded to) in the customary method of vague and indiscriminate assertion and round denial. In the year 1823, it will be recollected that the subject was again brought before Parliament by Mr Williams; and then also the old, approved, and never-failing plan of opposition was resorted to again. It was then directly alleged, that there were no real complaints against the Court, or any part of it; that there were no arrears of business, properly so called; that there was no unnecessary expense; that there were no delays in any thing, or any body, beyond that reasonable quantity of repose, which conduces to the well-being of the suitor, and befits the measured and cautious progress of judicial proceedings;—but grievances, or grounds for injuring, none—absolutely none! And so, we need not add, as those assertions came from the right side of the House, the majority voted. Within eight short months, however, the subject was brought forward again; with little novelty, and with literally no change of circumstances, except indeed that slow and gradual change to which we have before alluded, which is at length effected upon the most reluctant and obdurate, by the pressure of public opinion, when roused and engaged by continual appeals to it:—When, behold, a minister of the crown, the Secretary of State for the Home Department, up rises, and, taking away all discussion out of the hands of those who might be presumed, so far as the materials they had would allow, to be prepared for it, declares, that whatever assertions and denials might have been made, he, at least, would not affirm that there was nothing wrong in the Court of Chancery; that an inquiry (of a nature peculiar, indeed, and to which we shall advert immediately) was extremely proper, and announcing, at the same time, to the astonished public, that the Lord Chancellor himself, of all the men in the world, had recommended the measure for the immediate adoption of his Majesty! The minister proceeded to explain, that it was only to one species of inquiry that he would assent; for that he never could be prevailed upon to agree to any that could have the remotest aspect of criminating the Chancellor (such effect, the right honourable gentleman seemed to think, must necessarily be produced by any at-

tempt to ascertain whether his Lordship had contributed, in any degree, to the mischiefs at last admitted), and that he doubted not but the people of England would not fail cheerfully to support their representatives (meaning, of course, the House of Commons) in their resolution to protect an old and faithful servant.

Several subjects of curiosity present themselves upon the adoption of this course. It did seem passing strange that the Lord Chancellor should have been the person to originate any inquiry,—and *then*. It did appear to be an extraordinary cast upon the dice, that the very moment for adopting the measure should be that, when the progress and prevalence of public opinion out of doors had made resistance to the motion for an open and general inquiry before a Committee of the House of Commons, hardly practicable or safe. It did require a considerable infusion of the milkiness of credulity to believe, that, to get rid of that motion pressing upon them, was no inducement with ministers, or a part of them, for adopting it at that precise moment. Why not before? Why not during any one of the motions (numerous as they were) of Mr Taylor, to which we have already, and for this purpose chiefly, alluded? Why not upon the occasion of the motion in 1823? Why not have recommended an inquiry before overturning the Court of Chancery by the adoption of a Deputy Chancellor ten years before? Did not the noble and learned Lord know that all was not sound in the state of the Court of Chancery then? Why not recommend inquiry at that most fit and proper occasion for it, that Parliament might at least have observed the decorum of knowing some little of the real state of the case, before they were called upon to legislate, without knowledge, upon a matter of such importance, with such evil consequences attached to it as were at the time predicted, and have been since realized? Why not have recommended inquiry, when the arrears in the kindred business (kindred we call it, because a part of the duties of the Chancellor, and, like the rest, much in arrear), of appeals in the House of Lords, caused his Lordship to apply for help in that quarter, as he before had applied for and obtained it in the Court of Chancery? But no:—these were not, as it seems, convenient seasons; but a roving and ambulatory commission is produced from the pocket of the Secretary of State, at that critical conjuncture, when an inquiry into the Court—Chancellor and all, is, but for that manœuvre, probably upon the point of being carried.

Mr Secretary Peel, as we have already noticed, further declared, that he never would consent to any commission, that

could, by any possible construction, imply blame or censure on the Chancellor, or, in other words, that should make it a part of its duty to ascertain, whether the delays, and expenses consequent upon delay, be, in truth, the result of increasing business, or other causes, or in part at least, and how much, to be attributed to the inactivity and indecision of the Chancellor himself. To that the Secretary would never consent; and, accordingly, a commission is formed with the noble and learned Lord himself at the head of it! which, under such a commander, is likely to effectuate the restrictive plan of Mr Peel with great sincerity and singleness of purpose. No man, since the Pope who sentenced himself to be burnt out of his pure love of justice, has, in our recollection, been found to be the first to pronounce self-judgment, and self-execution. Two gentlemen, * we are aware, may be named as exceptions to the general formation of the Committee. 'But what are these amongst so many?' And what are two, or any number, when fettered by the presence of the noble and learned Lord, whose conduct, upon the supposition we are now making, is to form a part, at least, of the subject of inquiry?

So then, the Commissioners may inquire, forsooth, whether a month or two may be gained, by forcing the defendant to answer sooner than he does at present to the plaintiff's bill; they may examine, and ascertain whether the decretal orders are stuffed full of unnecessary matter by the registrars, and the reports, in like manner, by the masters; they may hear and decide, if they can, whether the said masters can contrive to sit a few hours longer, or half an hour earlier in the day;—whether we know not what clerk in Court does any thing for some six shillings and eightpence, charged, as it is said, upon ideal attendances in Court;—whether a bit can be curtailed from the head of an answer, or a bit from the tail of a bill;—into these things they may inquire, and may report in favour of some alterations, which, by having the appearance of doing something, may cast dust into the eyes of the public, and stop effective inquiry before a Committee of the House:—These things they may do; but into the question of delay in the highest quarter, and those enormous evils, compounded of anxiety and expense, attending the unhappy suitors between the period of hearing and of decision, and into the policy of reporting that such delay exists (if such be the fact), and thereby giving present relief to the sufferers, whilst they are looking for—

* Dr Lushington and Mr R. Smith.

ward to that which is reversionary, Mr Secretary Peel never would consent that any Committee should inquire—and such inquiry is not to be expected. That is too high matter for them, and must not be touched.

As to the nature of the Report which the Commissioners may finally resolve upon (whatever may have been intended or wished), it is impossible, as well as premature, to form any conjecture. Of the form and course of inquiry, also, we know nothing, except from the most vague and general rumour. Upon one branch (such at least we presume it to be) of their examination,—how far the present establishment of the different Courts of Equity is adequate to their purpose, it does not seem likely that they can obtain much practical information. The evidence, which they may hear, must of necessity be in a great measure matter of opinion and conjecture. Most of the persons from whom information is to be sought, have only known the Courts of Equity and their proceedings since the commencement of the Eldon Dominion. Those who are old enough to remember the person and figure of any other Chancellor (the short continuance of Lord Erskine in office puts him out of the question), are either, from their age, verging towards obliviousness (if, indeed, age ever does incapacitate in the law, as in every thing else), or may well be excused for not having a very perfect recollection of the manner in which business was conducted, after the intervening experience of about a quarter of a century. Learned gentlemen, or others, have no recent and fresh knowledge of a man in the prime of life, of fair legal attainments, of habits of regularity and accuracy in business, who allows no disorder in the course of hearing the matters before him, and furnishes no excuse for the want of punctuality and attention in others, from a failure to observe appointments of his own,—who decides, not only as well as he can, but as soon as he can,—and, therefore, can say nothing certain as to what might, in such a case, be effected. Practical information from experience they rarely can be enabled to give; but a tolerably strong opinion all the witnesses can give, if they are asked, and if they will, Whether there is now despatched, in the High Court of Chancery, the quantity of business which might fairly be expected from a man of average attainments and qualities, or one half of it,—much less from a man of such high attainments, in some respects, as Lord Eldon?

It seems, however, that the length of service renders it harsh and indelicate to allow the inquiry to assume even the semblance or shape of censure. And this might, perhaps, in some degree,

be allowed, if it had not been, at the same time, unquestionably certain that the grievances, now no longer denied, have been suffered to accumulate without one single effort by the Noble and Learned Lord, to simplify, abridge, or amend any one portion of the principle or practice of his court (though constantly alleged to be the most knowing, and, therefore, the most sensible of such a course being necessary), until the evil day at length arrives, and the court can no longer be endured. But, moreover, does it never occur, when length of service is mentioned, that the execution of these laborious and irksome duties, as they are uniformly represented to be, is purely optional? If our modern worthies must wait, until called, like the Curiuses or Camilluses of old, from some obscure and lowly retreat, by the general voice and pressing necessity of a country to be saved, his Lordship and the rest may, we suspect, remain inactive for a length of time inconvenient and irksome in the extreme, to an appetite for office, or its profits. Who ever heard of the public forcing the acceptance of his situation, or his continuance in it, upon this or any other functionary? When the work is above their hands, may not any of them, at his pleasure, retire? Nay, indeed, has not the Noble and Learned Lord periodically spoken of this very event, in his own particular case, as if he really thought (which nobody else did) that he had some such step in contemplation? But is the Lord Chancellor a part of the 'unpaid magistracy' of the country? Is the service done for nothing? Is an absolute and uncontrolled power over the whole profession of the law, and the gratification annexed to the indulgence of partial affection, nothing? Is the emolument, if not personally received, at least distributable amongst friends or favourites, arising from the unbounded patronage connected with the same profession, nothing? Is the large and ample (not to say excessive) revenue attached to the office itself,—a revenue pared down and depreciated, in the course of debate, so much beyond what any body had previously imagined,—is this nothing? Are all these things nothing? How long these nothings (as the possession of office was called on another occasion) have been held, every body knows, and Mr Peel was not mistaken in supposing, that it was worth his while to show how his Noble Friend had deserved them. We mention this in passing, merely for the purpose of administering comfort to the more nice and sensitive part of the community, and preventing excessive grief, upon the supposition that public men, in any department, are wearing and tearing themselves to pieces from an abstract love of labour, or that they are really, or nominally,

serving the country without, at the same time, essentially serving themselves.

The interval between the formation of the Chancery Commission (upon which we shall observe no further at present, than that we trust they will not fall into the besetting sin of delay, but, at least, will let the country know what they have been doing), and the result of its labours, has been deemed a proper season, and so perhaps it may, for the production of a piece of considerable pretension,—no less, indeed, than the defence of the Lord Chancellor, mixed up with some slight, but perfectly allowable, disparagement of other persons. Railing, it has been said, is sometimes of use to the mind, and when either party grew angry, the deaf man could form some judgment which was in the wrong, by an observation of their relative heat. The general tone of this performance, the amplitude of statement, and confidence of assertion with which it abounds, would at once induce a belief, that it can be nothing less than an *official* exposition from Chancery. For the contributors to this work, as we can have no hostility except against some of the conclusions sought to be established, we have no worse wish than that they may each have their reward,—a Mastership for the senior—and for the lowest labourer, surely, a Commissionership of Bankrupts,—that being, so far as we know, one of the smallest crumbs which fall from the rich man's table. They undoubtedly undertake much, and if they fail, it is, at least, in no mean attempt. They undertake to prove, that in rapidity and despatch of business, judging only by amount, the present Chancellor has surpassed the best performances of Lord Macclesfield, Lord Hardwicke, Lord Thurlow, or any other Chancellor of any time. It follows, therefore, of course, that all that has been said or insinuated about some portion, at least, of the delay being imputable to Lord Eldon, is an ignorant or malignant misrepresentation of angry persons, who are making complaints for suitors in which they do not participate, and for which, consequently, there is no foundation. The general increase of business is brought forward as the true and only cause of the arrears in the court (if indeed it be intended to admit that there are any arrears at all), and that increase is represented to be such, that, notwithstanding the assistance of the Vice-Chancellor, no skill, order, knowledge, or decision, could keep the business down, or, in a word, do more than has been done by the Noble and Learned Lord. Now, it is our intention to show, either that the Chancery Company have not been happy in the *data* which they make the foundation of their assertions, or that they are mistaken in the conclu-

sions deduced from them, or, if not, that nothing could be so unfortunate for the fame of their patron, as that he did not retire, like, Sir W. Grant, with his honours, green and fresh, about him, from the performance of such extraordinary feats of judicial excellence, before they were obscured and sullied by a falling off so lamentable and disastrous, as, if the Company's statement be correct, must immediately appear, in a period closely touching upon that, which they, for reasons best known to themselves, have selected.

If we give these writers credit for a correct use of the information on which they profess to proceed, we give them every possible advantage. That they have not detailed it with such particularity as to enable their readers to judge accurately for themselves, will hereafter appear. And yet it is natural to expect that writers, who must be conscious that they are partisans, and who, without feeling this to be any imputation (we make none such), must be aware that they are, for that very reason, liable to some suspicion of exaggeration, would be anxious to give every possible explanation which the subject could admit. They must have felt that they had to make converts of those whose faith would, probably, be staggered at the outset, and whose previous impressions could only yield to the force of evidence not to be resisted. Every body knows how much is expected on the other side of the question, and what an astounding clamour is set up, if the voucher of facts be not produced, as certainly they have been demanded, at every step, and that, when produced, they are said to be nothing but '*particular*' cases forsooth;—just as if any case could be general, and as if all rules were not formed from a number of instances, as the community is composed of individuals. But we shall pass on, and come to the statement itself.

We find then in the publication, * to which we have been alluding, a statement of the number of causes and petitions disposed of by Lord Eldon in three (which, for conformity, we will venture to call *particular*) years. The statement is, indeed, introduced in the shape of a comparison between Lord Hardwicke and Lord Eldon, yet it stands as a statement still. It is as follows:

Years.			Causes and Petitions.
1808.	-	-	299
1809.	-	-	261
1810.	-	-	213
			} Lord Eldon.

* The Quarterly Review, vol. xxx. p. 284.

We select this item in their account, for a reason which we shall at once explain. The other parts do not admit of being reduced to any certain criterion. The number of motions, for instance, may be ascertained, but the nature of each cannot; or, as they express it, the quantity may be got at, but not the quality. For which reason, there is nothing to prevent, if we were so disposed, an assertion on our part, that every motion is of course, and on the other side, that it involves a cause. An impartial person would, indeed, form a tolerable opinion that the truth lay somewhere between us, but *whereabouts* he could not tell. Petitions, too, fall under the same observation. Whether they last a minute, an hour, or a day, no return would specify. Petitions (lunatic particularly) constitute a trivial portion of Chancery business,—generally, we mean, for there are instances to the contrary undoubtedly. The public will not easily forget the number of days stiff and hard hearing expended upon the case of my Lord Portsmouth, in which was to be decided—whether he was competent? Not in the least;—but whether there was a *doubt* about it, for, if so, it was for a jury to decide. But though this uncertainty exists as to the quality of motions and *petitions*, in litigated causes it is otherwise. These are all of some weight and difficulty, and must last for a considerable time, varying, of course, from the complexity of the case, the wind of the learned counsel (which, in Chancery, it must be admitted, is generally supposed to be good *) and a variety of circumstances;—but last they must, before any judge. We, therefore, who cannot deal with official assertion, or, if we do, are sure to lose, must be allowed fondly to cling to instances, where there is something like certainty to resort to between us.

Before we proceed to the examination of this head of business, we must observe, that these writers have not attempted to

* Mr Peel said in the House of Commons that a learned gentleman had spoken, on one occasion, eighteen days. We very much wish this statement may be found correct; because, if it be,—not the speech, but the time it took in delivery, ought to be recorded, as natural curiosities are preserved in museums. It might, also, very fitly be placed at the head of an entirely new denomination of oratory, overlooked, so far as we remember, by Longinus, Dionysius, Cicero, Quintilian, &c. the *diuturnum*, or, peradventure, *ceternum dicendi genus*. If however, the Right Honourable gentleman will confer with his friend the Attorney, or, perhaps we should rather say, the Solicitor-General, we are sadly afraid he will find it not to have been the case.

give a separate account of the number of *causes*, and the number of *petitions*. Neither have they, so far as we perceive, any where noticed whether the causes were litigated, or of course, or how many were of the one sort, and how many of the other. Surely, however, we may presume the former to be meant; for they would hardly stuff into their account, or place reliance, at least, upon nominal matter, adding to bulk without adding to weight. Farther, we presume, that as they have not disjoined or separated them, they wish it to be understood that the causes and petitions are about equal; for if the petitions exceeded, in fairness that should have been noticed, or, at least, that they had no means of ascertaining the numbers at all. Let us suppose them equal; and we then have an average of *one hundred and twenty-eight* causes per year for the three years, 1808, 1809, and 1810. Now, in order to try whether, supposing this work to have been done, it be a fair specimen, or a selection of these particular years, we will carry the matter a little farther down, and try the average of ten successive years, beginning within three of the above, as to which we have unquestionable *data* from the returns of the registrar of the Court to the House of Commons, of *litigated* causes, and not of all sorts of stuff jumbled together. Now, from those returns it appears, that, after deducting such causes or appeals (which since the appointment of the Vice-Chancellor are equivalent to causes,—there being now no original cause, as of course, heard before the Lord Chancellor) as died of themselves, for some reason, doubtless, well known to the Chancery Company, but we surmise because the suitors were weary of repose,—and such as were disposed of by the Vice-Chancellor, *eighty* causes (within one or two) were disposed of *in the whole ten years* by the Lord Chancellor; or, in other words, an average of *eight a year*,—being just one-sixteenth of the supposed performance in the particular years selected by the Chancery Gentlemen! Supposing, however, it should be said, that it was not intended to represent, that these causes were either contested or the contrary, but simply to draw a comparison between the two Chancellors, and if, with this view of the subject, we strike off one half, as being consent causes from the average amount of the three years, we shall still have a statement of eight times as much done within their period, as is proved to have been done in the ten, almost immediately succeeding, years! If then we were as ready, as some other people, in imputing motives, might it not be insinuated that this precise period had been selected, because it was safe for the indulgence of large assertion, and that they declined going farther, because they were aware, that, if they did, there were ready means of detection and correction?

But we have not yet done with their particular period. In this very statement to show the ascendancy of Lord Eldon, in every one item of business, except that of rehearings, the amount of which is so trivial as to reach only 16 by Lord Hardwicke and 30 by Lord Eldon in the whole three years, and that unaccountable item of motions, to which we have adverted already, the balance is in favour of Lord Hardwicke. In the capital article of 'Causes,' (supposing the number of causes, and petitions equal, as we have already done) it is most remarkable that Lord Hardwicke exceeds by the great amount of 110,* or, taking causes and petitions together, in the proportion of 982 to 762. In 'exceptions, further directions, and equity reserved,' Lord Hardwicke has the advantage by 185 to 112; and in 'pleas and demurrers,' by 80 to 68. This being of course fully understood, our ears are stunned by the cry of motions,—motions, with respect to which we have before explained that we have no check, and, as we are therefore at the mercy of these gentlemen, they use their privilege accordingly. We shall take this opportunity (though, when we are upon the subject of the amount of business done, not quite in order) of recalling the attention of our readers to that same authentic document, the Return of litigated causes from the year 1813 to the year 1823, for the purpose of gratifying their curiosity, as to the order observed in transacting business in that Court. Nothing can be more topsy turvy, than the course in which the causes appear to have been taken. They seem as if they had been shaken out of a bag together, heads and points, without any scheme, arrangement or settled priority whatsoever. A single specimen shall suffice. In the third page of the Report, to which we have often referred, there are, after the deductions to be made for cases in some way or other to be struck out, twelve efficient cases left; and of these, three average seven years of age, between the petition presented and the order made, three average six years, and three about two months.

Seeing, however, that it never can be a question what was done formerly, so much as what is done now, and that it would be a poor consolation to suitors of this day, to hear that, fifteen years ago, things went on better, we have endeavoured to carry the matter further down still, by such means as are afforded. This, at least, we presume, will be agreed between us and the Chancery writers, that where such numerous and important duties are constantly to be performed, it is not enough to look back to times that are gone by, and to repose under the shade

* A curious fact this, and, we hope, not thrown away upon those who refer every thing to the increase of business in the Court!

of a former reputation, if ever so well deserved. The information we have obtained from the Lord Chancellor's daily papers; and we have generally confined our inquiry to that species of business contained in the Report from 1813 to 1823, viz.—causes, rehearings, and appeals, so as to form a continuation of that Report. Proceeding in this manner, and beginning from Michaelmas term 1823, we have the four following cases only, under that head, touched or attempted.

Wienholt v. Logan. Attorney Gen. v. Mansfield.
Nunn v. Agutter. Powell v. Mouchett.

Now for their fate. Wienholt v. Logan was heard, but no judgment given. Nunn v. Agutter, ditto. Attorney Gen. v. Mansfield heard, and opinion expressed, but question of costs reserved, so that no order could be drawn up. Powell v. Mouchett was part heard. General Result of Michaelmas Term 1823—No case decided finally.

In Hilary Term 1824, we have, of this species of business, two, in the daily papers,—

Cox v. Lord Somers, and

The case of Warden and Fellows of Manchester College.

Of these, Cox v. Lord Somers was heard, and no judgment given; and the other, which, as we were informed by gentlemen in the cause at the time, did not take up more than half an hour, in hearing and decision, was heard and decided. And accordingly, that case appears in the daily papers once only, as we observe. Otherwise fares it with many others. Wienholt v. Logan, for instance (of the preceding term), sojourned there fifteen days, and Powell v. Mouchett twenty days. General Result of Hilary term, 1824,—one case disposed of. In the sittings after, Campbell v. Ward, and the Attorney Gen. v. Corp. of Bristol, was heard, and *not* decided. In Easter Term 1824, there are the two cases following.

• Barker v. Ray. (app.) And Grey v. Grey, (original cause.) In the former an issue is directed,—the commencement of a new campaign of litigation both at law and in equity; but Grey v. Grey was not disposed of, if heard. General result of Easter Term 1824—None decided.

In Trinity Term 1824, there were, amongst others, in the paper, these cases—

Gregory v. Meghell.	Belland v. Biddle.
Coleman v. Smithies.	Landers v. Benton.
Ditto. Ditto.	Griffith v. Kemp.
Llyod v. Turning.	Scotney v. Robinson.

The four (or rather the three) first have been heard, but *not* decided, and the four last have been disposed of. General result

in Trinity Term—Four cases disposed of. We do not stop to make an addition* for our readers, which they can so readily perform for themselves, or to remind them how far what is above stated corresponds with what is said to have been done in former times. It may, however, be necessary to observe, that of those cases, which we have noticed as undecided, the greater part remain so still.

It is now our intention to lay before our readers, something like a general statement of the whole business transacted in the Court of Chancery in the last (Michaelmas) Term, and to class it.

Motions.

Case of the Rev. Alexander Fletcher.

Blakemore v. Glamorganshire Canal.

Attorney Gen. v. Hales.

Sims v. Ridge. Case of New Alliance Company.

Petitions.

(Bankrupts) Re Latham.

Re Blackburn.

Re Parry.

Re Byles.

(Cause) Garrick v. Lord Camden.

Appeals.

Harvey v. Harvey.

Hale v. Hale.

Wilcox v. Rhodes.

Davies v. Davies.

Grey v. Grey, (original cause.)

Of the motions, all, except *Sims v. Ridge*, which was only *quasi* disposed of, were got rid of,—the first having occupied (according to a statement which we shall notice presently) one-fifth of the whole time during which his Lordship sat. To these we ought to add three Opera cases, which were opened, but not opened out. That still remains to be done. Of the petitions, as to the cases of *Re Latham* and *Re Abbot*, neither was decided,—the one having been sent back to the Commissioners, and in the other, *more papers* were ordered. *Re Blackburn* also stands for judgment. Of *Re Byles* we can get no account, and therefore assume it to have been disposed of, as was *Garrick v. Lord Camden*. Of the appeals, the two first were heard, but not decided, and the two last disposed of.

The statement to which we alluded appeared* immediately af-

* In the Morning Herald newspaper. According to that, about one-twentieth part of the time was devoted to the litigation, not of the parties, but of the counsel, about a hearing; and on one day his Lordship rose about twelve, because there was no business! Why was there any commission?

ter the end of the Term, giving a most minute, and (as we are informed from more than one quarter on which we can rely) most accurate account of the whole time the Lord Chancellor sat, and of the disposition of the time also. Now, according to that, the different business above specified occupied the whole, with the exception, at the utmost, of ten hours. In that time we will suppose ten, or even twenty motions disposed of, to be added to the others already mentioned; and we then recall the attention of our readers to the assertion of the Chancery writers, that, in each of the years 1808, 1809, and 1810, Lord Eldon got through, on an average, more than 6500 motions. Was, then, that Lord Eldon, or is this? To maintain his Lordship's identity, and to make him out to be the same individual, we must suppose that the majority, the infinite majority of that enormous number, were motions absolutely of course, or obtained by the signature of counsel, which find their way into the Registrar's book, and thence are made to flame in the front of his reports, and afterwards of the Chancery statement, to produce what effect it may upon persons who are staggered by round assertions and round numbers, and take no pains to examine them.

The last thing to which we shall advert is the comparative statement, * by these writers, of the number of appeals and writs of error disposed of by Lord Eldon, and Lords Northington, Camden, Apsley, Thurlow, and Loughborough, which, it was supposed, was for ever to put to silence the ignorance of foolish men. For this purpose, different periods of time are selected; and of those selected for Lord Eldon, a considerable part, in every instance, and in most of the instances the whole of the time, is after the appointment of the Vice-Chancellor, and the number is in favour of the present Chancellor. But to make this available, it is obvious that it should be shown, first, that the other Chancellors did not keep the appeals down, and could not have disposed of more if there had been more for them to dispose of; and, further, that those Chancellors had somebody to sit for them in the Court of Chancery,—otherwise this flashy statement comes to this—that whereas, by a bill of his own, Lord Eldon obtained a Deputy expressly (as the recital declares) to allow him to sit in the House of Lords, his Lordship has been enabled to do more in that House by being regularly there, than others could who were unavoidably away, and doing something else.

But it seems that the 'spotless integrity' of the Lord Chan-

* Quarterly Review, pp: 286, 287.

cellor is universally admitted. If, by this, is meant, as we understand it, that, in pronouncing his judgments, he stands free from all suspicion of personal corruption, the compliment is surely of a very homely texture. That which is common to so many can no longer operate as a distinction. If, as there is too much reason for believing, the judges of former times did not stand clear in their great office, that fashion of depravity at least has long since passed away. To doubt of Lord Bacon's lamentable infection is, we fear, hopeless and impossible; yet was such conduct, even in those days, distinguished by its singularity, and stigmatized as an exception; while the admirers of Bacon, if they are compelled to admit that sordid vice which condemns him as the meanest of mankind, find a refuge for his character in his nobler qualities, and appeal to all posterity that he was also the wisest and the greatest. Even Jeffries, it has been observed, where he was not disturbed and hindered by the influence of the Court, which was then, it seems, the prevailing stumbling-block, and where the parties, Samuel Smith and Joseph Jones, had no more properties of attraction or repulsion than the letters of which their names were composed, was himself an upright judge. Every age has its peculiar habits and manners, and a train of thinking, in a great degree, conformable to them; and that which nobody imagines can possibly be done, becomes in a little time, morally speaking, impossible. To affirm of the learned Judges of the land, from the Chancellor downwards, in these our days, that they have not 'an itching pain'—that they do not 'take provoking gold in either hand'—that, when they are holding the scales of justice, they do not allow the instrument of corruption to be cast into either to falsify the account,—is indeed true, but, as a subject of commendation, is about as appropriate and select as it would be to affirm, of a man of the first condition and character in the country, that he can walk up and down St James's, or (what perhaps would be more to the purpose) Lombard Street, twice a day, without ever attempting to thrust his hand into a single pocket. To feel, that however (unfortunately for the other part of his character) he may be in the Cabinet a politician, he is a lawyer on the seat of judgment, and to act accordingly:—to look down, from that great elevation to which his merit or his fortune has raised him, upon the subjected profession with care, and watchfulness, and impartiality:—to cultivate that profession to which, whatever others may think of it, he owes all his honours and all his prosperity, and to advance it, if possible, in credit, and dignity, and public esteem:—to deal with every man, placed

under his great and absolute power, according to his merits, and according to his merits only:—to chase away the assiduities of interest, and the importunities of power, if they should attempt to traverse the even and lofty tenor of his course:—to obtain a noble victory over jealousies, and animosities, and resentments, if such should assail him, and to render the transcendant dignity of the officer superior to the natural, and, therefore, inevitable, frailties of the man. This, in our humble apprehension,—this is the only integrity that should be spoken of as honourable to a Lord High Chancellor of Great Britain. Of the twopenny integrity, more common infinitely than copper coin, and therefore less valuable, which has not only never been denied, but has never come into question, we shall, for that reason, say no more.

ART. VII. *Original Letters, illustrative of English History; including numerous Royal Letters: From Autographs in the British Museum, and one or two other Collections. With Notes and Illustrations.* By HENRY ELLIS, F. R. S. Sec. S. A. Keeper of the Manuscripts in the British Museum. 3 vols. 8vo. pp. 1070. London, Harding, 1824.

IF antiquaries in the fortunate situation of Mr Ellis, intrusted with the keeping of Literary and Historical treasures, would, like him, give up to the humbler but important duties of Editors, a portion of the time which they are too fond of devoting entirely to abstruse speculations upon points connected with their favourite pursuits, the world of letters would gain incalculably by their labours. Instead of one man of learning, or a few such men, exhausting their ingenuity upon the materials within their reach, while the rest of the world were excluded from the inquiry, the whole force of the literary community would be brought to bear upon the whole fund of disquisition; and the rich treasures now in a great measure hid from the publick eye, would become both accessible to all competent workmen, and, through them, available to the use of mankind at large. The gratitude of the republick of letters is therefore, as it appears to us, eminently due to Mr Ellis for setting so good an example; and we trust he will be encouraged by the publick in such a manner as may both make him persevere in the same course, and induce others to follow him.

The title-page almost sufficiently describes the plan and the contents of these volumes. They consist of Letters from the most

celebrated personages in English Story, during a period of about three centuries, beginning with Henry V. and ending with George I. The greater number of the originals are preserved in the British Museum; and a cursory reader of the Dedication would suppose that they came from the late King's library, so munificently presented by his present Majesty. Upon closer inspection, however, it appears that the author only means to say that the larger portion of the whole letters come from *the Museum*, 'which your Majesty has been graciously pleased to enlarge and enrich with the donation of the Library collected by your Majesty's revered father.'—'A gift,' he adds, 'greater than has been bestowed by any Sovereign upon any nation, since the library of the Ptolemies was founded at Alexandria.' Far be it from us to quarrel with any expression of publick gratitude for so munificent an act as that of his Majesty in giving the library; but it surely ought to be recollected, that the celebrated collection at Paris, called the King of France's library, is as accessible to the publick—as much publick property as that of the British Museum; with this difference, that the nation here has paid for all the collections in the Museum, except such as were the gifts of individuals, while the whole French library was paid for and maintained by the King. The truth is, however, that there is no satisfying praisers; they are, next to those whom they laud, the most insatiable of all mortals; and, never content with stating that a person has done much and merits many thanks, they must always have him to be the only one who has done any thing, or the one who has done the most. When this spirit takes a national turn, it runs into still wilder luxuriance, and gives rise to that pharisaical habit so disgustingly prevalent in this country, and which, while it leads to an unwise contempt of all other countries, begets a very hurtful reluctance to profit by their experience in avoiding their errors, or to avail ourselves of their aid by judicious imitation.

The plan of our author is to give a distinct reference to the place where each MS. is preserved; to add such explanatory notes as may be requisite for removing difficulties; and to prefix short dissertations wherever they are wanted, or where he has any interesting information touching the times, the writers, and the subject, to communicate. The reader who only looks to Mr Ellis's very modest mention of these dissertations in the preface, would greatly undervalue them;—they are full of minute and curious learning; extremely useful to the profitable perusal of the documents themselves; and, generally speaking, very judiciously composed.

The first Letter in this collection is curious, and relates to a

circumstance painful to remember in the history of one of our greatest warriors, Henry V.—his treatment of the illustrious captives whom victory had placed under his power. It is well known that he took prisoners no fewer than five princes of the blood at the famous battle of Agincourt; of these, some died, some were ransomed; but the most important, Charles Duke of Orleans, remained in confinement at Windsor and Pontefract until the King's death; and, in obedience to his strict injunctions, was detained much beyond that period, being only liberated in 1440, for a ransom of 54,000 nobles, about 36,000 pounds of our present money. The same monarch kept the amiable and accomplished James I. of Scotland during the whole of his reign, having received him, as it were, with his crown, from his father, who took him captive in 1406, when a boy of nine years old, during a truce between the kingdoms. Hume, who makes no remark upon the barbarity of keeping Orleans prisoner for twenty-four years, or the base and cruel perfidy of capturing James, admits that, 'by *detaining* him in the English Court, Henry had shown himself *somewhat* deficient in *generosity*,' for which, however, 'he made *ample* *amends* by giving him an excellent education;' that is to say, stealing a child, and keeping him for eighteen years, shows some want of generosity; but is not even chargeable with that slight defect, if you bring him up well. It is, however, probable that Hume writes with a reference to the barbarous notions of those dark ages. He had not lived to witness the scenes that have lately been enacted by the most enlightened nations, in the most improved age. The following Letter of Henry V. is conceived in the true spirit of the St Helena School.

'Furthermore I wold that ye comend with my brothre, with the Chancellor, with my cosin of Northumberland, and my cosin of Westmerland, and that ye set a gode ordinance for my North Marches, and specially for the Duc of Orlans, and for alle the remanent of my prisoners of France, and also for the K. of Scotelond; for as I am secrely enfourmed by a man of ryght notable estate in this lond that there hath ben a man of the Ducs of Orlance in Scotland, and accorded with the Duc of Albany that this next Somer he schal bryng in the mamnet of Scotlond to sturre what he may. And also that ther shold be founden weys to the havving away specialy of the Duc of Orlans, and also of the K. as welle as of the remanant of my forsayd prysoners that God do defende. Wherefore I wolle that the Duc of Orlance be kept stille withyn the Castil of Pontefret, with owte goying to Robertis place or to any othre disport, for it is bettr he lak his disport, then we were disceyved. Of all the remanant dothe as ye thenketh.' pp. 1-2.

There are several letters given of Sir Thomas More, which appear, by the contents, to be written in the earliest part of

Henry VIII.'s reign, and clearly show, that, from the first, that monarch, if he did not govern entirely without a minister, yet ruled almost completely himself, and used Wolsey much more as an instrument than a viceroy. For most of these Letters of More are to the Cardinal; and contain directions to him from Henry upon all matters, from the highest affairs of State down to concerns of a very subordinate nature; and only shifting the burthen of deciding or planning upon the minister, when difficulties occurred which could be easiest got over by his Eminency's 'politique wisdom,' or 'prudent caste.' Of the smaller matters in which 'the King's Highnes' chose to interfere, we have a comical specimen in a letter touching the disposal of a piece of city patronage, which we believe is no longer vested in the Crown; nor indeed even in the Court of Aldermen,—we mean the right of bestowing an Alderman's widow in marriage, upon the demise of her warshipful husband. Sir Thomas writes to the Cardinal as follows.

'Hit may lyke your good Grace to be advertised that the Kings Highnes this nyght going to his souper called me to hym secretly, and commaunded me to wryte unto your Grace that where as hit hath pleased our Lord to call to his mercy Mr Myrfyn late Alderman of London, his Grace very greatly desireth for the special favor which he bereth toward Sir William Tyler, that the same Sir William shold have the widoo of the said late Alderman in mariage. For the furtheraunce wherof his Highnes considering your Grace's well approved wisdom and dexteritie in th'acheving and bringing to good passe his vertuose and honorable appetites, commaunded me with diligence to advertise your Grace that his Highnes in moost hartie wise requyeth your Grace that hit may like you, at the contemplation of this his affectuose request, by your high wisdom to devise, put in ure, and pursue the moost effectuell meanys by which his Grace's desire may in this mater best be brought abowt and goodly take effecte; wherein his Highnes saith that your Grace shall do him a right speciall pleasure, and bynd the said Sir William during his life to pray for your good Grace.' I. 207-208.

There is a curious letter from Cranmer to Hawkins, ambassador at the Imperial Court, which touches upon the marriage of Henry with Anne Boleyn. The date of the marriage is, as the reader well knows, a matter of dispute; the Archbishop does not exactly fix this, but nearly; he gives it as 'much about St Paul's day,' that is 25th January. He is also himself asserted to have been present at the ceremony, but that he denies with some bitterness; in truth, it would have been a material aggravation of his misconduct in the divorce, if he had previously assisted at the marriage; for whatever the precise day may have been, whether 14th November, as Hall and Hollinshed make it, or 25th January, there is no doubt that

the scandalous decree of divorce was only pronounced in the May following; so that, though the date of the marriage may affect the question of Queen Elizabeth's being begotten in wedlock, it cannot prove her to have been begotten in lawful wedlock; and in every view of the case, Henry, to his other crimes, added that of bigamy. We shall only extract a part of this letter, which is long.

'Ande fyrste as towchyng the small (*qu. final?*) determynacion and concludyng of the matter of devorse betwene my Lady Kateren and the Kyngs Grace, whiche said matter after the Convocacion in that behalf hadde determyned and agreed accordyng to the former consent of the Vniversites, yt was thought convenient by the Kyng and his lernyd Councell that I shuld repayre unto Dunstable, which ys within iiij. myles vnto Amptell, where the said Lady Kateren kepeth her browse, and there to call her before me, to here the fynall Sentence in this said mateir. Notwithstandyng she would not att all obey therunto, for whan she was by doctour Lee cited to appear by a daye, she utterly refused the same, sayinge that inasmoche as her cause was before the Pope she would have none other judge; and therfore woulde not take me for her judge. Nevertheless the viijth daye of Maye, accordyng to the said appoyntment, I came vnto Dunstable, my Lorde of Lyncoln beyng assistante vnto me, and my Lorde of Wynchester, Doctour Bell, Doctour Claybroke, Doctour Trygonnel, Doctour Hewis, Doctour Olyver, Doctour Brytten, Mr Bedell, with diuerse other lernyd in the Lawe beyng counsellours in the Lawe for the King's parte: and soo there at our commyng kepte a Courte for the appearance of the said Lady Kateren, where were examyned certeyn witnes whiche testified that she was lawfully cited and called to appere, whome for fawle of apperance was declared contumax; procedyng in the said cause agaynste her *in poenam contumaciam* as the processe of the Lawe thereunto belongeth; whiche contynewed xv dayes after our cummyng thither. And the morrow after Assension daye I gave finall Sentence therin, howe that it was indispensable for the Pope to lycense any suche mariagees.

'This donne, and after our reiornyng home agayne, the Kings Highnes prepared al thyngs convenient for the Coronacion of the Queene, whiche also was after suche a maner as foloweth.—' And after that was song a solempne Masse, all which while her grace satt crowned upon a scaffold which was made betwene the Highe Alter and the Qwyer in Westminstre Church; which Masse and ceremonyes donne and fynysshed, all the Assemble of noble men broughte her into Westminstre Hall agayne, where was kepte a great solempne feaste all that daye; the good ordre thereof were to longe to wrytte at this tyme to you. But now Sir you may nott ymagyn that this Coronacion was before her mariege, for she was married muche about sainte Paules daye last, as the condicion thereof dothe well appere by reason she ys nowe sumwhat bygg with

chylde. Notwithstandyng yt hath byn reported thorowte a great parte of the realme that I married her; whiche was playnly false, for I myself knewe not therof a fortentyght after yt was doyne. And many other thyngs be also reported of me, whiche be mere lyes and tales.' II. 35-39.

It is singular enough, that it never comes into his Grace's head to doubt the validity of the marriage, celebrated while another was subsisting. But Royal Divorce appears not to have been the only chapter of the Imperial Law that occupied his Grace. The same letter concludes with a most edifying account of certain proceedings had in the matter of Heresy.

'Other newys have we none notable, but that one Fryth, whiche was in the Tower in pryson, was appoynted by the Kyngs grace to be examyned befor me, my Lorde of London, my lorde of Wynchestre, my Lorde of Suffolke, my Lorde Chancelour, and my Lorde of Wylteshere, whose opynion was so notably erroneouse, that we culde not dyspache hym but was fayne to leve hym to the determynacion of his Ordinarye, whiche ys the bishop of London. His said opynyon ys of suche nature that he thoughte it nat necessary to be beleved as an Article of our saythe, that ther ys the very corporall presence of Christe within the Oste and Sacramente of the Alter, and holdethe of this poynte muste after the Opyinion of Oecolampadius. And suerly I myself sent for hym iij or iiij tymes to perswade hym to leve that his Imaginacion, but for all that we could do therein he woulde not applye to any counsaile, notwithstandyng now he ys at a synall ende with all examinacions, for my Lorde of London hathe gyver sentence and delyuered hym to the secular power, where he loketh every daye Co goo unto the fyer.' II. 40.

The atrocious affair of the divorce, only to be surpassed by the subsequent treatment of Queen Katherine's ill fated successor, is now universally spoken of as it deserves, and as it was no doubt universally thought of at the time. But with our accustomed proneness to praise our own age and nation at the expense of every other, we are apt to exclaim against those who lived then, for witnessing such acts of violence and injustice unmoved. We cry out against their baseness; and thank God that we are not as they were, submitting in quiet to whatever a ferocious tyrant commanded, and his despicable tools performed. Now, in justice to our ancestors, let the plain truth be set down. Suppose a like act were done in our days,—how many men would venture to question it, out of Parliament where freedom of speech is unlimited? How many of the clergy, to take an instance, would petition against it! Would any considerable number preach against it? If one peradventure should be found to do his duty, how long would his conduct be suffered to pass unpunished? But would any one come with-

in a thousand miles of the subject in the Royal presence? Above all, would any court preacher make a nearer approach to such delicate ground? In the sermons delivered at St James's or Whitehall, but especially if the King were present, would the word marriage, or divorce, or bigamy, or adultery, be so much as named from beginning to end for twelve calendar months? Yet see what befel Harry VIII. immediately after he had perpetrated the crime. A man, whose name deserves to be remembered, one Peto, 'a simple man,' says Stow, 'yet very devout,' preaching before the king at Greenwich, took for his subject the story of Ahab, and for his text this verse, 'Even where the dogs licked the blood of Naboth, even there shall the dogs lick thy blood also, O King,'—and 'therewithall, adds the Chronicler, spake of the lying prophets which abused the king.' The reader will be gratified to read part of his discourse. 'I am, quoth he, that Micheas whom thou wilt hate, because I must tell the truly that this marriage is unlawful; and I know I shall eat the bread of affliction, and drink the water of sorrow; yet because our Lord hath put it into my mouth, I must speak of it.'

Next Sunday came a regular court chaplain, and attempted to turn the tables on the true man: But his fate in the contest is exemplary; and shows that the friar was not the only honest priest then about the king. We willingly give the whole passage.

The next Sunday being the eighth of May, Dr Curwen preached in the same place, who most sharply reprehended Peto and his preaching, and called him dog, slanderer, base beggarly friar, close man, rebel, and traitor; saying that no subject should speak so audaciously to Princes; and having spoke much to that effect, and in commendation of the King's marriage, thereby to establish his seat in his seat for ever, he supposing to have utterly suppress Peto and his partakers, lifted up his voice and said, "I speak to thee, Peto, which makest thyself Micheas, that thou mayest speak evil of Kings, but now thou art not to be found, being fled for fear and shame, as being unable to answer my arguments." And whilst he thus spake, there was one Elstow, a fellow friar to Peto, standing in the rood-loft, who, with a bold voice, said to Dr Curwen, "Good-Sir, you know that father Peto, as he was commanded, is now gone to a Provincial Council holden at Canterbury, and not fled for fear of you, for to-morrow he will return again; in the mean time I am here, as another Micheas, and will lay down my life to prove all those things true which he hath taught out of the holy Scripture; and to this combat I challenge thee before God and all equal judges; *even unto thee*, CURWEN, I say, which art one of the four hundred Prophets

into whom the spirit of lyeing is entered, and seekest by adultery to establish succession, betraying the King unto endless perdition, more for thy own vain glory and hope of promotion than for discharge of thy clogged conscience, and the King's salvation." This Elstow waxed hot, and spake very earnestly, so as they could not make him cease his speech, until THE KING HIMSELF bad him hold his peace, and gave order that he and Peto should be convented before the Council, which was done the next day; and when the Lords had rebuked them, then the Earl of Essex told them that they had deserved to be put into a sack and cast unto the Thames; whereunto Elstow smiling, said, "Threaten these things to rich and dainty folke, which are clothed in purple, fare deliciously, and have their chiefest hope in this world; for we esteem them not, but are joyful that for the discharge of our duties we are driven hence; and, with thanks to God, we know the way to Heaven to be as ready by water as by land, and therefore we care not which way we go." II. 41, 42.

Nor were the people in remote provinces behind those nearer court, in speaking out against the offence which the pampered tyrant had given with the concurrence of his vile minions, to the feelings of the country. Those wretched creatures, for the sake of their places, had eagerly prostituted themselves to serve the purposes of their insolent master; but the people could not be restrained from expressing their honest indignation; and we find, in this collection a report made by the Earl of Derby and Sir H. Faryngton to the King, of an examination taken before them, by which it appears, that in Lancashire 'a lewde and noghty 'priest' had spoken 'diverse unfytyng and sklaunderous words, 'as well by your Highnes as by the Quenes grace.' They then set forth the depositions, which vary somewhat in the words, but agree in the substance of what 'Sir Jamys Harri- 'son, preist,' took occasion to say before sundry persons, at the reading of the Royal proclamation touching the divorce. He said, 'Queen Katharyn was Queen, and as for Nan Bullen, 'who tho' decrye made her Queen—Nan Bullen, that Hoore 'shall not be Queen; and as for the King, he should not be 'King but on his bering'—that is, as we humbly take the reverend gentleman, he should consider him to be King according as he behaved himself.

The next letter which we shall advert to is one of our James V., respecting some angry complaints of libels made to him on the part of his uncle, Henry VIII., by the warden of the West Marches, Sir Thomas Wharton. The combined archness and caution of this epistle are somewhat characteristick of the country.

'Weilbelovid frende we gret zou weil. And forsamekle as we ha-

ven considerate be zour Vrytinges, sic Ballats and buks of Diffamatioun as ze allege ar maid be our legis to the displeasure of our derrest uncle, quhair of we ar ryt miscontentit, gif sua beis; and has presentlie directit scharpe charges to all partis of our bordours to defend sic thingis to be usit be ony oure liegis, and to get knowledge of the auctors of it ze wryt is done to the intent that thai may be punyschit for their demerits as accords. Bot because we never hard of sic thingis of befoir, we suspect rather the samyn to be imagine and devisit be sum of zour awin natioun, and liegis of our derrest unclis. Forther in this behalfe we have gevin charge to the Lord Maxwell Warden of our West Merches, as he will schaw zou, quhame God conserve. At our Palace of Linlytghw the last Day of Januar.

‘ JAMES R.

‘ To our weilbilovit Schir

Thomas Warthoun Wardane of the West
Marchis of Ingland foranent Scotland.’

II. pp. 103, 104.

An account of Rizzio's murder, in a letter from the Earl of Bedford, is worthy of notice. The letter is a long one—but the following passage is the most material.

‘ Upon the Saterdaye at nyghte, nere unto viij. of the clocke, the King convoythe hym self, the Lord Ruthen, George Duglas, and two other, thorowe his owne Chamber by the previe stayers, up to the Quenes Chamber, yoinge to which ther is a Cabinet abowte xij. footes square, in the same a lyttle lowe reposinge bedde, and a table, at the which ther were syttinge at the supper the Quene, the Ladie Argile, and David with his cappe upon his heade. Into the Cabinet ther commethe in the King, and Lord Ruthen, who willed David to come forthe, sayinge that ther was no place for hym. The Quene saide that yt was her wyll; her howsbonde answerde that yt was agaynste her honor. The Lord Ruthen saide that he sholde lerne better his deutie, and offeringe to have taken him by the arme, David tooke the Quene by the blyghtes of her gowne, and put hym self behynde the Quene, who wolde gladlye have savid hym; but the Kyng havinge loosed his hands, and holdinge her in his armes, David was thruste owte of the Cabinet thorowe the bedde chamber into the Chamber of Presens, whear were the Lord Morton, Lord Lindesaye, whoe intendinge that night to have reserved hym and the nexste daye to hange hym, so maynie beinge abowte them that bore hym evle will, one thruste hym into the boddie with a dagger, and after hym a greate maynie other, so that he had in his boddie above lv. wonds. Yt is tolde for certayne that the Kings owne dagger was left stickinge in hym. Wheather he stroke hym or not we cane not knowe for certayne. He was not slayne in the Quenes presens as was saide, but goinge downe the stayers owte of the Chamber of Presence.

‘ Ther remayned a longe tyme with the Quene, her howsbonde and the Lord Ruthen. She made, as we here, greate intercession that he sholde have no harme. She blamed greatlye her howsbonde

that was the autor of so fowle an Acte. Yt is saide that he dyd answer that David had more compaignie of her boddie then he for the space of two monethes, and therfore for her honor and his owne contentement he gave his consent that he sholde be taken awaye. Yt is not, saythe she, the Woman's parte to seeke the howsbonde, and therefore in that the fawlt was his owne. He said that when he came, she ether wolde not or made her self sycke. Well, saythe she, you have taken your laste of me, and your farewell. That were pyttie, saythe the Lord Ruthen, he is your Majesties howsbond, and you must yelde deutie to eache other. Whye maye not I, saythe she, leave hym as well as your wyf dyd her howsbonde. Other have done the lyke. The Lord Ruthen saide that she was lawfullye divorced from her howsbonde, and for no suche cawse as the Kinge founde hym self greved. Besyds this man was meane, basse, ennemie to the nobilitye, shame to her, and dystuction to her Grace's countrye. Well saythe she, yt shalbe deare blude to some of you yf hys be spylte. God forbed, saythe the Lord Ruthen, for the more your Grace showe yourself offended, the worlde wyll judge the worce. Her howsbonde this tyme speakethe lyttle. Her Grace continuallye weepethe. The Lord Ruthen beinge evle at ease, andweake, callethe for a drinke, and saythe this I muste do with your Majesties pardon, and perswadethe her in the beste sorte he coulde that she wolde pacifie her self. Nothyng that coulde be saide coulde please her.' II. pp. 209-212.

In a letter of Sir Francis Knollys to Elizabeth, is given a conversation of a somewhat delicate nature with Mary; the purpose being to prove that, as she had committed murder, which seems to have been assumed, she might be justly deposed.

'Wherupon I thowght with my selfe that yf I should not object sumwhat to make the matter disputable, whether the Lordes of Skotland deposing hyr from the government (althoghe not by hyr owne inward consente yet by hyr subscription) dyd well or not, that then she wold more clamorously be offended with youre Majestie yf youe should not answer hyr requestes according to hyr expectation: wherfore I objected unto hyr that in some cases Prynces myght be deposed from theyr government by theyr subjects lawfully, as yff a Prynce should fall into madnes. In this case good subjects myght depose theyr Prynce from government and restrayne hym from lybertie. And (sayd I) what dyfference is there betwene Lunecye and cruell murdering, for the one is an evyll humor proceeding of malyncolye, and the other is an evyll humor proceeding of color: wherfore the question ys whether your Grace deserved to be put from the government or not, for yf your Grace should be gyltye of any sotche vdyous crime as deservethe deposall, then (sayd I) howe should they be blamed that have deposed youe? Hereuppon hyr Grace begynnynge to klearre hyr selfe after hyr accustomed maner, the tears yet fell from hyr eyes. And then I sayd your Hyghnes wold be the gladdest in

the world to see hyr Grace well purged of this cryme, that therby your Hyghnes myght ayde hyr fully and ampleye to the advancement of hyr Grace to her governement Royall agayne: for her Grace I sayde was your Hyghnes nerest kinswoman on the father's syde, and that youe were bothe borne in one continent of lande, althoe this seperation was betwene youe, that youe were not bothe borne in one circute of obedience. Herewith hyr Grace answerd me very curtysely, but forthewith she sayd she must goe close upp hyr Letters to your Hyghnes, and so departed to hyr bed chamber. This farr I waded with hyr Grace to make hyr cawse disputable, but whan I sawe hyr tears, I forbayre to prosequete myn objection, and fel to comfortyng of hyr with declaration of your Hyghnes great affection and good wyll towards hyr.' II. pp. 244, 245.

There is one remark applicable pretty generally to the collection before us, and which we should hope the learned and industrious Editor will both take in good part and profit by. He seems, in selecting his materials, to have considered too much the high and resounding names with which his work should be garnished, and not quite enough to have weighed the value of the contents of the letters themselves. Thus, a large proportion are either written by or to Royal personages; (of the first volume, four in five are of this description) and the rest are chiefly the epistles of the principal statesmen and courtiers of the time. Now, as to the correspondence of kings and queens, it is never likely to be very interesting. Supposing them to have the power, they have seldom the inclination to give much information that can be relied upon; or, if true, that can instruct us; and, to a certain degree, this remark applies also to that of their favourites and ministers. The rich repositories whence Mr Ellis made his selection must contain many far more curious pieces, and likely to cast a more valuable light upon history, under the hands of persons far less known than 'His Majesty's Royal Ancestors,' of whom he makes mention in his dedication, as the author of so many letters in these volumes.

That our observation of the generally uninteresting nature of such Regal penmanship is not applicable to all the specimens, we have shown already; and we find other instances of striking exceptions to the caution that for the most part guides such pens. There is a warrant of Queen Elizabeth, directing the Torture to be applied in the Duke of Norfolk's case, to his two servants; and Lord Burghley did not disdain to be a party in this atrocity; for the body of the instrument is in his hand. It orders the unhappy men, because 'they haue not uttred ther knolledg, nother will discour the same without torture,' to be 'brought

‘to the rack;’ and they are ‘first to be moved with thi feare thereof, and to deale playnly in ther answers, and if that shall not move them, than you shall cause them to be put to the rack, and to find the tast thereof, until they shall deal more plynly, or until you shall thynk mete.’ This is dated 15th September, 1571; and it appears, by a letter from Sir T. Smith, to whom, with a Dr Wilson, the warrant was addressed, that it was executed, ‘not in any hope to get any thing worthy that pain or fear, but because it is so earnestly commanded to us.’—Vol. ii. p. 261.

We have a letter from the Recorder of London to Lord Burghley, giving an account of the Queen’s reception of the Lord Mayor when presented upon his accession to office. In those days that worshipful and learned person appears to have had the privilege of inflicting an oration on the sovereign upon this great occasion; for he tells the Treasurer that her Majesty ‘most graciously accepted of my Lord, and of my folishe speech, to the great comfort of my Lord Maior, and of all his brethren the aldermen.’ The whole ceremonial, indeed, seems to have gone off auspiciously, the Queen being ‘wonderfully well pleased in all things, saviage for that some yonge gentilmen, beinge more bold than well manered, did stand upon the carpet of the clothe of Estate, and did almost leane upon the quesions’ (cushions), ‘which drew down a rebuke upon my Lord Chamberlain and Mr Vizchamb.’ An epistle from Elizabeth Dowager Lady Russel to her nephew Lord Cecil, is termed ‘a letter of familiarity and kindness;’ and thus begins, ‘God comfort you, my Lord, when you would as it pleased your Lordship to comfort my daunted spiritts which were so changed therby and sturred upp by your Lordships so honorable most kynde and unloked for visitacion, as turned melancoly into a sanguin.’ The old lady then complains of her health, and says she has not so much as drank ‘a draught of ale, bere, or wyne, sins my comming to Windsor, but water and limmons;’ and adds, ‘But in trawth I had clymed up and stooede, from your Lordships comming in to your going owt, which made me faynt, and sweat truly. Thus muche have I trobled your Lordship, because I would not willingly deserve to be thought a dissembler or ipperitt (hypocrite).’

There are many letters in this collection during James I. reign. One is remarkable enough, as showing the popular feeling in favour of the unfortunate queen of Bohemia, and the king’s displeasure thereat; and, another we shall give as a specimen of the classical flattery which prevailed in the universities of those days,

'The Lieutenant of Middle Temple played a game this Christmas time, whereat his Ma^{tie} was highly displeased. He made choise of some thirty of the civillest and best fashioned gentlemen of the House to sup with him. And being at supper, took a cup of wine in one hand, and held his sword drawn in the other, and so began a health to the distressed Lady Elizabeth, and having drunk, kissed his sword, and laying his hand upon it, took an oath to live and die in her service; then delivered the cup and sword to the next, and so the health and cæremonie went round.

The Gentlemen of Grayes Inne, to make an end of Christmas on Twelwe night, in the dead time of the night, shott off all the chambers they had borrowed from the Tower, being as many as filled four carts. The King awakened with this noise, start out of his bed, and cryed "Treason, Treason," &c. and that the Cittie was in an uprore, in such sort (as it is told) that the whole Court was raised, and almost in Armes; the Earle of Arundell running to the bed-chamber with his sword drawne as to rescue the Kings person. These are such things as I heard from Londoners: and so I leave them. III. 118, 119.

'I send our Lettres of last Saturday, and with them a Book. But that I guess I am prevented by others, I would have else (*quæ* also?) sent you the Kings Sonnet of Jack and Tom, and other such like tricks. Howsoever I will give you the Epigram whole, which our Orator made, and Dr Richardson brought to be read before the King at dinner when he was here.

Dum petit INFANTEM Princeps, Grantamque JACOBUS,

Cujusnam major sit dubitatur Amor?

Vicit more suo noster; nam millibus Infans

Non tot abest, quàm nos Regis ab Ingenio.

The King descended more mile to visit us at Cambridge than the Prince is gone to see the Infanta. Ergo the Kings Love is the greater. *REX amore vincit PRINCIPEM.* III. 133-134.

The following account of Felton's trial (if trial it can be called) was written by a gentleman of Lincolns Inn, and shows that the principal indignation against him was raised by the circumstance of Villiers having been the king's favourite.

'That there had been a rumour a sennight before, that Felton was speedily to come to his tryall, but there was annexed to that report that the Judges should sitt at the Tower, and a special Commission be granted to that purpose: the day of the arraignment to be on the Tuesday after the Terme end, which was Tuesday this week. But on Wednesday last week, when no man expected any such thing, was Felton before break of day conveyed from the Tower to the gatehouse, and between six and seven a clock that morning, attended by the Sherif and many armed men, brought to the King's Bench bar. His Indictment being read, he confessed the fact, but added that he did it not maliciously, but out of an intent for the good of his Country.

The Attorney made a speech in aggravation of the murder, shewing the heinousness thereof both in respect of the quality of the

person killed, and also of the manner of doing it. That he had slain so dear and near a subject of the Kings, so great a counsellor of State, the General of his Majesties forces, Admiral of the Seas, &c. and exaggerating the manner of the deed, he produced the knife in open Court, comparing him to Ravilliak (at the sight of the knife some observed the tears in Felton's eyes) and accordingly desired that upon his owne confession judgement of Death might pass upon the malefactor.

Then Justice Jones, being the ancient on the bench, asked Felton what he could say why judgement of Death should not be given against him; without impannelling either Jury, or examining witnesses. Felton answered, I am sorry both that I have shed the blood of a man who is the image of God, and taken away the life of so near a subject to the King as Mr Attorney hath related; and, lifting up his arm, 'This is the instrument,' sayd he, 'which did the fact, which I desire may be first cutt off, and the rest of my car-kasse I willingly yield to this Court to be disposed of as You and his Majesty shall please.'

Judge Jones answered, that by the law, if a man strike in the Kings palace, he is to loose his hand. &c. But it was not his Majesty's pleasure that they should proceed against him in any other way than that which the law had ordinarily determined in such cases. You shall therefore, saith he, have the law and no more, and so gave sentence he should be hanged untill he were dead; but named neither time nor place. Sentence being pronounced, Felton made obeisance, and thanked his Lordship; but said My Lord, 'this will not be all Your punishment, for unless You look to it, and prepare Yourself before your death, there is a far worse to follow afterward.' 'I know it, my Lord,' quoth Felton, 'and know also that I have a Saviour, whose blood, I doubt not, but upon my repentance, shall wash away, as all my other sins, so, this also. I have,' says he, 'already made my peace with God, and am prepared for death.' III. 278-280.

Upon the merits of Felton and Buckingham, it seems all were not quite of Mr Attorney's opinion. The following extract of a letter from Mead to Sir Martin Stuteville is very curious; and the fear shown of repeating the disrespectful words in court, and even of their being seen in the letter, is exceedingly edifying, when contrasted with the sentiments so universally prevailing a few years after.

'The same Friday was sen'night also were censured in the Starre Chamber Alexander Gill bachelor of divinity at Oxford, and Usher in Paule's Schoole under his own father, and one Mr Grimkin, an Oxonian also, of his acquaintance. Gill, for saying in Trinity College cellar in Oxford [that our King was fitter to stand in a Cheap-Side shop, with an apron before him and say 'What lack yee'! than to govern a kingdome] 2. That the Duke was gone downe to Henr to meet King James there. 3. For drinking a health to Felton, saying he was sorry Felton had deprived him of the honour of doing that brave act,

The words concerning his Majesty were not read in open Court, but only those concerning the Duke and Felton; nor had my author heard any more laid to his charge; but this was enough. His censure was, to be degraded both from his ministry and degrees taken in the University; to lose one ear at London, and the other at Oxford; and to be fined at L.2000. What Grimkin's charge was my author knew not, but for writing somewhat in prose or verse to the same end, or dictating it.' III. 276-277.

When we come to the times of the Commonwealth, the matter becomes far more interesting, but in quantity it is extremely limited; not above twelve or fourteen letters in all. Of these a short one from Charles I. to Newcastle is well deserving of attention, and shows that in those days, as now, men only learnt by their necessities the lesson which seems so simple, of toleration in religious matters.

'NEW CASTEL—This is to tell you that this Rebellion is grown to that height, that I must not looke what opinion men ar who at this tyme ar willing and able to serve me. Therefore I doe not only permitt, and command you, to make use of all my loving subjects services, without examining ther Contienses (more then there loyalty to me) as you shall fynde most to conduce to the uphoulding of my just Regall Power. So I rest

Your most asseured faithfull

Shrewsbury 23 Sep.

frend

1642.

CHARLES R.

The following to Prince Maurice is in a far better spirit—though still manifesting an arbitrary and unaccommodating temper, equally unbecoming his fortunes, and his ignorance in the art of war.

'NEFUEU,

Newtoun 20 Sep. 1645.

'What through want of tyme, or unwillingness, to speake to you of so unpleasing a subject have not yet (which now I must supply) spoken to you freely of your brother Ruperts present condition. The treuth is, that his unhansom quitting the Castell and Forte of Bristol, hath inforced me to put him off those Commands which he had in my Armyes, and have sent him a Passe to goe beyond Sease; now though I could doe no lesse than this, for which (belive me) I have too much reason upon strickt examination, yet I assuere you, that I am most confident that this great error of his (which, indeed, hath given me more greefe then any misfortune since this damnable Rebellion) hath no waise proceeded from his change of affection to me or my Cause; but merely by having his judgement seduced by some rottenharted villaines making faire pretentions to him; and I am resolved so litle to forgett his former services, that, whensoever it shall please God to enable me to looke upon my frends lyke a King, he shall thanke God for the paines he hath spent in my Armyes. So much for him; now for yourselfe. I know you to be so free from his present misfortune, that it nowais staggers me in that good opinion

which I have ever had of you, and, so long as you shall not be weary of your Imploiments under me, I will give You all the encouragement and contentment that lyes in my power; however, you shall alwaies fynd me

Your loving ocle, and most asseured friend, CHARLES R.

There are three letters from Oliver Cromwell during the civil war; one upon the death of his nephew, Waller's son; another giving an account of the battle of Naseby; and the third, to Fairfax, upon his own recovery from sickness. The style of all these is sufficiently good, for the times, and in clearness will bear a comparison with any of the others in the collection. But our worthy and loyal editor is extremely offended, of course, with this great man, and attacks him, especially on the last of the letters, for his hypocrisy. It, he says, 'sufficiently hypocritical to be thoroughly characteristic of Cromwell. It was by sanctified pretences that Cromwell and his party disguised their treasons. Fairfax, with all his boasted victories, was their dupe.' And then he adds, from Hume, the anecdote of his demeanour at Charles's death,—which Mr Brodie has distinctly shown to be altogether fictitious,—and his letter to Fairfax upon it, which he says 'is in truth a practical comment upon the cant of the letter,' respecting his own sickness. We shall insert it.

'It hath pleased God to raise mee out of a dangerous sicknesse; and I doe most willingly acknowledge that the Lord hath (in this visitation) exercised the bowells of a Father towards mee. I received in my selfe the sentence of death, that I might learne to trust in him that raiseth from the dead, and have noe confidence in the flesh. Its a blessed thinge to dye daylie; for what is there in this world to be accounted off the best men according to the flesh; and thinges are lighter than vanitye. I finde this only good; to love the Lord, and his poore despised people; to doe for them, and to bee readie to suffer with them; and hee that is found worthy of this hath obteyned great favour from the Lord: and hee that is established in this, shall (being conformed to Christ, and the rest of the bodye) participate in the Glôry of a resurrection which will answare all.

'Sir, I must thankfully confesse your favor in your last Letter. I see I am not forgotten: and truly, to bee kept in your remembrance is very great satisfaction to mee; for I can say in the simplicitye of my hart, I putt a high and true yalew upon your love; which when I forgett, I shall cease to bee a gratefull and an honest man. I most humblye begg my service may be presented to your Lady, to whom I wish all happinesse and establisment in the Truth. Sir, my prayers are for you, as becomes

Your Excellencies most humble servant

OLIVER CROMWELL.

The other letter on his nephew's death, we suppose, would stir up in Mr Ellis equal feelings of horror at what he calls Cromwell's hypocrisy.

' DEERE SIR

' It's our duty to sympathize in all mercyes; that wee praise the Lord together, in chastisements or tryalls, that soe wee may sorrowe together. Truly England, and the Church of God, hath had a great favor from the Lord in this great victorie given unto us, such as the like never was since this War begunn. It had all the evidences of an absolute Victorie obtained by the Lord's blessinge upon the godly partye principally. Wee never charged but wee routed the enimie. The lefte Winge which I commanded, being our owne horse, saving a few Scottes in our reere, beat all the Prince's horse. God made them as stubble to our swords. Wee charged their Regiments of foote with our horse [and] routed all wee charged. The particulars I cannot relate now: but I believe of twenty thousand, the Prince hath not four thousand left. Give glory, all the glory, to God.

' Sir, God hath taken away your eldest sonn by a cannon shott, Itt brake his legge. Wee were necessitated to have itt cutt off, wherof hee died.

' Sir, you know my tryalls this way, but the Lord supported mee with this, that the Lord tooke him into the happinesse wee all pant after and live for. There is your precious child, full of glory, to know sinn nor sorrow any more. Hee was a gallant younge man, exceedinge gracious. God give you his comfort. Before his death hee was soe full of comfort, that to Franke Russell and my selfe hee could not expresse it, itt was soe great above his paine. This he sayd to us. Indeed itt was admirable. A little after hee sayd, one thinge lay upon his spirit; I asked him what that was; hee told mee that it was that God had not suffered him to be noe more the executioner of his enemies. Att his fall, his horse beinge killed with the bullet, and as I am informed three horses more. I am told hee bid them open to the right and left, that hee might see the rogues runn. Truly hee was exceedingly beloved in the Armie of all that knew him. But few knew him; for hee was a precious younge mann, fitt for God. You have cause to blesse the Lord. Hee is a glorious Saint in heaven, wherein you ought exceedingly to rejoyce. Lett this make up your sorrowe. Seinge these are not fayned words to comfort you; but the thing is soe real and undoubted a truth, that I doe all thinges by the strength of Christ. Seeke that, and you will easily beare your tryall. Let this publike mercy to the Church, God make you to forgett your private sorrowe. The Lord be with your strength; soe prayes

your truly faythfull and lovinge brother

July 5th

OLIVER CROMWELL.'

Now, we do not quite understand why all this must be thought hypocritical in Cromwell. To say that, because a man does not in all things act up to his principles, he therefore has not those opinions, is the greatest nonsense in the world; and may, besides, even prove an extenuation of his offences in one point of view; inasmuch as it is fully worse to sin against the light, than to pretend a belief which we have not. Mr Ellis, and those who use the same language respecting Cromwell, seem to imagine, that because after his successes he became a tyrant, he never could have been a republican in the truly glorious period of his career, which is foolish enough; and that, because he did many things forbidden by the religion he professed, therefore he only pretended to be a Christian—which is still more absurd, more inconsistent with the most ordinary course of human affairs, and indeed more contrary to the manifest truth. If no man be sincere the whole of whose actions do not square with his profession of faith, we should like to know how many Christians there may be in the world at any given time? Some allowance must always be made for the exaggerations of a mind naturally enthusiastic; and when we find Cromwell expressing the fervour of his devotion in those letters, and others which remain, we have no right to say that he was canting, because he happens to show more deep feelings than we can entertain on the like subjects. Now, would Mr Ellis like to be tried by this rule himself? He is a very loyal person; and suppose any one were to say he cants in his dedication to the King—for he represents his feelings, and indeed his occupations, as being constantly and earnestly praying for his Majesty's long life, would this be deemed a charitable construction of his words? Would it be reckoned fair to ascribe hypocrisy to him, for a somewhat extravagant and very highly coloured description of his loyal emotions? Yet he has used language towards the earthly prince fully more vehement, when literally taken, than Cromwell uses respecting his feelings towards the Sovereign of the Universe. 'That your Majesty may long live to witness the advantages,' &c. 'is the earnest and constant prayer of, Sire,' &c. Who can believe that Mr Ellis, or any other man, be he as loyal as Lally Tollend, who was overheard muttering *Vive le Roi!* in a room alone, for the life of any king, were he a Henry IV., the subject of such constant and earnest supplications to the throne of men? It is impossible. It is difficult, as Dr Paley has remarked, to be very earnest in such prayer, even once a week; and Dodd, by his remarks on Dodd's prayers before he was hanged, appears to have felt the same difficulty. But as for a private and

habitual devotional exercises taking this loyal turn, it is ridiculous; and, were it really true, would not argue any great piety. Yet, that Cromwell should have felt all he says on the great subject of his own salvation, is not only quite possible, but quite natural; nay, it follows as a necessary consequence, from his being a believer; for the frame of mind which dictates such expressions as Mr Ellis thoughtlessly sets down for hypocritical, is the very one in which every Christian must live, if he is at all sincere.

What Mr Ellis may call the writer of the following Letter which he has printed, we know not; and whether he thinks it deserves the name of canting or not, he has refrained from disclosing. It is from the chaplain of the Bishop of Ely, and written at Ely Palace, Holborn, on the subject of that cruel calamity, the loss of our most virtuous and religious king, Charles II., of blessed memory. The pious, loyal, and reverend author, thus pours out the sorrows of his heart to a clerical brother, a fellow of St John's College, Cambridge.

REV. SIR

'Yesterday noon, I doe believe the most lamented Prince that ever satt upon a Throne, one of the best of Kings, after near five days sickness, left this world; translated doubtless to a much more glorious Kingdome then all those which he has left behind him now bewailing of their losse. 'Twas a great peice of providence that this fatal blow was not so sudden as it would have been, if he had dy'd on Monday, when his fitt first took him: as he must have done, if Dr King had not been by, by chance, and lett him blood. By these few dayes respitt, he had opportunity (which accordingly he did embrace) of thinking of another World; and wee are all prepared the better to sustain so great a loss. He showed himself, throughout his sickness, one of the best natur'd men that ever lived; and by abundance of fine things he sayd in reference to his soul, he showed he dyed as good a christian: and the physicians, who have seen so many leave this world, doe say, they never saw the like as to his courage, so unconcerned he was at Death, though sensible to all degrees imaginable, to the very last. He often in extremity of pain would say he suffered, but thank'd God that he did so, and that he suffered patiently. He every now and then would seem to wish for Death, and beg the pardon of the standers by, and those that were employed about him, that he gave them so much trouble: that he hoped the work was almost over: he was weary of this world: he had enough of it: and he was going to a better. There was so much affection and tenderness express'd between the two Royal Brothers, the one upon the bed, the other almost drowned in tears upon his knees and kissing of his dying brother's hand, as could not but extremely move the standers by. He thank'd our present King for having always been the best of brothers

and of friends, and begg'd his pardon for the trouble he had given him from time to time, and for the several risks of fortune he had run on his account. He told him now he freely left him all, and begg'd of God to bless him with a prosperous reign. He recommended all his children to his care by name, except the Duke of Monmouth, whom he was not heard so much as to make mention of. He bless'd all his children, one by one, pulling them to him on the bed: and then the Bishops moved him, as he was the Lords anointed, and the father of his countrey, to bless them also, and all that were there present, and in them the whole body of his subjects: whereupon, the room being full, all fell down upon their knees, and he raised himself in his bed, and very solemnly blessed them all. This was so like a great good Prince, and the solemnity of it so very surprizing, as was extreemly moving, and caused a general lamentation throughout; and no one hears it without being much affected with it, being new and great.

'Tis not to be express'd how strangely every body was concern'd, when they perceiv'd there was but little hopes.' III. 334-336.

But this religious, and, of course, sincere devotion to departed monarchs, was far from abating a love of its new representative, that true nursing father of the Protestant Church, James II., our 'legitimate king.'

'To all appearance, never any Prince came to a Crown with more regret, with more unwillingness, because it could not bee without the loss of one he lov'd so dearly, then did our gracious Prince (whom God preserve). He joyn'd as heartily as any of the company in all the prayers the Bishops offer'd up to God. He was as much upon his knees as any one, and said Amen as heartily: and no one doubts but he as much desired God would hear their prayers, as any one of all that prayed.

'The Queen, whom he had asked for the first thing he said on Munday when he came out of his Fit, (she having been present with him as long as her extraordinary passion would give her leave, which at length threw her into fits, not being able to speak while with him), sent a message to him to excuse her absence, and to beg his pardon if ever she had offended him in all her life. He replied, "alas! poor woman! she beg my pardon! I beg her's with all my heart."

'The Queen that now is was a most passionate mourner, and so tender hearted, as to think a Crown dearly bought with the loss of such a brother.' III. 337.

It seems the Palace of Ely was not the only place deeply affected on the sad occasion—both with grief for Charles and love of James.

'On Friday morning all the Churches were so throng'd with people to pray for him, all in tears and with dejected looks, that for my part I found it a hard task, and so I doe believe did many more, to goe through with the Service: so melancholy was the sight, as well as were the thoughts of the occasion of it.

'The Bishop of Bath and Wells watching on Wednesday night, (as my Lord had done the night before), there appearing then some danger, began to discourse to him as a Divine: and thereupon he did continue the speaker for the rest to the last, the other Bishops giving their assistance both by prayers and otherwise, as they saw occasion, *with very good ejaculations* and short speeches, till his speech quite left him; and afterwards, by lifting up his hand, expressing his attention to the prayers, he made as very glorious christian exit, after as lasting and as strong an agony of death, almost as ere was known.

'About 4 o'clock King James was proclaimed with the usuall solemnity and with great acclamations, together *with a decent concern* for the loss of so good a Prince. All things were managed with great order and quiett; and his Maj^{ty}, at night, in Council, made a very gracious declaration (which, I suppose, will be in print) wherein he promis'd solemnly to tread exactly in his brothers steps, bot has to money and governing according to law; and particularly that he would maintain the Church as now by law established. The same declaration he made to my Lord in private, with solemn protestations: and 'tis his constant discourse, that he will not in the least disturb the established government of the Church, either by toleration, or any other way whatever.' III. 337-339.

Now, upon all this, coming from a clergyman of the Established Church, and relating to a couple of the very worst of all earthly kings, Mr Ellis never whispers a doubt either as regards its sincerity or its propriety: And yet Comwell is to be reckoned a mere hypocrite, for expressing truly Christian sentiments, in pure scriptural language, because he was guilty of usurping the power he afterwards held. Indeed so captivated is our author with the worthy chaplain's loyalty, that he prefers his testimony at once to Bishop Burnet's upon every point, except what, to be sure, it would have required a very loyal throat to swallow—the strong sense of religion ascribed to Charles. (p. 333.)

We shall close these extracts with the third Letter of Cromwell to the House of Commons at Naseby, and a very well written one from the Chevalier de St George, to his wife the Princess Clementina.

'SIR,

'Beinge commanded by you to this service, I thinke my selfe bound to acquaint you with the good hand of God towards you and us. Wee marched yesterday after the Kinge whoe went before us from Daventree to Haverbrowe, and quartered about six miles from him. This day wee marched towards him. Hee drew out to meete us. Beth Armies engaged. Wee, after three howers fight, very doubtfull, att last routed his Armie, killed and tooke about five thou-

sand, very many officers, but of what quallitye wee yet know not. Wee tooke alsoe about two hundred carrages, all hee had, and all his gunnes, being twelve in number, whereof two were demie-cannon, two demie culveringes, and (I thinke) the rest sacers. Wee persued the enimie from three miles short of Haverb. to nine beyond, even to sight of Leicr. whether the Kinge fled. Sir this is non other but the hand of God, and to him alone belongs the glorie, wher in none are to share with him. The Generall has served you with all faythfullness and honor, and the best commendations I can give him is that I dare say hee attributes all to God, and would rather perish than assume to himselfe; which is an honest and a thriving way, and yett as much for bravery may bee given to him in this action as to a man. Honest men served you faythfully in this action. Sir they are trusty. I beseech you in the name of God not to discourage them. I wish this action may begett thankfulness and humblytye in all that are concerned in itt. Hee that venters his life for the libertye of his cuntrye, I wish hee trust God for the libertye of his conscience and you for the libertye hee fights for. In this hee rests, whose is

June 14th 1645

your most humble servant

Haverbrowe.

OLIVER CROMWELL.

For the Honble William Lenthall

Speaker of Commons-House of Parliament.

‘ September the 17. 1726.

‘ Notwithstanding the bad success of the many steps I have taken to convince you of my affection and tender regard, my compassion for you encreases in proportion with the misfortunes I see your Separation from me exposes you to. The circumstance of my departure from Rome with our children very speedily, ought to make a feeling impression on you: I am sure it raises in me all the loving sentiments I ever had for you, and presses me to sollicite you anew with all the earnestness possible not to lett slip soe favourable a conjuncture of returning to your family, assuring you at the same time, that you will find in me a fond husband, ready to forgett what is past, and wholly intent on providing for your happiness and tranquillity for the time to come.

‘ Consider, I beseech you my dear Clementine what you owe to God, to your self, to me, to our children, and to the world; reflect on it seriously, and it will be impossible for me to believe you can hold out any longer in a resolution that draws consequences after it, for which you will ever after be accountable to God and Man. I flatter myself the more that you will noe longer persist in it, that I had yesterday from the Popes own mouth that the only motive you ever laid before his Holyness to justifie your separation from me, was, that I gave my son a Protestant Governor. Since I as Father and King am solely accountable for his education, I hope that after serious reflection you will think it just and fitting to submit in that to my judgement

and conscience. But if, as God forbid, you should be resolved to remain always separated from me; I will send Sir William Ellis to inform you of the measures I shall take for your maintenance in a Nunnery, with the regret of not being in a condition to suit that to my inclination, but to my power ability. Whatsoever be the event, Madam, I shall have the comfort of having done my part, and complyd with my duty, since I omitted nothing that might prevent your misfortune, in the midst of which you shall always find in me, sentiments that are becoming a Christian, a Husband, and a King.

(Signed)

'J. R.'

We cannot take our leave of Mr Ellis, without expressing a hope that this is only the prelude of other and larger compilations, to be drawn from the vast storehouses of the British Museum. Indeed, the work now before us cannot be regarded as more than a selection of *specimens*, intended rather to whet the appetite of the public, than to satisfy the cravings of an ardent student of English History; and, considering the prevailing taste for original and authentic papers of this class, we indulge the hope that Mr Ellis and his intelligent coadjutors will soon be called upon, and enabled to exhibit to the world a Collection of unpublished State Papers and Letters, worthy of the noble repository now under their care; and we trust that the worthy editor of these volumes will not impute it to a cavilling or hypercritical spirit, if we venture to recommend a little more care in the transcription of the documents that may enter into his future compilations. In these volumes, and more remarkably in the first of them, there are many errors which it would be absurd to ascribe to ignorance or inexperience, but which have an effect on the sense of the documents, which a little more pains would be well bestowed in avoiding. Of these, in our own justification, we hope to be pardoned for giving a few instances.

Thus, in a curious letter from John Ramsay, Lord Bothwell, to King Henry VII., in 1496, relative chiefly to the treatment of Perken Warbeck at the Scottish court, and which, by the by, had been already printed by Pinkerton, it is mentioned, among the concessions which that unhappy person had been urged to promise, in the event of his being placed on the English throne, that he should restore to Scotland 'the vii *Hesdomis*,' &c. Of this portentous word, the reader will look in vain for explanation in the Glossaries: it is palpably a mistake of the contracted word '*sefidomes*' for *sheriffdoms*.—I. 26. In the same letter, where the writer is earnestly exhorting Henry to take advantage of the present posture of affairs, in order to give the young King of Scots a sound drubbing,—he is made to say, 'and wat he avis weill snybbit, he wald be the better

'avisit quhill he leuit;'—words unintelligible in themselves, but the true reading of which must be, 'and war he anis weil snyb-bit,' &c. that is, 'and were he once well snubbed, he would be the better, as long as he lived;—not 'till he leave it,' as Mr Ellis most erroneously expounds the last words. Again, in a letter from Margaret, Queen of Scots, to her brother King Henry VIII., in which, according to Mr Ellis, 'affection and 'irony are most amusingly blended,' it appears to us that the imputed irony rests on a false reading, and that the word 'friendly' should be 'fremdly,' or *unkindly*. In truth, the letter is one of undisguised indignation at the mean and knavish denial of a legacy of jewels bequeathed to her by her father Henry VII.; and is characteristic enough of the temper of the writer, whose passions were, in general, greatly an overmatch for her discretion.—I. 64. In a letter from Thomas Lord Dacre to Cardinal Wolsey, in which he tells of his underhand dealing with the Master of Kilmawers, then an outlaw, whom he kept in his own house secretly, he adds, that if the threatened quarrel with the Scottish Regent should pass away, *then should all these practices* (meaning his own promises) be void and of non effect; 'and the said Maister of Kilmawers to 'be putte to his own *feude* at his libertie in secrete maner.' We cannot venture to guess what meaning Mr Ellis would here attach to the word 'feude; but to us it seems evident that the true reading is '*feude*,' *i. e.* shift—meaning, that this useless tool should then be left to shift for himself.—I. 133. But enough of this minute criticism.

ART. VIII. *Remarks on the Administration of Criminal Justice in Scotland, and the Changes proposed to be introduced into it.*

By a MEMBER OF THE FACULTY OF ADVOCATES. Edinburgh, 1825.

THE Civil Jurisdictions of Scotland have, within the last eighteen years, been reformed by a greater number of more decided changes than were perhaps ever introduced by mere legislation into the judicial establishments of any country. A similar demand for some revision of our criminal system has been long growing. We have, on more occasions than one,* directed the attention of our readers to this subject; and have endeavoured to explain the actual grounds of

* No. LXXI. Art. 9. No. LXXV. Art. 11. No. LXXVIII. Art. 5.

complaint, and to point out remedies that were at once specific, and easily attainable without endangering the general fabric of our courts, or of the law. In discharging this duty, we have had to enter into a very full exposition of the constitution of our criminal tribunals, and of that great office of Public Prosecutor, by which they are all put in motion.

The pamphlet before us is the first regular Defence that has appeared of the whole existing order of things. It is an elaborate, and, to a careless eye, might at first sight seem a plausible performance—compiled with great industry—evidently got up by some one (probably more than one) personally connected with the administration of the system that is justified—and distinguished by unusual moderation of language and of sentiment towards his opponents. There are some passages, to be sure, in which those who happen to differ from him are described as persons actuated by ‘the desire of depreciating the institutions of their country,’ and who are ‘searching for grounds whereon to asperse the Scotch criminal law,’—which may seem somewhat inconsistent with this last praise. But these are probably only controversial phrases, thoughtlessly used; and, on the whole, it is a gratifying symptom of the progress which public opinion has already made on these questions, that they can be discussed upon their own merits, and that it is felt that it will no longer do to attempt to quash inquiry by injurious imputations or offensive epithets. The great defects of the Remarks are, that they are not pertinent to the real matters in controversy;—that (probably owing to some plurality of authorship) they are not always consistent—and, above all, that they are equally zealous and equally positive in defending every thing that exists, not even excepting the nomination of criminal juries by presiding judges, and the judicial legislation of criminal courts. These are touchstones of men’s title to credit; and he who now wishes that his judgment on other points should be deemed weighty, must begin by letting it be known that he has banished such follies from his understanding. But the principal importance of these Remarks arises from their giving us the distinct, and almost the official, answer to the objections that have been stated to our penal policy. For, now that the grounds on which this policy is held to be defensible are disclosed, the discussion is reduced to a narrow and satisfactory compass; and there is no one so ignorant as not to be able to make up his mind on its different points with considerable confidence, and with very little trouble.

Those who are of opinion that the Scottish scheme of criminal

jurisprudence requires, and easily admits of, reform, have never said, so far as we know, that the scheme itself ought, for this reason, to be altogether abandoned—and still less that the English, or any foreign, one ought to be substituted in its place. On the contrary, though they have referred to the example of England, as to a rich field of precedents on every matter connected with legal experience and public liberty, they have professed a due horror of the forms and the principles of a code with which they have no practical acquaintance; and, on the other hand, they have uniformly explained and extolled various peculiar and valuable parts of their own Scottish system. But they state, that there are certain specific points of this system which are defective; and they maintain, that these defects might easily be removed, not only without injuring, but to the effect of greatly improving, what remained. But, instead of confining himself to the examination of these proposed reformatations, the author falls into a general error which pervades and swells every part of his work, and leads to discussions which are not only useless, but,—if evasion be a vice,—are somewhat worse.

This error consists in representing those who are anxious for the improvement of our law, as smitten with a passion for every thing English, and with a hatred of every thing native; and its effect is to set him upon an eager search for imperfections in the English mode of administering criminal justice—a subject scarcely intelligible to those not practically versant with its details, and plainly not at all understood in these remarks; and then, whenever he discovers what he conceives to be a defect there, he holds this to be a conclusive reason against any revision of the Scottish law; while, on the other hand, every peculiar excellence in the latter is displayed, as a virtual condemnation of the former. Thus, many pages are occupied in attempting to show, that it is an evil in England that there are no local Magistrates like our Sheriffs,—that there are no public prosecutors, responsible for almost every case,—that prisoners get no copy of their indictments,—and that they have no counsel to address the jury in their behalf. From these evils we are free. And from these and such like facts, it is concluded that we ought to adhere to our own system in every thing, and utterly to disregard every part of theirs. In support of this view, the author even thinks it worth his while to enumerate the various moral and physical circumstances, which are supposed to distinguish the two countries; particularly their comparative wealth, population, waste or arable acres, extent of seacoast, &c. &c.; till at last we are informed (p. 7.), as a circumstance of much importance in this discussion, that ‘*the line at which cultivation becomes impracti-*

'cable with advantage in most parts of Scotland, is about six hundred feet above the level of the sea.'

We are satisfied that the author is often mistaken, both in the extent to which he blames the one system, and to which he praises the other. We would give, as an example of the former, his censure (p. 27.) of the English practice of ever allowing witnesses to be examined in presence of each other, which, in the ordinary case, is plainly the most effectual and natural mode of shortening and checking their statements. As examples of the latter, it is sufficient to mention the vast importance he attaches to the prisoner's being furnished with a list of his jurors fifteen days before his trial,—which, unless when combined with a more effectual power of excluding those whom he ascertains to be improper than Scotch prisoners have yet obtained, is almost immaterial; and the singular instances he gives, *as grounds of encomium*, of various things which are generally considered to be scandals on the law. He is so fond of every thing Scotch, that he seriously sets it forth as a recommendation of our penal law, that of those who are acquitted, *though guilty*, 'at least one half escape, from technical niceties,' (p. 54.) But, admitting all his opinions upon these matters to be quite sound, the inference which he draws from them is disposed of by two simple questions. In the *first* place, the English system may be bad; but will this make the Scotch one good? In the *second* place, is there any impossibility in our borrowing what is valuable from our neighbours, and at the same time keeping what we have already got that is valuable of our own?

Now, casting aside these inapplicable, and probably inaccurate, discussions; that is, casting aside above one half of the volume before us, we must be permitted to say, that there never was a more signal failure than the attempts that are made to give precise answers to the precise objections that have been taken to our law. In order to make this plain, let us run over those objections, in the order in which they may be expected to arise in the natural progress of a criminal case; and let us see to what the answers to them amount.

All prosecutions of importance are instituted and conducted by the Lord Advocate; whose duties have been officially stated in Parliament as being 'boundless,' he having 'the whole executive government of Scotland under his particular care.*' Now, it has been maintained to be a very dangerous and corrupting practice, that this officer, in whose candour the public

* See No. LXXVII. Page 370.

has as great an interest as in the candour of Judges, should be systematically employed as the agent and organ of the party in power, in all Scotch political matters, however unconnected with his proper duties as Public Prosecutor. The reply to this consists in saying (p. 103), that the Parliamentary Statement referred to, was only intended to describe the *duties* and the *responsibility* of the office, but not its *powers*;—that the Lord Advocate's being a '*Member of Parliament*' (p. 106) is a salutary check upon him; and that his being '*under bias* in political offences, or in cases where the fortune of his party may depend upon the result of a particular trial,' though a case which is '*certainly possible*,' is one which, '*since the Union of the two kingdoms, has never actually occurred*.' Now,—passing by the utter and necessary extravagance of this last statement, and the absurdity of the idea of duties and responsibilities existing without adequate powers,—where, we beg to ask, has it ever been proposed to exclude this officer from a seat in Parliament? There is no place, in our humble apprehension, where he can be more appropriately seated. But is this any reason why a person,—on whose total seclusion from all unnecessary sources of prejudice, every individual in the kingdom may have a direct personal interest,—should be allowed and required to take the lead in every party object?

It has next been complained of, that when a person is committed for trial, at the instance of this functionary, the law affords him no specific protection, unless he avail himself, by a particular proceeding, of the benefit of an act passed by the Scotch Parliament in 1701;—that this statute does not apply to him, unless he be actually and involuntarily in jail, which the prosecutor can generally prevent;—and that, even when he does avail himself of the act, it enables the Prosecutor to detain him there untried for one hundred and forty days. The remedy that has been proposed for this is, that, since the law acknowledges that 140 days afford the prosecutor ample time for investigation and trial, every person who is committed should be held to be under the operation of the statute, without making any formal application, and that it should not be in the power of the prosecutor to deprive him of this, by the easy expedient of liberating him, with or without bail, and then keeping the charge hanging over his head indefinitely.

The answers to this are, 1st, That the Lord Advocate can imprison nobody, but must apply, like any of the other lieges, to a magistrate for a warrant. (p. 106). This is true. He does not imprison without a warrant; but he gets it almost for the asking; 2^{dly}, That, if the statute were held to apply virtually to

every case, great trouble and expense would be occasioned, by the necessity of trying many prisoners at Edinburgh instead of at the Circuits, lest the period for trying them should expire. (p. 113). This evidently depends entirely upon the length to which the period is extended. A very slight enlargement of it would make it reach most circuit cases; and those who are of opinion that persons accused should be protected by some limitation or other, have never intimated any disinclination to such an enlargement. All that they say is, that there ought to be some definite restriction; and when the author of these Remarks is so much afraid of the proposed change, he ought to attempt to make his fears consistent with his admiration of the existing law, which confessedly exposes the prosecutor and the public to the very inconvenience that he dreads, whenever a prisoner *chooses* to avail himself of the statute. The difference between him and us upon this point is simply, that we are for giving the benefit of the statute, as a matter of right and of course, to all persons committed for trial, whereas he is for letting the prosecutor take advantage of their accidental ignorance or timidity, to put them beyond its provisions. *3dly*, It is asserted (p. 38), that incarceration is not necessary as a qualification for claiming the benefit of the statute; and a case is referred to, in which it is said to have been decided, that if a prisoner has been once committed to stand trial, he is entitled to the full benefit of the act, even though he should be liberated upon bail, or by the consent of the prosecutor. As the trial, it is said, 'was not concluded within the time limited by the act, the pannel was *assoilzied simpliciter, and acquitted of the charge.*' This, to be sure, if it were law, would be a valuable discovery for the accused in Scotland. But the authority referred to warrants no such doctrine. On the contrary, the statement is so completely at variance with the fact, that it requires some charity (though not more than we possess) to believe that this has been the result of inadvertence. On examining the record,* the person accused appears to have been aware that he could not obtain the benefit of the statute without going to jail; for he only applies for it by a petition to the Court, setting forth that he has a right to it, 'being now in custody.' It is said that he was afterwards liberated on bail; and this is probably true, because, instead of being afterwards dismissed by the Court and '*acquitted of the charge,*' as the author asserts, and as he would have been, if he had been discharged under the operation of the statute,

* 8th April, 1712, Dundas.

the judgment of the Court bears, that he is merely dismissed by the *consent of the accuser*, who could not proceed to trial, owing to the absence of witnesses, but gave his consent, *under a reservation of his right to institute fresh proceedings whenever he chose*. This excludes the idea of his being dismissed upon the statute as a matter of right; and, this being *the only authority* referred to, justifies the universal understanding that this statute has no application to persons who are not in actual confinement.

Any one, whatever his supposed offence may be, being thus imprisoned at the discretion of a political officer, vested with great and undefined powers, it is the next objection to our present system, that he is not protected from the degradation and risk of a trial, by any institution similar to the Grand Jury of England. The answer to this forms the most-elaborate and plausible part of the work before us; but, when examined, it will be found, as usual, to resolve into a mere misapprehension of the objection, or a mere evasion of it.

Much detail is gone into, in order to show that a very great proportion of the persons who are committed in England are afterwards liberated by the Grand Jury; and, since there is such a total want of evidence as to make even the Grand Jury throw out the bills, the author assumes, apparently with some justice, that these persons have probably suffered imprisonment improperly. He then shows, that of those against whom true bills have been found by the Grand Jury, a very great proportion are afterwards acquitted on their trials by the Petit Jury; from which he assumes—apparently with justice also—that to this extent, true bills are rashly found. In Scotland, however, he says that we are free from these evils; because the Lord Advocate and his assistants bestow such minute and early attention upon each case, from its commencement, that if there be any substantial doubt of the evidence, the prisoner, though committed by the magistrate, is instantly liberated, without waiting for any Grand Jury; and that, for the same reason, no person is brought to trial, except upon better authority than the hasty and superficial opinion of a numerous body of ignorant and impatient county gentlemen. Hence, while every *third* prisoner is acquitted in England, it is only every *twenty-third* who is acquitted in Scotland. Or, in other words, in the latter country, there is only one man out of twenty-three, who can say that he was unnecessarily imprisoned or accused; whereas in the former, this may be said by one man out of every three of those who are committed. ‘This remarkable difference between the proportion of persons convicted to those acquitted

‘in Scotland and England, is the most decisive fact which can be brought forward in favour of the practical effect of the Scotch system of criminal justice.’ (p. 48.)

If the various documents and Tables which are referred to as explanatory of this view are to be assumed as complete and correct,—they seem, so far as we can judge,—and we are willing to assume that they actually do, nearly warrant the author’s statements. We say *nearly*, because his arithmetic is somewhat complimentary to his own country. For example, he always describes an English subject who is committed for trial, as obliged to wait much longer for the Grand Jury than is ever necessary. He talks of his being doomed to remain in prison ‘*many months*,’—‘*several months*,’ and, in one passage, he asserts that it ‘*often amounts to six months*.’ We understand this to be an utter mistake. There are now, *at the least*, two circuits and four sessions each year in every part of England, and frequently more; at all of which the prisons are liable to be cleared. So that the average period is less than the very shortest to which a Scotch subject can limit his confinement before trial, by any possible device. Again, while he seems to bring into view *every* commitment and trial in England, he takes no notice of any Scotch ones, except those which are under the direction of the Lord Advocate and of our Supreme Criminal Court. If he will add to the Scotch side of the amount all the cases that occur before the inferior jurisdictions, it will probably diminish the balance in our favour. And when he contrasts the accuracy of the professional prosecutors in this country with the looseness of the Grand Juries in England, he ought to recollect, that, according to his own account, there are above 13,000 persons committed every year in the latter country, and only about 589 whom he notices in the other. If the English Grand Juries had only 589 cases before them, they would probably sift them very correctly; and if the Lord Advocate were responsible for 13,000, he would perhaps not find acquittals so rare. We agree, however, on the whole, that this is a contrast which, *in ordinary cases*, is satisfactory to Scotland, and that, so far as our national habits enable us to judge, the power which every magistrate in England has to commit for trial, on the application of private prosecutors, while the person so committed is obliged to find bail, or to languish in prison for two months, till the Grand Jury sits, when there is a considerable chance of the accusation being found so untenable that he is dismissed on the prosecutor’s own showing, is an evil. It is more than probable, however, that in this we are wrong; and we are certain that, in all political questions, the contrast is

humiliating to Scotland. But all this is plainly inapplicable to the matter in dispute.

The true answer to the learned author's whole reasoning is, that he obviously assumes, throughout, that his opponents not only wish for Grand Juries, but that they wish for them *precisely in the way that the English have them*. And the only alternative that ever seems to have occurred to him is, that we must either retain our own system exactly as it is, or adopt theirs exactly as it is. He never dreams of a third view, which, however, is the only one that has ever been suggested. This is, that what is valuable in both systems should be combined, to the exclusion of what is defective in each. The whole advantage of the Scotch method, as he explains it, arises from the institution of responsible and professional public prosecutors, while the whole defects of the English one flow, according to him, from their being without this officer, and, of course, subject to the malice or folly of private accusers. The conclusion which we would draw from this would be, that they ought to adopt our Lord Advocate, and that they ought in return to give us their Grand Jury,—an exchange which, however offensive it might be to English prejudices, would be very agreeable to Scotch sense. How does our adoption of Grand Juries imply that we are to abolish the office of public prosecutor? or to prevent the person who holds it from exercising all the humane and judicious power of immediate liberation which is said to be necessary for the protection of persons absurdly accused? Or, how does the necessity of submitting every accusation to a Grand Jury, before the accused be put upon his trial, imply that our public prosecutor is not to prepare the case, but is to let the Grand Jurors dispose of it with the rapidity and carelessness which is said to distinguish those of England, under the system of private prosecution which prevails there? The truth is, that instead of being enabled to dispense with the Grand Jury, *because* our public business is conducted by a great public officer, it is the existence of an officer with such powers that seems to create a necessity for our having that institution. The intervention of the Grand Jury is a great protection to the accused. By affording a tribunal to which a private prosecutor can show a *prima facie* case, it is a great protection to the public against the abuse of the public prosecutor declining to accuse. And, above all, it tends to throw the administration of justice more into the hands of the people at large, and to give them that direct and practical acquaintance with the public law, which is acknowledged, in various parts even of these Remarks, to be a peculiar and valuable characteristic of the people of England. There is no-

thing to be said in favour of letting our lives, characters, interests, and liberties, depend so much on the unchecked will of one man, that has not been said a thousand times with more plausibility in favour of absolute despotism. In England, the protection of individuals from judicial oppression rests on a broad basis of independent people, who improve with the public, and widen from the Crown as it encroaches. In Scotland, it rests on little else than the pleasure of a single officer, named and removable by the party in power.

This being the case, we are not greatly moved by some considerations which are evidently deemed very conclusive in these Remarks. One of these is, that after all, we have Grand Juries. '*The Crown Counsel in Scotland constitute a Grand Jury, which sits every day in the year.*' (p. 71.) Another is, that there is something in the soil and climate of Scotland which creates a physical impossibility against our ever having Grand Jurors of a better sort. (P. 80.) 'The narrow valleys and limited straths of Scotland would furnish but a scanty proportion to undertake a similar duty. In every direction round York, there is to be found a rich plain of immense extent, filled with country gentlemen of considerable fortune, or rich manufacturers and shop-keepers who inhabit its numerous towns. But the district from which alone a Grand Jury could be obtained for Edinburgh, Glasgow, or Perth, is not fifteen miles square. Among the Moorfoot hills, the Pentlands, or the heights of Lammermoor, near Edinburgh; —the Campsie hills, the Strathavon, or Renfrewshire moors, near Glasgow, or the Ochill hills or Grampians around Perth; —we should look in vain for a numerous array of individuals fitted to compose a Grand Jury.' A third is, that at least this numerous array could not be obtained without imposing a great burden on that unfortunate class of persons called Scotch Country Gentlemen. (P. 81.) 'Every person at all acquainted with the *Scotch country gentlemen*, must be aware that the dreadful labour of sitting *two or three hundred hours every spring and autumn*, investigating criminal delinquencies, would very soon thin the ranks of the Grand Jury, and that, before half the cases were investigated, it would be impossible to find a sufficient number to continue the inquiry.' We are perfectly aware of the instinctive distaste which our country gentlemen have of every portion of what the author calls (p. 79) '*unprofitable duty.*' But we may console them by assuring them, that the prospect of their being required to sit two or three hundred hours every spring and autumn, or about six weeks in the year, at the rate of twelve hours per day, is a

bugbear, conjured up in order to work upon their well-known prejudices. The calculation proceeds upon the usual assumption, that, as soon as Grand Juries are introduced, the public prosecutor is to do nothing, and that they are to do every thing. It seems that it costs each of the junior Crown Council two or three hundred hours to investigate cases; and the dreadful thing is, that,—after they shall have abdicated,—the entire labour of this investigation must fall upon the poor over-wrought country gentlemen. It is surely needless to expose this. We expect never to see a Scotch Grand Jury find true bills against fifty prisoners in four hours, which it is insinuated (p. 79) that an English one has done; but we do expect that our country gentlemen will be so far liberalized by the enlarged exercise of constitutional privileges, as not to grudge that moderate portion of their time which, under the previous preparation of the Crown Counsel, it may be necessary for them to bestow upon the duties of Grand Jurors; and, if they should grudge it, this would only be the strongest evidence of the necessity of exalting them, by the compulsory practice of those duties, to a consciousness of what they owe to the law and to their fellow-citizens. It is curious to see those whose general leaning is against popular rights, objecting to letting our country gentlemen act as Grand Jurors, lest they should be too free, when at the same moment, and we think with far better reason, those who are friendly to these rights are somewhat afraid of the experiment, lest they should be too obsequious. The real and constitutional cure of both defects, is to train them to the knowledge and the exercise of public virtues:—which unfortunately nothing in the government of Scotland has hitherto tended to do.

But we proceed to another objection. The accused may at last be brought into Court for an act which was never announced, or imagined, to be criminal before; but nevertheless it is in the power of the Court to declare that act to be criminal, without a statute,—and without a precedent,—and after no previous promulgation of the new law,—but merely on the trial of this first case. It is not only in the power of the Court to do this, but it is the boast of those who think our criminal institutions perfect, that this power is actually exercised. It is called the *native vigour* of the Court of Justiciary! *The author before us defends even this!* But never was a greater anomaly justified by a poorer apology. The defence consists in quoting a passage from Blackstone (p. 117), who, after praising ‘that admirable system of maxims and unwritten customs known by the name of the Common Law of England,’ adds, ‘How are these customs or maxims to be known, and by whom is

‘ their validity determined? The answer is, by the Judges of
 ‘ the several Courts of Justice, They are the depositories of
 ‘ the laws;—the living oracles who must decide in all cases of
 ‘ doubt, and *who are bound by their oath to decide according to*
 ‘ *the law of the land.* It is their decisions, preserved among
 ‘ the public records, explained in the Reports, and digested,
 ‘ for general use, in the authoritative writings of the great
 ‘ Sages of the law, which is *the first ground* and chief corner-
 ‘ stone of the Law of England.’

Because it is here stated, that the judges are the *depositories of the laws*, and the living oracles who must decide, in cases of doubt, *according to the law*, and that their judgments being thus founded in law form future authoritative precedents, it is inferred that a Court of Justice may at any time *make law* where none exists, and that there is no difference between a judicial determination, which operates as a law, and a direct exercise of legislative power! Nor is any distinction admitted between ancient ages,—when the opening up of new principles by judges was more natural and necessary,—and modern times, when the proper provinces of the judicial and the legislative powers are distinctly marked,—and when the public is adequately guarded against new offences,—by the intelligence and watchfulness of regular parliaments. And this is all that is to be said for the native vigour! There is another passage from a different part of Blackstone’s work, which perhaps has not met the author’s eye. In the seventh chapter of his first book, when treating of the King’s prerogative, he has the following words: ‘ Public liberty cannot subsist
 ‘ long in any state, unless the *administration* of common justice
 ‘ be in some degree *separated from the legislative*, and also from
 ‘ the executive power. *Were it joined with the legislative, the*
 ‘ *life, liberty, and property of the subject would be in the hands*
 ‘ *of Arbitrary Judges, whose decisions would be then regulated*
 ‘ *only by their own opinions, and not by any fundamental princi-*
 ‘ *ples of law, which, though legislators may depart from, yet judges*
 ‘ *are bound to observe.*’

The prisoner being now about to be tried,—the next thing that startles him is, that *the presiding judge selects the Jury*;—and this has been specially complained of as a most flagrant impropriety. That it really is an evil of the greatest magnitude, is a proposition that is no longer to be contested. The House of Commons has, with the concurrence of men of all parties, repeatedly done what in it lay, to remove so great a stain from the administration of justice; and in doing so, it has acted in accordance with the sentiments of every person in the kingdom who allows his reason to operate. *Yet this too is defended in these Remarks.* We must be excused from answering a defence,

which is sufficiently refuted, by merely stating what it means. It would be equally idle to discuss the alarming consequences which he says must follow from the adoption of the Bill, which was introduced last year into Parliament, and passed the House of Commons, in order to supersede the existing system. The whole of his criticisms proceed from the most palpable misunderstanding of the machinery of the measure.

The almost unlimited power which our *civil* judges have of reviewing their own judgments, has long been found so inexpedient, chiefly from its being so injurious to the formation of right judicial habits, that measures are at present in agitation for abridging it. The author, therefore, treats it (p. 125) as an inconsistency in those who approve of this change, that they should object to the opposite system which prevails in our supreme *Criminal* Court, where every judgment is utterly and absolutely irreversible. But he does not seem to understand what the objection is. It is always inexpedient that judges should be tempted to judge rashly, by being enabled to correct frequently; and there is no danger in compelling our civil judges to determine carefully once for all, because they may always have full time for deliberation and argument; besides, that there are various modes in which they can consult their brethren before they decide, and in which their judgments can be corrected by superior courts if they be wrong. But the Judges of the Court of Justiciary are precluded by law from having any judicial consultation with other lawyers; and their sentences, frequently pronounced unavoidably in the course of a trial, are subject to no revision, either in that Court or in any other. The objection, therefore, is not *simply* that all their judgments are final, nor *simply* that they are not liable to appeal; but it consists in the combination of these two circumstances; and it is, that since it is found necessary that civil interests should be protected, and the laws of civil rights matured, by multiplying the opportunities of consultation before judgment, and of revision after it, it is absurd that all these means should be expressly cut off, whenever a criminal, and therefore a far more important, question arises.

We really cannot see any thing difficult or monstrous in giving our Supreme Criminal Judges that opportunity which all other Judges have, of consulting their brethren, or in letting parties, *under due regulations*, submit their decisions to a supreme tribunal.—Combinations of workmen to raise wages were very recently found, for the first time, to be criminal in Scotland, solely because they were held to be inexpedient; yet Parliament has since announced, that they are not merely not inexpedient, but useful. And it was determined, not long ago, to be lawful to take a gentleman in Scotland, who

committed the very vague offence called Sedition for the first time, and to associate him with the vilest felons,—to imprison him in the hulks,—and to transport him to Botany Bay for fourteen years,—while the British Parliament only allowed, during a short and troubled period, an English subject to be banished from the British dominions for seven years, for the second offence. Assuming these Scotch judgments to have been quite lawful, they have unquestionably always given great dissatisfaction to a very large class of the community. Now, would it not have increased the confidence of the public, or, if the author prefers to have it stated in this way, would it not have diminished the clamours of the discontented, if these new and deeply contested matters could have been argued before, and sanctioned by, some other judges, instead of letting the decisions rest, as they did, on the authority of a single court, insulated from all the rest of the legal world? The answer to this consists merely in saying, that the Judges of the Supreme Court, being the only persons ‘who are at all acquainted with its proceedings, *‘from what quarter is additional assistance to be derived?’* (p. 126.) We understand, that when a vacancy occurs in that Court, there is never much difficulty in obtaining additional assistance, in the form of a successor to the person who has ceased to act; and that, such is the simplicity of our criminal law, that the new judge always does his business extremely well, though it sometimes happens that he never saw a criminal case tried before. It cannot be supposed that those who are thus ripe for pronouncing sound irreversible judgments themselves, can be unfit for assisting their brethren to do so.

This brings us to the end of the day. There are a great variety of other points taken up in the Remarks, on most of which we think the author wrong, but in some of which we perfectly agree with him; as, for example, in deprecating any extension of the power of Scotch Justices of the Peace (p. 89), whose power is fully as great as it ought to be, until the habitual exercise of political rights shall have taught them how to use it. But we abstain from discussing these matters, because this would only give effect to the device which the author has in view,—which is, to prevent the simple and specific complaints that have been made, from being seen amidst the mass of other matter with which he overlays them. These complaints, and the grounds on which they rest, when stated plainly, stand out too prominently to be lost by misplaced detail, or indiscriminate praise, upon matters with which they have no connection.

The author seems to feel that, after all, there is at least one description of cases which even his strong appetite for all things

that be, cannot get over. After stating, in a passage already quoted, that the true Grand Jury for Scotland is the Crown Counsel, who sit every day, he elsewhere has the following words. (p. 83.) 'There certainly is one class of cases on which it may seem proper, that some other public body, besides the Crown Counsel, should consider the evidence against accused persons. We allude to those offences against the State, where the public prosecutors may be conceived to be not altogether beyond the reach of prejudice.' We agree with him, that there certainly is such a class of cases: But we cannot concur in his result, which is, that all just complaint would be removed by adopting the improvements that have been suggested, and by restricting them to political trials. (p. 139.) Who can say what shall not be taken up as a political case? Every thing is, or may be made, political, which concerns a political man. Besides, it is a mistake to suppose, that it is only in such cases that the preceding defects are injurious. They operate in every case that can occur; not only by affecting the interests of parties, but by impairing the authority and popularity of the law, and by exposing those who administer it to suspicions, of which it is the greatest misfortune that no personal purity can be expected to prevent them.

ART IX. *The Slavery of the British West India Colonies delineated, as it exists both in Law and Practice, and compared with the Slavery of other Countries, Ancient and Modern.* By JAMES STEPHEN, Esq. Vol. I., being a Delineation of the State in point of Law. London, Butterworth, 1824.

OF the numerous excellent works in which this important subject has lately been discussed, that of Mr Stephen is the most comprehensive, and, in many respects, the most valuable. We are not aware that any opponent has appeared, sufficiently intrepid to deny his statements, or to dispute their results. The decent and cautious advocates of slavery carefully avoid all allusion to a publication which they feel to be unanswerable; and the boldest content themselves with misrepresenting and reviling what they cannot even pretend to confute. In truth, it is not too much to assert that, on the part of the slave-drivers and their supporters, this controversy has, for the most part, been conducted with a disingenuousness and a bitterness to which literary history furnishes no parallel. Most of the honourable and intelligent men whose names give respectability to the Colonial party, have, in prudence or in disgust,

stood aloof from the contest. In their absence, the warfare has been carried on by a race of scribblers, who, like the mercenary Mohawks, so often our auxiliaries in Transatlantic campaigns, unite the indifference of the hireling to the ferocity of the cannibal; who take aim from an ambush, and who desire victory only that they may have the pleasure of scalping and torturing the vanquished.

The friends of humanity and freedom have often boasted, with honest pride, that the wise and good of hostile sects and factions seemed, when slavery or the slave-trade were in question, to forget their mutual antipathies:—that the introduction of this subject was to such men what the proclamation of a Crusade was to the warriors of the dark ages—a signal to suspend all their petty disputes, and to array themselves under the same holy banner, against the same accursed enemy. In this respect the slave-drivers are now even with us. They, too, may boast that, if our cause has received support from honest men of all religious and political parties, theirs has tended, in as great a degree, to combine and conciliate every form of violence and illiberality. Tories and Radicals, prebendaries and field-preachers, are to be found in their ranks. The only requisites for one who aspires to enlist, are a front of brass and a tongue of venom.

‘*Omnigenumque Deum monstra, et latrator Anubis,
Contra Neptunum et Venerem, contraque Minervam
Tela tenent.*’

But it is neither on facts nor on arguments that slavery seems now to depend for protection. It neither doubles, nor stands at bay. It has neither the ingenuity of the hare, nor the intrepidity of the lion. It defends itself, like a hunted polecat, by the loathsomeness with which it taints the atmosphere around it; and hopes to escape, by disgusting those whom it can neither weary nor subdue. We could say much on this subject. But the sum is, that ‘the worm will do his kind’—and we have a more important task to perform. It is our intention to analyze, very concisely, the valuable work of Mr Stephen,* and afterwards to offer to our readers some remarks which the perusal of it has suggested.

Mr Stephen begins, by inquiring into the origin and authority

* Mr Stephen’s work cannot, of course, embrace any changes which may have taken place in West Indian Legislation during the last eighteen months or two years. Some partial modifications of the former code may have taken place during that time in three or four of the colonies, but these do not affect the general results.

of the Colonial Slave-laws. It has been commonly supposed in England, that there exists some known local law in the Colonies, distinct from the law of England, by which the bondage of the Negro has been introduced and defined. There is, however, no such law. The Colonists could, at no time, venture to present an act for such a purpose to an English Sovereign. The Spanish conquerors and the roving pirates of the Antilles had established that state: and the English settlers considered themselves as succeeding to the rights of the original despoiler of America. Those rights, as they at that time existed, may be summed up in one short and terrible maxim,—that the slave is *the absolute property* of the master. It is desirable that this should be known; because, although a few restraining statutes have of late years been passed, this odious principle is still the basis of all West Indian legislation. It is pre-supposed in all meliorating acts. It is the rule, and the restraints are exceptions. In the benefits which every other English subject derives from the common law, the Negro has no share. His master may lawfully treat him as he pleases, except in points regulated by express enactment.

Mr Stephen proceeds to analyze the legal nature of the relation between the master and the slave. Throughout the West Indies, slavery is a constrained service,—a service without wages. In some of the colonies, indeed, there are acts which regulate the time of labour, and the amount of the subsistence which shall be given in return. But, from causes to which we shall hereafter advert, these acts are nugatory. In other islands, even these ostensible reforms have not taken place: and the owner may legally give his slaves as much to do, and as little to eat, as he thinks fit.

In all the islands, the master may legally imprison his slave. In all the islands he may legally flog him; and in some of the islands he may legally flog him at his discretion. The best of the meliorating acts promise little, and perform less. By some of them it is enacted, that the slave shall not be flogged, till recovered from the effects of his last flogging—by others, that he shall not receive more than a certain number of lashes in one day. These laws, useless as they are, have a meaning. But there are others which add insult to cruelty. In some of the Colonial Codes, there are facetious provisions that the slave shall not receive more than a certain number of lashes at one time, or for one fault. What is the legal definition of a time? Or who are the legal judges of a fault? If the master should chuse to say that it is a fault in his slave to have woolly hair, whom does the law authorize to contradict him?

It is just to say, that the murder of a slave is now a capital crime. But the West Indian rules of evidence, to which we shall hereafter call the attention of our readers, render the execution of the laws on this subject almost impossible. The most atrocious kinds of mutilation,—even those which in England are punished with death,—when committed upon the person of a slave, subject the offender only to a fine, or to a short imprisonment. In Dominica, for instance, ‘to maim, deface, mutilate, or cruelly torture’ a slave, is a crime which is to be expiated by a fine not exceeding one hundred pounds currency, or by imprisonment not exceeding the term of three months. By the law of Jamaica, a master who perpetrates any outrage short of murder on the person of his slave, is subject to a fine not exceeding one hundred pounds currency, or to imprisonment not exceeding the term of 12 months. In very atrocious cases, the court may direct the enfranchisement of the slave. But this, though a benefit, as far as it goes, to the Negro, is a very slight aggravation of the punishment of the master. At most, it is only an addition of a few pounds to the fine. And as the possession of a slave who has been maimed in such a manner as to render him helpless, is rather burdensome than profitable, it would, in many cases, be really an advantage to the criminal.

If these terrible prerogatives were confined to the master alone, the condition of the slave would be sufficiently wretched. Yet it would not be without alleviations. The proprietor might sometimes be restrained by a sense of his pecuniary interest, if not by higher considerations, from those extreme outrages, against which the law affords so scanty a protection. At all events, during his absence, his Negroes would enjoy an interval of security. Unhappily, the Colonial Codes permit all the representatives and agents of the master, black and white, bond and free, to exercise most of his despotic powers.

We have seen that the slave has no legal property in his own body. It is almost unnecessary to say, that he has no property in any thing else,—that all his acquisitions belong, like himself, to his master. He is, in fact, a chattel. We should rather say, that to serve the purpose of rapacity and tyranny, he is alternately considered as real and as personal property. He may be sold or bequeathed at the pleasure of his master. He may be put up to auction by process of law, for the benefit of the creditors or legatees of his master. In either of these ways he may be, in a moment, torn for ever from his home his associates, his own children. He is, in addition to this, legally a subject of mortgages, demises, leases, settlements in tail, in re-

mainder, and in reversion. The practice of raising money on this species of property, is favoured by the laws of all the Colonies, and has been equally fatal to the owner and to the slave. It is fatal to the owner, because it enables him to risk capital not his own, in the precarious lottery of the West Indian sugar trade. It is fatal to the slave, because, in the first place, while it leaves to the master all his power to oppress, it deprives him of his power to manumit; and secondly, because it leads the master to keep possession of his Negroes, and to compel them to labour, when he has no prospect of holding them long, and is therefore naturally inclined to make as much by them, and to spend as little upon them as possible,—a fact amply proved by the miserable state in which the gang is generally found, when transferred from the ruined planter to the half ruined mortgagee.

Such is the legal condition of the Negro, considered with reference to his master. We shall proceed to examine into the nature of the relation in which he stands towards free persons in general.

He is not competent to be a party to any civil action, either as plaintiff or defendant; nor can he be received as informant or prosecutor against any person of free condition. He is protected only as a horse is protected in this country. His owner may bring an action against any person who may have occasioned the loss of his services. But it is plain that the slave may sustain many civil injuries, to which this circuitous mode of obtaining redress is not applicable; and even when it is applicable, the damages are awarded, not to the injured party, but to his master. The protection which indictments and criminal informations afford, is also of very narrow extent. Many crimes which, when committed against a white man, are considered as most atrocious, may be committed by any white man against a slave with perfect impunity. To rob a slave, for instance, is, in most of the islands, not even a misdemeanour. In this case, the grand principle of Colonial law is suspended. The property of a slave, it seems, is considered as belonging to his owner for the purpose of oppression, but not for the purpose of protection. By the meliorating laws of some of the Colonies, the crime of highway robbery upon a Negro, is punished by fines, which, as far as we are informed, in no case exceed thirty pounds currency.

But this is not all. The natural right of self-defence is denied to the slave. By the laws of almost all the islands, a slave who should defend himself from murder or torture, to the injury of a White person, though such White person should

possess no authority whatever over him, might be punished with death.

We now come to the laws respecting the evidence of slaves,—laws which the Colonists stoutly defend,—and with reason; for, while these remain unaltered, the meliorating acts, feeble at best, must always be utterly inefficient. The testimony of these unfortunate beings is not admissible in any cause, civil or criminal, against a White person. To this general rule there are, in a very few of the smaller Colonies, some partial exceptions. It is needless to say, that every crime may be easily perpetrated in a community of which only one member in ten is a competent witness. The Government have pressed this point on the consideration of the Colonial Assemblies. In Jamaica, the proposed amendments were recently negatived by a majority of 34 to 1. In Barbadoes they have met with a similar reception. The only excuse we ever heard made for so disgraceful a law, is this, that the Negroes are ignorant of the nature and obligations of an oath, and, in fact, are scarcely responsible beings. But from this excuse the legislators of Jamaica have excluded themselves, by enacting, that a slave who commits perjury, in a criminal cause, against another slave, shall suffer the same punishment as the prisoner, if convicted, would have suffered. If a slave be ignorant of the nature of an oath, why is he admitted as a witness against any human being? Why is he punished, in some cases, with death, for an offence which subjects his more enlightened, and, therefore, more guilty master, only to transportation? If, on the other hand, he possesses the moral and intellectual qualifications which are required in a witness, why is he not suffered to appear against an European?

But we must proceed. The slave, thus excluded from the protection of the law, is subject to all its restraints. He undergoes the miseries of a beast of burden, without enjoying its immunities. He is bound, notwithstanding that alleged inferiority of his understanding, which is admitted as a reason for curtailing his rights, but not for lightening his responsibility, by the whole of the criminal code which is in force against free persons. And, in addition to this, he is subjected to another most unjust and cruel code, made for his class alone. If he flies from the colony, he is put to death. If he goes beyond the limits of the plantation to which he is attached, without a written permission, he is liable to be severely punished. Actions in themselves perfectly innocent,—buying or selling certain goods in a market,—raising certain descriptions of produce,—possessing certain species of live stock,—are crimes for

which the Negro is punished, unless he can produce a written authority from his owner. In some of the Islands, not even the command of his owner is admitted as an excuse. To beat a drum, to blow a horn, to dance, to play at quoits, to throw squibs, to make fireworks, are all offences when committed by a slave, and subject him to the cruel chastisement of the whip. When things merely indifferent are visited with such severe penalties, it may easily be imagined that real delinquencies are not very mercifully dealt with. In fact, many actions for which a White man is only imprisoned, or otherwise slightly punished, if punished at all, are capital crimes when committed by a slave. Such are stealing, or attempting to steal, to the value of 12d. currency, killing any animal of the value of 6s., uttering mutinous words, and a long list of equally heinous crimes. We have already mentioned the infamous law which exists in Jamaica on the subject of perjury. Another of a most kingly character is in force in the same Island. To compass or imagine the death of any of the White inhabitants, (God bless their Majesties!) is an enormity for which a slave is punished with death. It is contrary to the duty of their allegiance!

Such is the penal code to which the slaves are subject. The manner in which they are tried is, if possible, still more disgraceful. On charges which do not affect their lives, a single justice is, for the most part, competent to decide. In capital cases, several justices must attend, and, in most of the Colonies, a Jury is summoned, if that name can be applied where there is neither parity of condition nor right of challenge. No indictment is preferred. No previous investigation takes place before a Grand Jury. In most of the Islands no record is drawn up. In some, it is enacted, that the execution shall immediately follow the sentence. The prisoner is *now* sufficiently lucky to be hanged. But formerly it was not unusual to inflict what the Colonial codes style 'exemplary punishment.' When it was thought expedient to exercise this right, the offender was roasted alive, hung up in irons to perish by thirst, or shut up in a cage and starved to death! These punishments were commonly reserved for wretches who had committed the diabolical crime of insurrection against the just and paternal government, of which we have feebly attempted to delineate the excellence.

The bondage, of which we have given this description, is hereditary. It is entailed on the posterity of the slave to the remotest generations. The law does not compel his master to enfranchise him, on receiving a fair price. On the contrary, it interferes to prevent the master, even when so inclined, from giving him his liberty. In some of the islands a direct tax is

imposed on manumission; and in all, the encouragement which is given to the practice of raising money on Negroes by mortgage, tends to obstruct their liberation.

Slavery in the West Indies is confined to Negroes and people of colour. This circumstance is peculiar to the slavery of the New World; and its effects are most calamitous. The external peculiarities of the African race are thus associated in the minds of the Colonists with every thing degrading, and are considered as the disgusting livery of the most abject servitude. Hence it is, that the free Negroes and Mulattoes lie under so many legal disabilities, and experience such contemptuous treatment, that their condition can be esteemed desirable only when compared with the bondage to which it has succeeded. Of the rules to which this class is subjected, we shall notice only one of the most odious. We speak of the presumption against liberty, which is a recognised principle of colonial law. The West Indian maxim is, that every Negro and Mulatto is to be considered as a slave, till, by documentary evidence, he can be proved to be otherwise. It may be notorious, that he has been free since he first resided in the colony,—that he has lived twenty years in England,—that he is a citizen of Hayti or Columbia. All this is immaterial. If he cannot produce a deed of manumission, he is liable to be put up to sale by public auction! On this subject remarks would be superfluous. Thank God, we are writing for a free people.

We have now accompanied Mr Stephen through most of the leading topics of his work. We have occasionally departed from his arrangement, which indeed is not always the most convenient. This, however, is to be attributed, not to the author, but to the circumstances under which the work was composed. If there be any thing else to which we should be inclined to object, it is to the lengthened parallels which Mr Stephen draws between the Slave laws of the West Indies and those which have existed in other countries. He is not, we think, too severe upon our Colonists. But we suspect that he is a little too indulgent to the Greeks and Romans. These passages are, at the same time, in a high degree curious and ingenious, though perhaps too long and too frequent. Such blemishes, however, if they can be called such, detract but in a very slight degree from the value of a book eminently distinguished by the copiousness and novelty of the information which it affords, by the force of its reasoning, and by the energy and animation of its style.

We have not alluded to that part of the work, in which the lamentable state of the law, on the subject of religious instruc-

tion, is described; because the evil has been universally acknowledged, and something intended for a remedy has at last been provided. The imagined specific, as our readers are aware, is an Ecclesiastical Establishment. This measure, we doubt not, is well intended. But we feel convinced that, unless combined with other reforms, it will prove almost wholly useless. The immorality and irreligion of the slaves are the necessary consequences of their political and personal degradation. They are not considered by the law as human beings. And they have therefore, in some measure, ceased to be human beings. They must become men before they can become Christians. A great effect may, under fortunate circumstances, have been wrought on particular individuals: But those who believe that any extensive effect can be produced by religious instruction on this miserable race, may believe in the famous conversion wrought by St Antony on the fish. Can a preacher prevail on his hearers strictly to fulfil their conjugal duties in a country where no protection is given to their conjugal rights,—in a country where the husband and wife may, at the pleasure of the master, or by process of law, be in an instant, separated for ever? Can he persuade them to rest on the Sunday, in Colonies where the law appoints that time for the markets? Is there any lesson which a Christian minister is more solemnly bound to teach,—is there any lesson which it is, in a religious point of view, more important for a convert to learn, than that it is a duty to refuse obedience to the unlawful commands of superiors? Are the new pastors of the slaves to inculcate this principle or not? In other words, are the slaves to remain uninstructed in the fundamental laws of Christian morality, or are their teachers to be hanged? This is the alternative. We all remember that it was made a charge against Mr Smith, that he had read an inflammatory chapter of the Bible to his congregation,—excellent encouragement for their future teachers to ‘declare unto them,’ according to the expression of an old divine, far too methodistical to be considered as an authority in the West Indies, ‘the whole counsel of God.’

The great body of the Colonists have resolutely opposed religious instruction; and they are in the right. They know, though their misinformed friends in England do not know, that Christianity and slavery cannot long exist together. We have already given it as our opinion, that the great body of the Negroes can never, while their political state remains the same, be expected to become Christians. But, if that were possible, we are sure that their political state would very speedily be changed. At every step which the Negro makes in the knowledge and dis-

crimination of right and wrong, he will learn to reprobate more and more the system under which he lives. He will not indeed be so prone to engage in rash and foolish tumults; but he will be as willing as he now is to struggle for liberty, and far more capable of struggling with effect. The forms in which Christianity has been at different times disguised, have been often hostile to liberty. But wherever the spirit has surmounted the forms,—in France, during the wars of the Huguenots,—in Holland, during the reign of Philip II.,—in Scotland, at the time of the Reformation,—in England, through the whole contest against the Stuarts, from their accession to their expulsion,—in New-England, through its whole history,—in every place,—in every age,—it has inspired a hatred of oppression, and a love of freedom! It would be thus in the West-Indies. The attempts which have been made to press a few detached texts into the cause of tyranny, have never produced any extensive effect. Those who cannot refute them by reasoning and comparison, will be hurried forward by the sense of intolerable wrongs, and the madness of wounded affection. All this the Colonists have discovered; and we feel assured that they will never suffer religious instruction to be unreservedly given to the slaves. In that case, the Establishment will degenerate into a job. This is no chimerical apprehension. There have been clergymen in the West-Indies for many years past; and what have they done for the Negroes? In what have they conducted, either to their temporal or to their spiritual welfare? Doubtless there have been respectable men among them. But is it not notorious, that the benefices of the colonies have been repeatedly given to the outcasts of English society,—men whom the inhabitants would not venture to employ as book-keepers, yet whom they desired to retain as boon companions? Any person who will look over the Parliamentary papers which contain the answers returned by the colonial clergy to certain queries sent out a few years ago by Lord Bathurst, will see some curious instances of the ignorance, the idleness, and the levity of that body. Why should the new Establishment be less corrupt than the old? The dangers to which it is exposed are the same; we do not see that its securities are much greater. It has Bishops, no doubt; and when we observe that Bishops are more active than their inferiors on this side of the Atlantic, we shall begin to hope that they may be useful on the other.

These reforms have begun at the wrong end. ‘God,’ says old Hooker, no enemy to Episcopal Establishments, ‘first assigned Adam maintenance for life, and then appointed him a law to observe.’ Our rulers would have done well to imitate

the example,—to give some security to the hearth and to the back of the slave, before they sent him Bishops, Archdeacons, and Chancellors and Chapters.

The work of Mr Stephen has, we think, disposed for ever of some of the principal arguments which are urged by the Colonists. If those who conscientiously support slavery be open to conviction, if its dishonest advocates be susceptible of shame, they can surely never again resort to that mode of defence, which they have so often employed when hard pressed by some particular case of oppression. On such occasions their cry has been, 'These are individual instances. You must not deduce general conclusions from them. What would you say, if we were to form our estimate of English society from the Police Reports, or the Newgate Calendar? Look at the rules, and not at the exceptions.' Here, then, we have those boasted rules. And what are they? We find that the actions which other societies punish as crimes, are in the West-Indies sanctioned by law;—that practices, of which England affords no example but in the records of the jail and the gibbet, are there suffered to exist unpunished;—that atrocities may there be perpetrated in the drawing-room or in the market-place, on the persons of untried and unconvicted individuals, which here would scarcely find an asylum in the vaults of the Blood-Bowl House.

Is it any answer to this charge, now most fully established, to say that we too have our crimes? Unquestionably, under all systems, however wise, under all circumstances, however fortunate, the passions of men will incite them to evil. The most vigilant police, the most rigid tribunals, the severest penalties, are but imperfect restraints upon avarice and revenge. What then must be the case when these restraints are withdrawn? In England there is a legal remedy for every injury. If the first prince of the blood, were to treat the poorest pauper in St Giles's, as the best code in the West Indies authorizes a master to treat his slave, it would be better for him that he had never been born. Yet even here we find, that wherever power is given, it is occasionally abused; that magistrates, not having the fear of the Court of King's Bench before their eyes, will sometimes be guilty of injustice and tyranny, that even parents will sometimes starve, torture, murder the helpless beings to whom they have given life. And is it not evident, that where there are fewer checks, there will be more cruelty?

But we are told, the manners of a people, the state of public opinion, are of more real consequence than any written code. Many things, it is confessed, in the Colonial laws, are cruel and

unjust in theory: but we are assured that the feeling of the Colonists renders the practical operation of the system lenient and liberal. We answer, that public feeling, though an excellent auxiliary to laws, always has been, and always must be, a miserable and inefficient substitute for them. The rules of evidence on which public opinion proceeds are defective, and its decisions are capricious. Its condemnation frequently spares the guilty, and falls on the innocent. It is terrible to sensitive and generous minds; but it is disregarded by those whose hardened depravity most requires restraint. Hence its decrees, however salutary, unless supported by the clearer definitions and stronger sanctions of legislation, will be daily and hourly infringed; and with principles which rest only on public opinion, frequent infraction amounts to a repeal. Nothing that is very common can be very disgraceful. Thus public opinion, when not strengthened by positive enactment, is first defied, and then vitiated. At best it is a feeble check to wickedness, and at last it becomes its most powerful auxiliary.

As a remedy for the evils of a system of slavery, public opinion must be utterly inefficacious; and that for this simple reason, that the opinion of the slaves themselves goes for nothing. The desire which we feel to obtain the approbation, and to avoid the censure of our neighbours, is no innate or universal sentiment. It always springs, directly or indirectly, from consideration of the power which others possess to serve or to injure us. The good will of the lower orders, is courted only in countries where they possess political privileges, and where there is much they can give, and much that they can take away. Their opinion is important or unimportant, in proportion as their legal rights are great or small. It can, therefore, never be a substitute for legal rights. Does a Smithfield drover care for the love or hatred of his oxen? and yet his oxen, since the passing of Mr Martin's meliorating act, are scarcely in a more unprotected condition than the slaves in our islands.

The opinion then, which is to guard the slave from the oppressions of the privileged order, is the opinion of the privileged order itself. A vast authority is intrusted to the master—the law imposes scarcely any restraints upon him—and we are required to believe, that the place of all other checks will be fully supplied by the general sense of those who participate in his power and his temptations. This may be reason at Kingston; but will it pass at Westminster? We are not inveighing against the white inhabitants of the West Indies. We do not say that they are naturally more cruel or more sensual than ourselves. But we say that they are men; and they desire to be considered as angels!—we say as angels, for to no human being, how-

ever generous and beneficent, to no philanthropist, to no fathers of the church, could powers like theirs be safely intrusted. Such authority a parent ought not to have over his children. They ask very complacently, "Are we men of a different species from yourselves? We come among you;—we mingle with you in all your kinds of business and pleasure;—we buy and sell with you on Change in the morning;—we dance with your daughters in the evening. Are not our manners civil? Are not our dinners good? Are we not kind friends, fair dealers, generous benefactors? Are not our names in the subscription lists of all your charities? And can you believe that we are such monsters as the saints represent us to be? Can you imagine that, by merely crossing the Atlantic, we acquire a new nature?" We reply, You are not men of a different species from ourselves; and, therefore, we will not give you powers with which we would not dare to trust ourselves. We know that your passions are like ours. We know that your restraints are fewer; and, therefore, we know that your crimes must be greater. Are despotic sovereigns men of harder hearts by nature than their subjects? Are they born with a hereditary thirst for blood—with a natural incapacity for friendship? Surely not. Yet what is their general character? False—cruel—licentious—ungrateful. Many of them have performed single acts of splendid generosity and heroism; a few may be named whose general administration has been salutary; but scarcely one has passed through life without committing at least some one atrocious act, from the guilt and infamy of which restricting laws would have saved him and his victims. If Henry VIII. had been a private man, he might have torn his wife's ruff, and kicked her lap-dog. He was a King, and he cut off her head—not that his passions were more brutal than those of many other men, but that they were less restrained. How many of the West Indian overseers can boast of the piety and magnanimity of Theodosius? Yet, in a single moment of anger, that amiable prince destroyed more innocent people than all the ruffians in Europe stab in fifty years. Thus it is with a master in the Colonies. We will suppose him to be a good natured man, but subject, like other men, to occasional fits of passion. He gives an order. It is slowly or negligently executed. In England he would grumble, perhaps swear a little. In the West Indies, the law empowers him to inflict a severe flogging on the loiterer. Are we very uncharitable in supposing that he will sometimes exercise his privilege?

It by no means follows that a person who is humane in England will be humane to his Negroes in the West Indies. Nothing is so capricious and inconsistent as the compassion of

men. The Romans were people of the same flesh and blood with ourselves—they loved their friends—they cried at tragedies—they gave money to beggars;—yet we know their fondness for gladiatorial shows. When, by order of Pompey, some elephants were tortured in the amphitheatre, the audience was so shocked at the yells and contortions by which the poor creatures expressed their agony, that they burst forth into execrations against their favourite general. The same people, in the same place, had probably often given the fatal twirl of the thumb which condemned some gallant barbarian to receive the sword. In our own time, many a man shoots partridges in such numbers that he is compelled to bury them, who would chastise his son for amusing himself with the equally interesting, and not more cruel diversion, of catching flies and tearing them to pieces. The drover goads oxen—the fishmonger crimps cod—the dragoon sabres a Frenchman—the Spanish Inquisition burns a Jew—the Irish gentleman torments a Catholic. These persons are not necessarily destitute of feeling. Each of them would shrink from any cruel employment, except that to which his situation has familiarized him.

There is only one way in which the West Indians will ever convince the people of England that their practice is merciful, and that is, by making their laws merciful. We cannot understand why men should so tenaciously fight for powers which they do not mean to exercise. If the oppressive privileges of the master be nominal and not real, let him cede them, and silence calumny at once and for ever. Let him cede them for his own honour. Let him cede them in compliance with the desire, the vain and superfluous desire, we will suppose, of the people of England. Is the repeal of laws which have become obsolete,—is the prohibition of crimes which are never committed, too great a return for a bounty of twelve hundred thousand pounds, for a protecting duty most injurious to the manufacturers of England and the cultivators of Hindostan, for an army which alone protects from inevitable ruin the lives and possessions of the Colonists?

The fact notoriously is, that West Indian manners give protection even to those extreme enormities against which the West Indian laws provide. We have already adverted to one of the most ordinary sophisms of our opponents. ‘Why,’ they exclaim, ‘is our whole body to be censured for the depravity of a few? Every society has its miscreants. If we had our Hodge, you had your Thurtell. If we had our Huggins, you had your Wall. No candid reasoner will ground general charges on individual cases.’ The refuta-

tion is simple. When a community does nothing to prevent guilt, it ought to bear the blame of it. Wickedness, when punished, is disgraceful only to the offender. Unpunished, it is disgraceful to the whole society. Our charge against the Colonists is not that crimes are perpetrated among them, but that they are tolerated. We will give a single instance. Since the West Indians are fond of referring to our Newgate Calendar, we will place, side by side, a leaf from that melancholy Register, and another from the West Indian Annals.

Mr Wall was Governor at Goree. In that situation he flogged a man to death, on pretence of mutiny. On his return to England, he was indicted for murder. He escaped to the Continent. For twenty years he remained in exile. For twenty years the English people retained the impression of his crime uneffaced within their hearts. He shifted his residence—he disguised his person—he changed his name,—still their eyes were upon him, for evil, and not for good. At length, conceiving that all danger was at an end, he returned. He was tried, convicted, and hanged, amidst the huzzas of an innumerable multitude.*

Edward Huggins of Nevis, about fifteen years ago, flogged upwards of twenty slaves in the public market-place, with such severity as to produce the death of one, and to ruin the constitutions of many. He had grossly violated the law of the Colony, which prescribes a limit to such inflictions. He had violated it in open day, and in the presence of a magistrate. He was indicted by the law officer of the crown. His advocate acknowledged the facts, but argued that the act on which he was tried, was passed only to silence the zealots in England, and was never intended to be enforced. Huggins was acquitted! But that was a trifle. Some members of the House of Assembly lost their seats at the next election, for taking part against him. A printer of a neighbouring island was convicted of a libel, merely for publishing an official report of the evidence, transmitted to him by authority. In a word, he was considered as a martyr to the common cause, and grew in influence and popularity; while a most respectable planter, an enlightened and accomplished gentleman, Mr Tobin, who, nobly despising the prejudices of his class, had called the attention of the government to these diabolical outrages, was me-

* We should be far, indeed, from applauding those shouts, if they were the exultation of cruelty; but they arose from the apprehension that Court favour was about to save the criminal; and the feeling expressed was for the triumph of justice.

naced with prosecutions, assailed with slanders, and preserved only by blindness from challenges.

Let these cases be compared. We do not say that Wall was not as bad a man as Huggins; but we do say that the English people have nothing to do with the crime of Wall, and that the public character of the people of Nevis suffers seriously by the crime of Huggins. They have adopted the guilt, and they must share in the infamy. We know that the advocates of slavery affect to deride this and similar narratives as old and threadbare. They sneer at them in conversation, and cough them down in the House of Commons. But it is in vain. They are written on the hearts of the people; and they will be remembered when all the smooth nothings of all the official defenders of such transactions are forgotten.

The truth is simply this. Bad laws and bad customs, reciprocally producing and produced by each other, have given to the Whites in all the slave islands—Dutch, Spanish, French and English—a peculiar character, in which almost all the traits, which, in this quarter of the world, distinguish the different nations, are lost. We think we describe that character sufficiently when we call it the despotic character. In nothing does this temper more strongly appear than in the rage and contempt with which the Colonists receive every command, and indeed every admonition, from the authorities of the mother country. When the territorial power and the commercial monopoly of the East India Company have been at stake, has that great body conducted itself thus? Do even foreign powers treat us in this manner? We have often remonstrated with the greatest sovereigns of the Continent on the subject of the slave trade. We have been repulsed—we have been deluded. But by whom have we been insulted? The representations of the King and people of England have never been met with outrageous scorn and anger,—except by the men who owe their food to our bounties, and their lives to our troops. To the most gentle and moderate advice, to the suggestions of the most respectable of the West Indian proprietors resident in England, they reply only in ravings of absurd slander, or impotent defiance. The essays in their newspapers, the speeches of their legislators, the resolutions of their vestries, are, almost without exception, mere collections of rancorous abuse, unmixed with argument. If the Antislavery Society would publish a small tract, containing simply the leading articles of five or six numbers of the Jamaica Gazette, without note or comment, they would, we believe, do more to illustrate the character of their adversaries than by any other means which can be devised.

ed. Such a collection would exhibit to the country the real nature of that malignant spirit which banished Salisbury, which destroyed Smith, and which broke the honest heart of Ramsay.

It is remarkable, that most of these zealots of slavery have little or no pecuniary interest in the question. If the colonies should be ruined, the loss will fall, not upon the book-keepers, the overseers, the herd of needy emigrants who make up the noisy circles of Jamaica; but upon the Ellises, the Hibberts, the Mannings, men of the most respectable characters and enlightened minds in the country. *They* might have been excused, if any persons could be excused, for employing violent and abusive language. Yet they have conducted themselves, not perhaps exactly as we might wish them, but still like gentlemen, like men of sense, like men of feeling. Why is this? Simply because they live in England, and participate in English feelings. The Colonists, on the other hand, are degraded by familiarity with oppression. Let us not be deceived. The cry which resounds from the West Indies is raised by men, who are trembling less for their property than for the privileges of their cast. These are the persons who love slavery for its own sake. The declarations so often made by the Parliament, by the Ministers, by the deadliest enemies of slavery, that the interests of all parties will be fairly considered, and that wherever a just claim to compensation can be established, compensation will be given, bring no comfort to them. They may have no possessions, but they have white faces. Should compensation be given, few of them will receive a sixpence; but they will lose the power of oppressing with impunity every man who has a black skin. And it is to these men, who have scarcely any interest in the value of colonial property, but who have a deep interest,—the interest of a petty tyranny, and a despicable pride in the maintenance of colonial injustice, that the British Parliament is required to give up its unquestionable right of superintendence over every part of our empire. If this were requested as a matter of indulgence, or recommended as a matter of expediency, we might well be surprised. But it is demanded as a constitutional right. On what does this right rest? On what statute? On what charter? On what precedent? On what analogy? That the uniform practice of past ages has been against their claim, they themselves do not venture to deny. Do they mean to assert, that a parliament in which they are not represented ought not to legislate for them? That question we leave them to settle with their friends of the Quarterly Review and the John Bull newspaper, who, we hope, will enlighten them on the subject of virtual representation. If ever

that expression could be justly used, it would be in the present case; for probably there is no interest more fully represented in both Houses of Parliament, than that of the colonial proprietors. But for ourselves we answer, 'What have you to do with such doctrines? If you will adopt the principles of liberty, adopt them altogether. Every argument which you can urge in support of your own claims, might be employed, with far greater justice, in favour of the emancipation of your bondsmen. When that event shall have taken place, your demand will deserve consideration. At present, what you require under the name of freedom is nothing but unlimited power to oppress. It is the freedom of Nero.'

'But we will rebel!' Who can refrain from thinking of Captain Lemuel Gulliver, who, while raised sixty feet from the ground on the hand of the King of Brobdnag, claps his hand on his sword and tells his Majesty that he knows how to defend himself? You will rebel! Bravely resolved, most magnanimous Grildrig! But remember the wise remark of Lord Beefington—'courage without power,' said that illustrious exile, 'is like a consumptive running footman.' What are your means of resistance? Are there, in all the islands put together, ten thousand white men capable of bearing arms? Are not your forces, such as they are, divided into small portions which can never act in concert? But this is mere trifling. Are you, in point of fact, at this moment able to protect yourselves against your slaves without our assistance? If you can still rise up and lie down in security—if you can still eat the bread of the fatherless, and grind the faces of the poor—if you can still hold your petty parliaments, and say your little speeches, and move your little motions—if you can still outrage and insult the Parliament and people of England, to what do you owe it? To nothing but to our contemptuous mercy. If we suspend our protection—if we recal our troops—in a week the knife is at your throats!

Look to it, that we do not take you at your word. What are you to us that we should pamper and defend you? If the Atlantic Ocean should pass over you, and your place know you no more, what should we lose? Could we find no other cultivators to accept of our enormous bounties on sugar?—no other pestilential region to which we might send our soldiers to catch the yellow-fever?—no other community for which we might pour forth our blood and lavish our money, to purchase nothing but injuries and insults? What do we make by you? If England is no longer to be the mistress of her colonies,—if she is to be only the handmaid of their pleasures, or the accomplice

of their crimes, she may at least venture to ask, as a handmaid, what are to be the wages of her service,—as an accomplice, what is to be her portion of the spoil? If justice, and mercy, and liberty, and the law of God, and the happiness of man, be words without a meaning, we at least talk to the purpose when we talk of pounds, shillings, and pence.

Let us count our gains. Let us bring to the test the lofty phrases of Colonial declamation. The West Indies, we are told, are a source of vast wealth and revenue to the country. They are a nursery of seamen. They take great quantities of our manufactures. They add to our political importance. They are useful posts in time of war. These absurdities have been repeated, till they have begun to impose upon the impostors who invented them. Let us examine them briefly.

Our commercial connexion with the West Indies is simply this. We buy our sugar from them at a higher price than is given for it in any other part of the world. The surplus they export to the Continent, where the price is lower; and we pay them the difference out of our own pockets. Our trade with the West Indies is saddled with almost all the expense of their civil and military establishments, and with a bounty of 1,200,000*l*. Let these be deducted from the profits of which we hear so much, and their amount will shrink indeed. Let us then deduct from the residue the advantages which we relinquish in order to obtain it,—that is to say, the profits of a free sugar trade all over the world; and then we shall be able to estimate the boasted gains of a connexion to which we have sacrificed the Negroes in one hemisphere, and the Hindoos in the other.

But the West Indians take great quantities of our manufactures! They *can* take only a return for the commodities which they send us. And from whatever country we may import the same commodities, to that country must we send out the same returns. What is it that now limits the demands of our Eastern empire? Absolutely nothing but the want of an adequate return. From that immense market—from the custom of one hundred millions of consumers, our manufacturers are in a great measure excluded, by the protecting duties on East Indian sugar.

But a great revenue is derived from the West Indian trade! Here, again, we have the same fallacy. As long as the present quantity of sugar is imported into England, no matter from what country, the revenue will not suffer; and, in proportion as the price of sugar is diminished, the consumption, and, consequently, the revenue, must increase. But the West Indian trade affords extensive employment to British shipping and seamen! Why more than any equally extensive trade with

any other part of the world? The more active our trade, the more demand there will be for shipping and seamen; and every one who has learnt the alphabet of Political Economy, knows that trade is active, in proportion only as it is free.

There are some who assert that, in a military and political point of view, the West Indies are of great importance to this country. This is a common, but a monstrous misrepresentation. We venture to say, that Colonial empire has been one of the greatest curses of modern Europe. What nation has it ever strengthened? What nation has it ever enriched? What have been its fruits? Wars of frequent occurrence and immense cost, fettered trade, lavish expenditure, clashing jurisdiction, corruption in governments, and indigence among the people. What have Mexico and Peru done for Spain, the Brazils for Portugal, Batavia for Holland? Or, if the experience of others is lost upon us, shall we not profit by our own? What have we not sacrificed to our insatuated passion for transatlantic dominion? This it is that has so often led us to risk our own smiling gardens and dear firesides for some snowy desert or infectious morass on the other side of the globe: This inspired us with the project of conquering America in Germany: This induced us to resign all the advantages of our insular situation—to embroil ourselves in the intrigues, and fight the battles of half the Continent—to form coalitions which were instantly broken—and to give subsidies which were never earned: This gave birth to the fratricidal war against American liberty, with all its disgraceful defeats, and all its barren victories, and all the massacres of the Indian hatchet, and all the bloody contracts of the Hessian slaughterhouse: This it was which, in the war against the French republic, induced us to send thousands and tens of thousands of our bravest troops to die in West Indian hospitals, while the armies of our enemies were pouring over the Rhine and the Alps. When a colonial acquisition has been in prospect, we have thought no expenditure extravagant, no interference perilous. Gold has been to us as dust, and blood as water. Shall we never learn wisdom? Shall we never cease to prosecute a pursuit wilder than the wildest dream of alchymy, with all the credulity and all the profusion of Sir Epicure Mammon?

Those who maintain that settlements so remote conduce to the military or maritime power of nations, fly in the face of history. The colonics of Spain were far more extensive and populous than ours. Has Spain, at any time within the last two centuries, been a match for England either by land or by sea? Fifty years ago, our colonial dominions in America were

far larger and more prosperous than those which we at present possess. Have we since that time experienced any decay in our political influence, in our opulence, or in our security? Or shall we say that Virginia was a less valuable possession than Jamaica, or Massachussets than Barbadoes?

The fact is, that all the evils of our Colonial system are immensely aggravated in the West Indies by the peculiar character of the state of slavery which exists there. Our other settlements we have to defend only against foreign invasion. These we must protect against the constant enmity of the miserable bondsmen, who are always waiting for the moment of deliverance, if not of revenge. With our other establishments we may establish commercial relations advantageous to both parties. But these are in a state of absolute pauperism; for what are bounties and forced prices but an enormous poor-rate in disguise?

These are the benefits for which we are to be thankful. These are the benefits, in return for which we are to suffer a handful of managers and attornies to insult the King, Lords, and Commons of England, in the exercise of rights as old and sacred as any part of our Constitution. If the proudest potentate in Europe, if the King of France, or the Emperor of all the Russias, had treated our Government as these creatures of our own have dared to do, should we not have taken such satisfaction as would have made the ears of all that heard of it to tingle? Would there not have been a stately manifesto, and a warlike message to both Houses, and vehement speeches from all parties, and unanimous addresses abounding in offers of lives and fortunes? If any *English mob*, composed of the disciples of Paine and Carlile, should dare to pull down a place of religious worship, to drive the minister from his residence, to threaten with destruction any other who should dare to take his place, would not the yeomanry be called out? Would not Parliament be summoned before the appointed time? Would there not be sealed bags and secret committees, and suspensions of the Habeas Corpus act? In Barbadoes all this has been done. It has been done openly. It has *not* been punished. It is at this hour a theme of boasting and merriment. And what is the language of our rulers? 'We must not irritate them. We must try lenient measures. It is better that such unfortunate occurrences should not be brought before the Parliament.' Surely the mantle, or rather the cassock, of Sir Hugh Evans, has descended on these gentlemen. 'It is not meet the council hear a riot. There is no fear of Got in a riot. The council, look you, shall desire to hear the fear of

‘Got, and not to hear a riot.’ We have outdone all the most memorable examples of patience. The Job of Holy Writ, the Griselda of profane romance, were but types of our philosophy. Surely our endurance must be drawing to a close.

We do not wish that England should drive forth her prodigal offspring to wear the rags and feed on the husks which they have desired. The Colonists have deserved such a punishment. But, for the sake of the slaves, for the sake of those persons, residing in this country, who are interested in West Indian property, we should grieve to see it inflicted. That the slaves, when no longer restrained by our troops, would, in no very long time, achieve their own liberation, cannot be doubted. As little do we doubt that such a revolution, violent as it would doubtless be, would be desirable, if it were the only possible means of subverting the present system. The horrors of a battle or a massacre force themselves upon our senses. The effects of protracted tyranny, the terror, the degradation, the blighted affections, the stunted intellects, the pining of the heart, the premature decay of the frame, are evils less obvious, but equally certain; and, when continued through successive generations, make up a greater sum of human misery than was ever inflicted in the paroxysm of any revolution. Still we cannot doubt that savages, rude in understanding, exasperated by injuries, intoxicated by recent freedom, would be much benefited by the wise and merciful control of an enlightened people.

We feel also for the West Indian proprietors who reside in England. Between them and the inhabitants of the Colonies we see a great distinction. There may be in this body individuals infected with the worst vices of the colonial character. But there are also among them many gentlemen of benevolent feelings and enlarged minds, who have done much to alleviate the condition of their slaves, and who would willingly see the meliorating measures which his Majesty’s ministers have suggested, adopted by the West Indian legislators. They have scarcely any thing in common with the Colonists, or with the scribblers whom the Colonists feed and clothe. They have taken little part in the controversy, ashamed probably of the infamous allies with whom they would have to cooperate. But what they have said has, upon the whole, been said manfully and courteously. Their influence, however, is at present exerted decidedly in favour of slavery, not, we verily believe, from any love of slavery in the abstract, but partly because they think that their own characters are in some degree affected by the attacks which are made on the Colonial system, and partly because they apprehend that their property is likely to suffer in

consequence of the feeling which at present prevails throughout the country.

On both points they are mistaken. We are convinced that there is not, in any quarter, a feeling unfriendly to them, or an indisposition to give a fair consideration to their interests. The honest, but uninformed zeal, of individuals, may sometimes break forth into intemperate expressions: But the great body of the people make a wide distinction between the class of which we speak and the Colonial mob. Let it be their care to preserve that distinction indelible.

We call for their support. They are our natural allies. Scarcely have the Ministers of the Crown, scarcely have the Abolitionists themselves, been more rancorously abused by the orators of Jamaica, than those persons. The objects of the two classes are wholly different. The one consists of English gentlemen, naturally solicitous to preserve the source from which they derive a part of their revenue. The other is composed, in a great measure, of hungry adventurers, who are too poor to buy the pleasure of tyranny, and are therefore attached to the only system under which they can enjoy it gratis. The former wish only to secure their possessions; the latter are desirous to perpetuate the oppressive privileges of the white skin. Against those privileges let us declare interminable war,—war for ourselves, and for our children, and for our grand-children,—war without peace—war without truce—war without quarter! But we respect the rights of property as much as we detest the prerogatives of colour.

We entreat these respectable persons to reflect on the precarious nature of the tenure by which they hold their property. Even if it were in their power to put a stop to this controversy,—if the subject of slavery were no longer to occupy the attention of the British public, could they think themselves secure from ruin? Are no ominous signs visible in the political horizon? How is it that they do not discern this time? All the ancient fabrics of colonial empire are falling to pieces. The old equilibrium of power has been disturbed by the introduction of a crowd of new States into the system. Our West-India possessions are not now surrounded, as they formerly were, by the oppressed and impoverished colonies of a superannuated monarchy, in the last stage of dotage and debility, but by young, and vigorous, and warlike republics. We have defended our colonies against Spain. Does it therefore follow that we shall be able to defend them against Mexico or Hayti? We are told, that a pamphlet of Mr Stephen, or a speech of Mr Brougham, is sufficient to excite all the slaves in our colonies to rebel. What, then, would be the effect produced in Jamaica by the

appearance of three or four Black regiments, with thirty or forty thousand stand of arms? The colony would be lost. Would it ever be recovered? Would England engage in a contest for that object, at so vast a distance, and in so deadly a climate? Would she not take warning by the fate of that mighty expedition which perished in St Domingo? Let us suppose, however, that a force were sent, and that, in the field, it were successful. Have we forgotten how long a few Maroons defended the central mountains of the island against all the efforts of disciplined valour? A similar contest on a larger scale might be protracted for half a century, keeping our forces in continual employment, and depriving property of all its security. The country might spend fifty millions of pounds, and bury fifty thousand men, before the contest could be terminated. Nor is this all. In a servile war, the master *must* be the loser—for his enemies are his chattels. Whether the slave conquer or fall, he is alike lost to the owner. In the mean time, the soil lies uncultivated; the machinery is destroyed. And when the possessions of the planter are restored to him, they have been changed into a desert.

Our policy is clear. If we wish to keep the Colonies, we must take prompt and effectual measures for raising the condition of the slaves. We must give them institutions which they may have no temptation to change. We have governed the Canadians liberally and leniently; and the consequence is, that we can trust to them to defend themselves against the most formidable power that anywhere threatens our Colonial dominions. This is the only safeguard. You may renew all the atrocities of Barbadoes and Demerara. You may inflict all the most hateful punishments authorized by the insular codes. You may massacre by the thousand, and hang by the score. You may even once more roast your captives in slow fires, and starve them in iron cages, or flay them alive with the cart-whip. You will only hasten the day of retribution. Therefore, we say, 'Let them go forth from the house of bondage. For wo unto you, if you wait for the plagues and the signs, the wonders and the war, the mighty hand and the outstretched arm!'

If the great West Indian proprietors shall persist in a different line of conduct, and ally themselves with the petty tyrants of the Antilles, it matters little. We should gladly accept of their assistance: But we feel assured that their opposition cannot affect the ultimate result of the controversy. It is not to any particular party in the church or in the state; it is not to the right or to the left hand of the speaker; it is not to the cathedral or to the Meeting, that we look exclusively for support.

We believe that, on this subject, the hearts of the English People burn within them. They hate slavery. They have hated it for ages. It has, indeed, hidden itself for a time in a remote nook of their dominions: but it is now discovered and dragged to light. That is sufficient. Its sentence is pronounced; and it never can escape! never, though all the efforts of its supporters should be redoubled,—never, though sophistry, and falsehood, and slander, and the jests of the pothouse, the ribaldry of the brothel, and the slang of the ring or fives' court, should do their utmost in its defence,—never, though fresh insurrections should be got up to frighten the people out of their judgment, and fresh companies to bubble them out of their money,—never, though it should find in the highest ranks of the peerage, or on the steps of the throne itself, the purveyors of its slander, and the mercenaries of its defence! *

ART. X. *Remarks on the Cultivation and Growth of Coffee in Hayti.* London. 1823.

AN idea seems to be pretty generally entertained, that the total repeal, or great reduction of the assessed taxes, would contribute more to the public advantage than any other measure relative to the diminution of the national bur-

* Since the above article was prepared for the press, we have met with a new and very important work on the subject of West India Slavery. It is entitled, 'The West Indies as they are, or a real Picture of Slavery, particularly in Jamaica,' by the Rev. R. Bickell, a clergyman of the Church of England, who resided a considerable time in that Island. The work is ill written; and it might have been reduced with advantage to half its present size. It produces, however, an irresistible impression of the honesty and right intentions of the author, who was an eyewitness of the scenes he describes; and it confirms, in a remarkable manner, all the leading statements which, on the authority of Mr Cooper, Dr Williamson, and Mr Meabing, were laid before the public two years ago, in the pamphlet called 'Negro Slavery.' Mr Bickell has also brought forward various new facts of the most damning description, in illustration both of the rigours of Negro bondage, and of the extraordinary dissoluteness of manners prevailing in Jamaica. We strongly recommend the work to general perusal, as a most reasonable antidote to those delusive tales of colonial amelioration, by which it has been attempted to abate the horror so universally felt in contemplating the cruel and debasing effects of the slave system.

dens, that it is in the power of ministers to adopt. We confess that we are not of this opinion. It would most certainly give us extreme pleasure to see the assessed taxes entirely taken off, provided it could be shown that such repeal would not have the effect to continue some heavier burden. In the actual circumstances of the country, a large amount of revenue *must* be collected; and the real question for the consideration of the public is, not whether the assessed taxes are vexatious and occasion privations, but whether they are more or less vexatious, and occasion more or fewer privations than others? Now, we do not think that this is a question about which there can be much doubt. The assessed taxes, since their late reduction, cannot justly be said to be oppressive; and the chief objection to them—the difficulty of evading their payment—is in truth the very circumstance that forms their principal recommendation. The assessed taxes do not affect the natural distribution of capital; they do not, by increasing the cost of commodities, occasion any derangement in the ordinary channels of commercial intercourse; they do not lead to smuggling; and they are easily and cheaply collected. We are therefore of opinion, that there are many other taxes that ought to be repealed in preference to the assessed taxes. The tax on leather, for example, though it produces only a very small revenue, is yet, by requiring the employment of a great number of officers, and the enforcement of several vexatious regulations, very burdensome to the manufacturers, and to the public. The duty on policies of insurance is also extremely objectionable; for it has the effect both to check and repress the extension of a most important and beneficial branch of business, and to retain a large proportion of the property of individuals in a state of insecurity. The duties on foreign timber and iron, by enhancing the price of houses and machinery, are not only extremely oppressive to individuals, but lay the manufactures and commerce of the country under very serious disadvantages. These, and others of a similar description, are the taxes we should like to see first repealed. And when this has been done, and fresh life been consequently infused into some of the most important branches of national industry, the increase that will thence arise in the revenue derived from the excise and customs, will enable the assessed taxes to be repealed with safety and advantage.

At present, however, it is not our intention to propose the repeal of any tax. But we are desirous to embrace this opportunity to show, that Government may, by *reducing* the duties on Coffee to a *third* or a *fourth* of their present amount, increase

the wealth, comforts, and enjoyments of a large class of the community, and effectually check that adulteration of coffee which is now practised to a very great extent—and that they may do all this not only without any sacrifice of revenue, but even with a considerable addition to its amount.

The question of the reduction of the coffee duties has, we understand, been lately brought under the consideration of the Treasury, by memorials from the principal West India merchants and planters, of London and Liverpool. And it may not perhaps be superfluous to observe, that though it cannot be doubted that the merchants have taken this step exclusively with a view to their own interests, without caring for those of the community in general, it is not on that account the less deserving of public support: For, it will be found, that this is a case in which the interests of the buyer are as much involved as those of the seller, and that it is impossible to benefit the one without also benefiting the other. The powerful and ever acting principle of competition, compels the planters and merchants to sell their coffee, sugar, and other products, at the lowest price that will suffice to cover the cost of bringing them to market, including the various duties with which they may happen to be loaded. And hence the necessary and unavoidable consequence of a reduction in the duties affecting these articles is to occasion an equivalent diminution of price; so that while their former consumers obtain a proportionally larger supply of desirable commodities for the same sum, they are brought within the command of new and poorer, and, for that reason, infinitely more numerous, classes of consumers. The advantage of the planter and merchant consists, not in their being able to pocket either the whole or any portion of the reduced duty, for competition will always prevent their doing this, but in the extended demand for their peculiar products occasioned by its reduction. It must not, therefore, be supposed that this is a question in which the West Indians only are interested. If such were the case, we should hardly think it worthy of a moment's attention. But so far from this being true, it is a question bearing directly on the public interests, or at least on the interests of all that portion of the public, who either are or wish to be drinkers of coffee.—And we do hope that they will join their representations to those of the West Indians in favour of a measure that will not only be productive of increased enjoyment to themselves, but which is of essential importance to the commercial prosperity of the country.

We are not aware that ministers have yet returned any answer to the representations in question; though, from the en-

larged and liberal views with respect to such subjects entertained by Messrs. Robinson and Huskisson, there is every reason to hope that they will be favourably considered. The fear of reducing the revenue is the only imaginable circumstance that can occasion any hesitation about reducing the duties. But it is easy to show that this apprehension, if it be really entertained, is altogether futile and visionary. In no one instance has a reduction of an exorbitant duty, on an article in general demand, ever been effected without causing such an increased consumption as has led to a very great increase of revenue. It is unnecessary, however, to resort to general reasoning, or analogous cases, for proofs of this principle. Though there had been no other examples to which to refer, the history of the coffee trade during the last forty years would, of itself, have been fully sufficient to establish the superior productiveness of moderate duties.

Previously to 1783, the various custom and excise duties on coffee consumed in Great Britain, amounted to no less than 480 per cent. on its then average market price! In consequence of this enormous duty, almost all the coffee made use of was clandestinely imported; and the duties produced only the trifling sum of 2,869*l.* 10*s.* 10½*d.* a year. In 1783, however, Mr Pitt reduced the duties to about *one third* of their former amount. Now, mark the effects of this wise and politic measure. Instead of sustaining any diminution, the revenue was immediately increased to nearly *three* times its former amount, or to 7200*l.* 15*s.* 9*d.*, showing that the consumption of legally imported coffee must have increased in about a NINEFOLD proportion! A striking and conclusive proof, as Mr Bryan Edwards has observed, of the effect of heavy taxation in defeating its own object.—(*History of the West Indies*, vol. ii. p. 340, 8vo. ed.)

From this period the consumption and the aggregate produce of the duties went on gradually, though slowly, increasing. From 1790 to 1794, both inclusive, the duty was 1*d.* per lb. the average annual consumption of England and Wales for the same period being 871,000 lbs. and the average annual revenue 39,875*l.* In 1795 the duty was raised to 1*s.* 5*d.*; but notwithstanding this increase, the average revenue of that and the *four* following years was only 38,740, while the average consumption fell to 548,000 lbs. In 1805, 6, 7, the duty was as high as 2*s.* 2*d.* per lb.; but owing to the measures adopted for the prevention of smuggling, to the growing taste for coffee, and to the capture of several of the French islands from which finer coffee was obtained, the average annual consumption of these three years amounted to 1,113,000 lbs. and the revenue to 121,698*l.*

We have now reached by far the most important era in the history of the British coffee trade. In compliance with the urgent solicitations of the West India body, then involved in the greatest difficulties, Mr Perceval consented, in 1808, to reduce the duties from 2s. 2d. to 7d. per lb., and also repealed the regulations against roasting in private houses. This measure was completely and signally successful. The average quantity of coffee sold for home consumption during the *five* years from 1808 to 1812, both inclusive, when the duty was at 7d., rose from 1,113,000 lbs., the average quantity sold, when the duty was at 2s. 2d., to 7,177,000 lb., and the revenue rose from 121,698*l.* to 209,334*l.* ! We do not know that a more striking and memorable example can be pointed out in the whole history of taxation, to show the vast advantage resulting from the imposition of moderate duties on articles in general demand. But in despite of this precedent, Mr Vansittart raised the duty to 7 $\frac{3}{4}$ d. in 1813 ; and though the consumption began to decline in consequence even of this slight advance, the same sagacious minister raised the duty to 1s. in 1819 ! This last increase of duty had the exact effect which every man of sense must have anticipated. Had the consumption of coffee gone on increasing with the increasing population of the country, as it was doing when the duty was raised, it would have amounted, in the period from 1819 to 1823, to 8,419,000 lbs., whereas it only amounted 6,692,000, and the revenue to 334,000*l.*

But, in order still more clearly to exhibit the effects of the various augmentations and reductions of duty on the consumption of coffee, we subjoin the following Table, which we have been at great pains to render as accurate as possible, and on which, we believe, our readers may place every reliance.

PROGRESSIVE CONSUMPTION of COFFEE in ENGLAND and WALES ;
Rates of Duty payable thereon; and Revenue derived from the
same in the last 32 Years.

Years.	Coffee consumed in England and Wales, in lbs.	Rate of duty per lib.	Gross Produce of the Duties on Coffee.	Annual Average Consumption.	Average Annual Revenue.
1791	815.300	0s. 11d.	£ 37,300	When duty at 11d. per lib.	lbs. 871,000 £ 39,875
1792	929.600	0 11	42,600		
1793	842.200	0 11	38,600		
1794	896.000	0 11	41,000		
1795	282.200	1 5	20,000	When duty at 1s. 5d. per lib.	548,000 38,740
1796	515.200	1 5	36,500		
1797	600.300	1 5	42,500		
1798	582.400	1 5	41,200		
1799	761.600	1 5	53,500	When duty at 1s. 6d. per lib.	813,000 60,950
1800	658.500	1 6	49,400		
1801	694.400	1 6	52,100		
1802	761.600	1 6	57,100		
1803	784.000	1 6	58,800	When duty at 2s. 2d. per lib.	1,113,000 121,698
1804	1164.800	1 6	87,350		
1805	1131.200	2 2	127,309		
1806	1142.000	2 2	122,530		
1807	1064.000	2 2	115,257	When duty at 7d. per lib.	7,177,000 209,334
1808	8848.000	0 7	258,100		
1809	5107.200	0 7	148,966		
1810	6092.800	0 7	177,700		
1811	7571.200	0 7	220,827	When duty at 7½d. per lib.	6,930,000 225,997
1812	8265.600	0 7	241,080		
1813	6048.000	0 7½	196,000		
1814	5868.800	0 7½	189,470		
1815	6832.000	0 7½	220,620	When duty at 12d. per lib.	6,692,000 334, 600
1816	7,36.800	0 7½	239,750		
1817	8108.800	0 7½	261,846		
1818	7683.200	0 7½	248,100		
1819	5958.400	0 12	297,920	When duty at 12d. per lib.	334, 600
1820	6764.800	0 12	338,240		
1821	6921.600	0 12	346,080		
1822	7123.200	0 12	356,160		

The revenue derived from the duties on coffee in Scotland, amounts to about 15,000*l.* a year, and in Ireland to nearly the same sum.

Owing to the devastation occasioned by the revolution in St Domingo, the exportation of coffee from that Island which had, on an average of the three years ending with 1789, amounted to 71,480,000 lbs. a year, ceased entirely subsequently to 1795. In consequence of the increase of price, caused by this deficiency of supply, a very great stimulus was given to the cultivation of coffee in the other West India Islands. The effects of this stimulus were particularly felt in Jamaica, to which many of the St Domingo planters had retired; the exports of coffee

from thence, which in 1790 only amounted to 1,783,000 lbs., having increased in 1806 to not less than 29,298,000 *—a rapidity of increase unprecedented, we believe, in the history of colonial cultivation! But this increased cultivation was still insufficient to fill up the vacuum occasioned by the destruction of St Domingo; and prices continued at a high elevation until the latter part of 1810, when the decrees of Bonaparte, by throwing very great difficulties in the way of importation into the Continent, produced an overloading of the British market, and a fall of prices. The unmeasured exportation that took place subsequently to the peace, again raised prices: and they have since continued at a pretty high range, until last year, when they have again fallen, from 40 to 50 per cent. This last fall has not taken place, however, in consequence of any increase of importation from our own colonies, for that has been progressively falling off during the last six or seven years, but in consequence of the rapid extension of the growth of coffee in Brazil, Cuba, and Java. On an average of the last ten years, not more than a fourth part of the coffee imported from the British plantations into England has been retained for home consumption: And as the constant increase of the Continental imports from America, and the East and West Indies, must continue to drive British coffee from the foreign markets, it seems quite clear, that, in the event of the duties not being reduced, and the home market extended, a *half*, or perhaps *two-thirds*, of the British coffee plantations, will at no distant period be rendered absolutely worthless.

It is supposed that during the period when the duties on coffee fluctuated from 1s. 6d. to 2s. 2d. per lb., about a *half* of the total quantity consumed in the empire was either furnished by smugglers or by adulterators. Smuggling has since sustained a considerable check; but, on the other hand, the manufacture and sale of spurious or imitation coffee has been legalised, and is actually become a very considerable branch of business. It was enacted by the 41st Geo. III. cap. 91, that if any article made to resemble coffee, or intended to serve as a substitute for it, should be found in the possession of any dealer, or be called by him English or British *coffee*, it should be forfeited, and the dealer subjected to a penalty of 50*l*. The breakfast powders of Mr Henry Hunt, of radical notoriety, were seized under this act. But by an act passed about two years since, the sale of *roasted grain*, intended to serve as a substitute for coffee, is authorized, provided the parcels are marked and labelled as such. It is im-

* Corrie's Letters to Mr Perceval, p. 2.

possible to ascertain the amount of the sales now making of this spurious coffee; but there can be no question that they are very great. A few months since the price of *rye*, the grain best suited for its manufacture, was enhanced in an almost unprecedented degree; and shops are now opened for the sale of the article, not only in all the great towns, but in almost all the considerable villages throughout the empire. In a late trial in the Court of King's Bench, where Mr Hunt was the prosecutor, it was stated, that a bushel of rye would yield 35 or 36 lb. of coffee; and that, at the existing prices, the profit on the manufacture was from 300 to 400 per cent. Of course, allowance must be made in estimating the weight due to these assertions, for the exaggeration of advocates; but after every reasonable allowance, it is still sufficiently obvious, that the relinquishing of the trade of a radical politician, for that of a spurious coffee dealer, reflects no discredit on Mr Hunt's sagacity.

It was expected that the consumption of genuine coffee would have been very considerably increased during last year, in consequence of the fall that has taken place in its price; for the common qualities have been sold in bond, during the greater part of last year, for about 6d. per lib., while they have generally averaged since 1814, from 10d. to 1s. So far, however, from having increased, it will be seen from the subjoined extract, † from a circular of one of the most respectable commer-

† The total import of coffee, B. P. and foreign, appears to be 21,300 tons in 1824, against 20,200 tons in 1823; and the stocks now remaining about 9000 tons, against 8000 tons on the 1st January 1824, 5600 tons on 1st January 1823, and 4800 tons on 1st January 1822. The quantity exported from Great Britain in 1824, has been about 17,500 tons, being considerably more than in former years; and the quantity taken out of bond for home use, only about 3350 tons, being about 200 tons less than in the year 1823. This falling off in the consumption is principally to be attributed to the great gains successfully taken by the venders of roasted grain, since the sale of it was legalized by Parliament, to introduce this substitute into general use, in all the principal towns in the kingdom. For the prices of coffee having ruled on an average at least 25s. per cwt. lower during the past year than they did for some years previous, there is no doubt the consumption would have increased with the increasing population, if this substitute had not been extensively used; but it is ascertained that this is the case, and it may be expected to come into more extensive use, as long as the duty on coffee continues so high as it now is, being about 200 per cent. on the value of the bulk of the coffee imported. If the

cial houses of Liverpool (Yates, Brothers & Co.), dated the 8th of January last, that the consumption of 1824 is 200 tons, or 448,000 lbs. less than the consumption of 1823! The temptation which the high duty holds out to adulteration, and the ease with which it may now be effected, has entirely prevented the great increase of consumption, which it is certain would otherwise have taken place in consequence of the fall of coffee.

Now, we would beg leave to ask, whether any thing can be more monstrously and palpably impolitic and absurd, than to force, by means of oppressive duties on genuine coffee, recourse to this spurious and miserable compound? The system on which we are now acting inflicts, at one and the same moment, a serious injury on the consumers of coffee, on the West Indian merchants and planters, on the revenue, commerce, and morals of the people. The facilities which the possession of a legalised counterfeit must give for the adulteration of genuine coffee, are too obvious to require to be pointed out; and it has been estimated by those best acquainted with such subjects, that a full *third* of the roasted grain is used for the purpose of adulterating! The continuance of such a state of things is surely out of the question. Were the duties on coffee reduced to 3d. or 4d. per lb. there is the greatest probability that the consumption would be at least tripled or quadrupled, or that it would rise from *seven* to *twenty-one* or *twenty-eight* millions of pounds; and, if so, the sale of spurious counterfeits, and the practice of adulterators, would be effectually checked, while the revenue would be proportionally augmented.

duty were reduced from 12d. per lib. to 3d. or 4d. per lib., it is probable the consumption in England would be doubled or trebled; and that, instead of consuming only 150 to 200 tons annually in Scotland, and 100 to 130 tons in Ireland, ten times the quantity would be used in those countries, by which means we should consume in the British dominions nearly all the produce of our own Colonies. Memorials have been made to ministers on this subject, which it is hoped will be attended to. In 1809, when the duty was reduced from 2s. 2d. to 7d. per lib., the consumption increased six-fold immediately. The stocks of coffee on the Continent appear to be rather larger than they were this time last year; but the consumption has increased, owing to the reduction in the prices; and although there may be some increase in the supply from Brazil and Laguyra, we do not anticipate, on the whole, an increased import to Europe in 1825, as the crops in Jamaica and Demerara will probably be small.—8th January, 1825.

It has been stated, that in the event of the duties on coffee being effectually reduced, its increased consumption would interfere with the consumption of tea, and that the revenue might in this way suffer very seriously. But it is obvious that there is infinitely less risk of such a consequence taking place by an increased sale of moderately taxed genuine coffee, than there is by continuing, as at present, to force the sale of counterfeit coffee subject to no duty whatever. It should also be observed, for it is very nearly decisive of this question, that the quantity of tea sold for home consumption has gone on regularly increasing since 1808; though, from the great reduction that was then effected in the amount of the coffee duties, the quantity of coffee sold for home consumption was upwards of *six* times greater in the five years subsequent to 1807, than in the five preceding years. There is not, indeed, under any circumstances, much probability that coffee will ever supersede tea among any considerable proportion of the lower classes; and when it is used by the upper classes, it is used along with tea, and not as a substitute for it. It is worse than idle, therefore, to fear any reduction of the tea duties being occasioned by a reduction of those on coffee. But even if that were the case, Government have an obvious resource at hand; for it is completely in their power, by compelling, as they are bound to do, the East India Company to sell their teas at a lower price, to increase their consumption, and consequently the revenue derived from them, to almost any extent.

For these and other reasons, which we shall not take up the reader's time by stating, we do not think that it is possible to question the policy of effectually reducing the duties on coffee; or to doubt that it would have a most salutary and beneficial influence on the comforts and enjoyments of the people, and on the revenue and commerce of the country.

ART. XI. *History of St Domingo, from its first Discovery by Columbus, to the present period.* 8vo, pp. 450. Edinburgh, 1818.

THIS article may be considered as a sort of Appendix to the long and more general one we have already given on the subject of the West Indies; as it enables us to show experimentally the effects of emancipation, even when obtained by force, and maintained for a long period in the midst of war and

dissension, on the population, the wealth, the industry and moral habits of expatriated Africans. Independently, however, of these considerations, it would be difficult to select a topic which, upon so many accounts, possesses claims to attention, as that of the present state of Hayti or St Domingo. The interest is very great, considered merely with a view to the gratification of curiosity. A vast island occupied by men, who, suddenly passing from the condition of slaves to that of free men, established their political power with their personal liberty; a people, of uncivilized men, who became in a few years civilized and even refined, and formed a dynasty and a government for themselves, presents a spectacle at once novel in the history of the species, and attractive from the extraordinary incongruities which it appears to involve and to reconcile. The proximity of this scene to our own settlements, and the great similarity of their circumstances to those in which so strange a revolution was effected, adds mightily to the importance of the subject. Little direct intercourse having been held with the new empire, we are very imperfectly informed of its internal situation; and countries far more remote and inaccessible are familiar to us in comparison. The passing events of the present moment too, are calculated to give a peculiar interest to the inquiry; for, when the policy of recognising all the colonies that have succeeded in throwing off the yoke of the mother country, and treating them as independent states, has at length been forced upon our government by the united sense of the whole people; we naturally look to the colony which has the longest been in possession of its independence, which has the most completely established its liberty, and which prefers the strongest claims to recognition, whether justice or expediency be regarded. Add to all these reasons, the one perhaps most natural, the case of Hayti is fitted to throw the strongest light upon the great question of slavery now agitating our councils both in America and at home; and it has been the most fearlessly appealed to by the enemies of humanity and freedom.—Misrepresentation has done its worst; concealment has had its day; the force of prejudice, hitherto unconquerable, begins to abate; and we are now to examine what the truth really is, respecting our Black neighbours, for whom thus much may at the least be said, that, contrary to all expectation, to our own fears among the rest we will candidly confess, no more peaceful neighbours were ever yet found in any part of the world, notwithstanding the power possessed by them of being more troublesome, and indeed dangerous.

It is, therefore, our intention to bring together as briefly and plainly as may be, in this Article, whatever information we have been enabled to collect of an authentic nature, upon the present state of Hayti, and the progress it has made since its separate existence began. We shall do little more than unfold the facts; the important inferences in which they are so fruitful readily occur of themselves.

The first subject that presents itself is the Population; and the more especially, because all the enemies of the abolition have strenuously contended, that the numbers could never be kept up without importation; and all the advocates of slavery have as warmly denied the power of an emancipated Negro people to supply their own numbers. The result of the returns from Hayti is most satisfactory on this head; and affords a memorable contradiction to all those wild imaginations.

The original native population of Hayti, previously to its subjugation by the Spaniards, was estimated by the Bishop Las Casas at 3,000,000. This was probably an exaggeration; but though the numbers may have been much less, the falling off unquestionably was great after the conquest. In the 17th century, the island was divided between the Spaniards and French; and the former, in 1798, were estimated at 110,000 free persons, and 15,000 slaves. The French population amounted, in 1726, to 100,000 Negroes, and 30,000 Whites. In 1775, by the estimate of M. Malouet, the numbers were 300,000 Negroes, and 25,000 Whites. In 1779, according to M. Necker, the numbers were 249,098 slaves, 7055 free Blacks, and 32,650 Whites—in all, 288,803 persons. In 1789, according to M. Moreau de St Mery, the slaves amounted to 452,000—according to Bryan Edwards, to 480,000; and they were stated, in the National Assembly, by M. Prieur, in round numbers, at 500,000 Blacks, and 40,000 Whites; adding this, which is perhaps an exaggerated statement, to the inhabitants of the Spanish part, the whole population, at the commencement of the French Revolution, could not exceed 665,000 souls. From that period till 1809, when the French troops were expelled, the country was laid waste by a succession of sanguinary wars; notwithstanding which the population of the island has increased in an astonishing degree: For, by the census taken in 1824, the actual population is given at 935,335 inhabitants. The armed force of the country is quite in proportion to its population; the regular troops, amounting to 45,520, and the national guards to 113,328, making a body of 158,848 men trained to arms. These estimates are official, and were taken in pursuance of the proclamation of the President of Hayti, dated 6th January 1824.

The population will also receive an additional increase by the resolution adopted by President Boyer in May last, to receive and allot lands to 6000 *free* Blacks and men of colour from the United States, to pay part of the expense of their passage, and to furnish them with agricultural implements. The increase, then, notwithstanding the war, was, in 35 years, from 665,000 to 935,000.

Let this extraordinary increase of numbers be now compared with the progress of population in our Slave Colonies, and the effects of the system will be at once perceived. In 1788, by the Privy Council Report, Tortola had 9000 slaves. From 1790 to 1796, the returns of imported Africans are wanting; from 1788 to 1790, and from 1796 to 1806, there were imported 1009 slaves. Yet in 1822, the whole numbers were 6478; being a decrease of 3531, only 304 of which are manumissions. In January 1821, the slaves of Demerara were 77,376; twenty-two months after, in May 1823, they were 74,418. But there must be added to this decrease 1203 slaves, allowed, by a most scandalous measure of the government, to be carried from the Islands to these pestilential swamps; the whole decrease, therefore, was 4251 in less than two years. In Jamaica, the slaves in 1790 were 250,000. Without any importations, this population, proceeding at the American rate of increase, ought, in 1820, to have grown to 575,000. The actual population, however, in 1820, was only 340,000; exhibiting a deficiency, as compared with the United States, of 235,000 slaves in thirty years. But during these thirty years, or rather during the first eighteen of them, 189,000 slaves were imported into Jamaica from the coast of Africa, and retained in it. Without counting, therefore, on any natural increase from these importations, the number in the island in 1820 ought to have been 764,000, being 424,000 more than were actually to be found there in that year. Without calculating on any increase at all, either from the stock of 1790, or the subsequent importations, the number of slaves ought to be 439,000. The actual population in 1820 was 100,000 less. In all our colonies, except Barbadoes and Bahamas, there is a yearly decrease, amounting, in three years ending 1820, to 18,000.

We have mentioned the American rate of increase; and astonishing it no doubt is. A pamphlet now lies before us, from the pen of Morris Birkbeck, written in the Illinois country, and printed at Shawnee Town. The subject is the great question of the admission of slavery into the Western States; and a very interesting statement is given in the Appendix of the progress of population in those parts. In Kentucky, the whole number,

black and white, increased from 220,959 to 406,511, or nearly doubled in ten years, between 1800 and 1810. Ohio, in the same time, more than quadrupled, increasing from 55,356 to 230,769, but they were all free inhabitants; and in twenty years they increased more than eleven fold, to 581,484. Indiana, in ten years, increased from 24,520 to 147,178, all free men. Missouri, again, in ten years, trebled, from 20,845 to 66,586, black and white. The increase in Hayti would in all probability be equal to any of those countries in times of such peace as they have enjoyed. The great increase of population which we have seen, certainly took place after the troubles ended; and we must deduct from the earlier returns all who were destroyed during the dreadful wars in 1794 and 1802. But the different rate at which the free and slave population increase in America is most remarkable.

Let us next see what the Produce of the island is. That, of provisions at least, it grows abundance for the supply of its inhabitants, we need not prove; the great increase of their numbers sufficiently demonstrates that. But even of sugar, cotton, and coffee, what is the account? We have now before us the official returns of 1822, specifying the trade of the island with all parts of the world. By this it appears, that 652,541 pounds of sugar, equal to about 544 hogsheads of 12 cwt., 891,950 of cotton, and 35,117,834 of coffee, or 350,000 cwt., are exported to foreign parts. This is beside the cocoa and woods; and it is also over and above all the sugar, coffee, and cotton required for home consumption. The whole exports of the island for that year were of the value of above nine millions of dollars, or above two millions of pounds sterling. The value of the import was nearly three millions; and the tonnage employed in the export and import trade together was about 200,000, in 1835 vessels. But in case there should be any one who disregards all produce, and all trade, that brings nothing into the Exchequer, we can relieve him at once; for the Duties upon exports and imports during the same year exceeded 678,000*l.* sterling; a very handsome branch of revenue, which even the oldest and most legitimate government in Europe would regard with the most respectful attention.

Having stated the great branches usually supposed to embrace the whole that is important in statistics, in population, military force, commerce, and revenue to a certain degree at least, we may perhaps be thought to have sufficiently, though very succinctly, described the political state of Hayti. But happily our materials enable us to go a little further, and to throw some light upon its moral state also. The following is part of a let-

ter from General Inginal, Secretary-general to the President; and it will be seen from its tenor how much attention is paid there to the greatest of all subjects which can occupy the attention of rulers, that in which all others are indeed compressed, the Education of the people. It also marks that the improvement of agriculture and commerce is rapidly increasing—and it displays the good spirit which prevails with respect to foreign aggression.

I can assure you, Sir, that being perfectly convinced that education and agriculture are the chief sources of the strength of States, the Government of the Republic does not neglect any thing which can promote these two objects; and I can announce to you with great satisfaction, that both in their progress answer fully to the care bestowed on them. The number of youth of both sexes who study in the elementary schools and in the upper classes, is prodigious. In all our towns, the schools kept by private people, and the national schools, are much increased, and they are found in all the large villages of the interior. I am myself astonished at the happy change which has taken place in public education, and which is daily taking place in the improvement of morals—all of which is effected tranquilly and with satisfaction, under the mild influence of a truly paternal government. In the ensuing spring I will send you a particular account of the number of schools and of scholars. As to agriculture, it is sufficient to tell you, that from 1814 up to the present time, the number of proprietors has been increased by the appropriation of uncultivated land, by donations of the government, and by the division of the land of the old colonists, to the amount of 30,000; and all these new proprietors cultivate their land with care and attention. Our commerce has considerably increased, of which you will have an idea by consulting the paper I send you of the importation and exportations of the year 1822, collected at the different custom-houses. I am nearly certain that the quantity of coffee produced in 1823, surpasses more than a third the quantity produced in 1822, and there is great probability that the crop of the present year will be still more considerable, because more people are employed cultivating the fields, and they are more assiduous in their tasks, and more contented in consequence of our rural code having been much improved, and offering good security to the cultivation. The eastern part of the island, formerly the Spanish part, appears at present very well pleased to have returned under the laws of the Republic; and all those in that part of the island who had opinions contrary to our institutions, have wisely resolved to retire to some other islands, so that at present there are only good citizens devoted to the cause of their country. We are well prepared at every point of our territory to repel foreign aggression; our fortifications are in good order and well provisioned, and are increased frequently; our troops of the line and guards are well armed and

equipped; public spirit is excellent; and I may therefore affirm, that we have nothing to fear from the injustice of those who hitherto have not acknowledged us as a free and independent nation. We desire to preserve peace with all the world; and we will use our efforts for this purpose; but if we are attacked, we will give the whole universe a proof of what can be accomplished by men, who will not give up the independence of their country.'

We learn from another quarter, of undoubted authority, that in the town of Port au Prince there are no less than fourteen free schools, at which 813 pupils, of both sexes, are instructed in Reading, Writing, and Arithmetic, and many in the higher branches of learning. At Cape Haytien (formerly Cape François), there are six private schools, beside the publick ones established by the Government. At these are taught Algebra, Geometry, History, and Geography, beside the common branches of learning.

With respect to the morals of the people, we can do no better than cite some very candid and judicious observations of Christophe himself—in a Letter which was published in one of the numbers of the *Propagation*, a periodical work printed in Hayti. 'I am endeavouring,' says this extraordinary man, 'as far as possible, to inculcate the principles of religion and virtue among my fellow citizens; but consider, my friend, what time is necessary, and what care and exertions are required, to effect the diffusion of religious and moral feelings, amongst all classes of a people recently emerged from the gloom of ignorance and slavery, and who have undergone the vicissitudes, the disasters and revolutions of 25 years.'

But lest such representations may be deemed partial, as coming from Haytians, and indeed from publick functionaries, we now subjoin the result of an inquiry undertaken by a Committee of the *American Convention*, for the abolition of slavery and improvement of the African race.' To that Committee was delegated the examination of the moral and political condition of the people of Hayti; and the following is the principal part of their report.

'From the representations of those who have resided in the island, and from the public documents printed there, it appears, that the Haytians have made a progress in civilization and intellectual improvement nearly, if not altogether, unparalleled in the history of nations.'

'Public schools are established to a greater extent, in proportion to the population, than is known in European countries. The pupils exhibit a very gratifying proficiency in their studies.'

'The government is efficient, and apparently stable. It is republican in form; the laws being passed by a legislative body

chosen by the people, yet it is said that the control of the President is predominant, the military force being at his disposal. He does not appear, however, to abuse his authority; and it is evident that a continuance of the system of education, and of the republican form of government, will, at no distant period, place the power in reality in the hands of the people and their representatives. Until knowledge be generally diffused, the chief influence and authority must necessarily be exercised by a few enterprising and extraordinary characters, who have outstripped the mass in the race of improvement.

‘ The great body of men, in all countries, are hired labourers, who subsist on their wages, and the quantity of the means of subsistence given them for their services, is perhaps the best criterion which can be obtained of the degree of happiness they enjoy, or of positive oppression they suffer. Trying the conditions of the Haytians by this test, it would appear decidedly better than that of the people of any European nation, and the citizens of the United States would be able to boast of no striking preeminence. The wages of labourers in the Haytian seaports is one dollar per day; and the price of provisions, on the average, is nearly the same as in our own ports. The wants of the people in clothing, shelter, and furniture, are far less than those of the inhabitants of our zone; so that the whole, the means of comfortable subsistence are probably as abundantly possessed by the labouring Haytians as by the labourers of any other country on earth. This abundance is a positive proof of the mildness of the government; a proof that it does not grind the people to dust by the taxing and monopolizing hand of oppression.

‘ So much propriety of style, profundity of thought, and correctness of sentiment, have been exhibited in the official documents, and in the public journals of Hayti, that many people in this country have supposed that they must have been the work of foreigners, and not of the persons who profess the authorship; for they could not believe that native coloured Haytians had attained that intellectual perfection which these documents would indicate. In answer to doubts of this kind, expressed by the Editor of the National Gazette of this city (Philadelphia), the editor of a most respectable newspaper in Boston states, that a gentleman of that place, who has resided for some time in Hayti, and whose statements are entitled to implicit confidence, declares that, from his own knowledge, it is an unquestionable fact, that the publications alluded to are really the work of those to whom the authorship is ascribed.

‘ A number of citizens of Boston have of late taken a great interest in Haytian affairs, and have written zealously in favour of a recognition, by the United States, of Haytian independence. One of these, who had given a very favourable picture of the government, institutions, and prospects of the island, in answer to the representations of selfish motives, avers, that he has no personal interest in the sub-

ject; that he is influenced solely by considerations of reasonableness and equity, and of the general interests of the United States.

‘It is gratifying to find that the progress of the Haytians is such as every day diminishes the number of their contemners and enemies, and adds to the number of those who are convinced of the moral and intellectual capabilities of the Blacks.

‘Hayti is a country of deep interest to the philosopher and statesman, and especially to the friends of African rights. It is to be hoped that it may continue a land which may be fitly looked to as an example for refuting prejudices against the Blacks, and as a suitable place of refuge for those coloured persons who may be unwilling to endure the degradation they are doomed to suffer in other countries.

‘The late union of the whole island under one government is calculated to allay the apprehensions of internal commotion which arose from the possession of a part of the country by the Spaniards, and to cause it to be considered as a more suitable place of emigration than formerly. The policy of the government towards emigrants is liberal; and some time since it went so far as to pay the passage-money of all who would come from Europe or America to settle; but finding, that, under this provision, worthless characters were introduced, it discontinued the practice.’

After contemplating a people in the general, observing their government, and viewing the results of their institutions, it is natural that we should desire to see them individually, as it were, in order to become more familiarly acquainted with them. The following sketch may be deemed interesting in this point of view.

‘The dress of the lower orders in Hayti is plain, but neat and clean. The men wear a short blue jacket of woollen cloth, with waistcoat and trousers of white chintz. The women’s dress consists of a cotton chemise and petticoat, with a handkerchief tied in the form of a turban round the head.

‘The country people, who frequent the markets in the towns, have a healthy cleanly appearance. They are all, to the very lowest, clothed, and their general aspect indicates content and happiness. The Haytian females have the usual *failing* (as some term it) of being fond of dress; and most of their gains they lavish upon this branch of extravagance. The young women are frequently agreeable and even handsome in person. Those of a subordinate rank, we are informed, unfortunately are not very scrupulous in forming illicit connections. Public opinion has not yet so stigmatized this breach of the social duties as to detach them from a practice uncondemned in the days of their ancestors.

‘In a recent Jamaica paper we recollect to have seen the sketch of a Haytian’s dress and appearance:—The dress as above describ-

ed; the hair brushed upwards to the top of the head; moustaches; earrings; a straw hat placed lightly on the side of the head; an erect gait, with an air of conscious independence. These traits compose a portrait of a Haytian beau, drawn by the pen of a bitter enemy.

We naturally cast an eye toward France, after contemplating the internal state of this most prosperous and interesting state. The strongest wish undoubtedly prevails there to obtain some footing in it, by means of which an ascendant may afterwards be acquired, and the old colonial dominion restored. The whole resources of Napoleon's genius having failed in the time when the power of the country was unbroken, and its reputation at the height, not even the most abject flatterer of the legitimate monarchs can gravely pretend to indulge in a hope of forcibly retaking possession. Intrigue has been tried, therefore, where violence was sure to fail; and a long negotiation, some say, for the last ten years, has been going on, with the view, on the part of Hayti, of securing its independence by a *formal* recognition, and with the design, on the part of France, of regaining something like a footing there, though it were at first but in name. An ample indemnity was asked, amounting to about four millions Sterling; and even this was in a train for adjustment. But at last came out the real wish of the affectionate Bourbons, containing, as it were, in a postscript, like other amorous documents, the main object of the negotiation. It was so painful to quit the endearing connexion,—so delightful to retain even some little pleasing memorial of former intimacy,—that if it were but the name of the thing, the Haytians were entreated to grant this favour, and to allow France the title of *Lordship paramount* or *Suzeraineté*, the separate and independent existence of the Island being allowed and even guaranteed. Upon this the intercourse broke off; and a lesson was taught the craft of the wily Frank, which he will probably remember during all the Negro treaties he may have to negotiate. We cannot more fitly close this imperfect sketch, than with the memorable Proclamation of the President to the Commandants, upon the rupture of the treaty.

‘ JEAN PIERRE BOYER, President of Hayti, to the Commandants of Arrondissement.

‘ The Envoys whom, in consequence of an appeal which had been made to me, I had despatched to France to treat respecting the recognition of the independence of Hayti, have returned hither. Their mission did not produce the result which we had a right to expect; because the French government, incredible as it may seem, still pre-

tends to the chimerical right of *suzeraineté* over this country. This pretension, which it appeared to have renounced, is for ever inadmissible: it is a new proof, as I have already proclaimed, how much our true security consists in our immovable resolution, and how well founded were our mistrust and the measures which I have taken.

Under these circumstances, you ought more than ever to recollect the arrangements of my Proclamation of the 6th of January last, and the particular instructions which followed it. Actively urge forward all the necessary works, the putting of the arms, artillery, and ammunition, in condition for service, &c. Nothing should be neglected. Call out the workmen of the corps; and even, in case of necessity, the privates, for the prompt completion of the carriages for cannon, which may be still unfinished. Take care, in short, in case of invasion by the enemy, not to be behind-hand in any point. Think incessantly of your duties, of your responsibility, and act accordingly.

The national honour demands (and you should also keep this object in view), that tranquillity and safety should be insured to those foreigners who are in our country, under the sanction of the public faith and of the constitution. Protect them as well as their property, so that they may be in perfect security. A moment's reflection must make us feel what infamy would be cast upon the nation if (no matter under what circumstances) we acted differently. War to death with the implacable enemies who may plant a sacrilegious foot upon our territory! but let us not pollute our cause by any disgraceful action.

In sending deputies to regulate the formalities of the recognition of our independence, I yielded to the invitation given to me by the agents of the government of the King of France. It was right that I should take this step in order to deprive malvolence of every pretence for charging me with obstinacy: it was right that I should do so to satisfy my conscience, and finally to settle the opinion of the nation upon this important point. I think I have in this respect fulfilled my duty; but, at least, I have the satisfaction of being able to declare that I have not been deceived.

The Republic is free; it is for ever independent, since we are determined to bury ourselves under its ruins rather than submit to the foreigner. Nevertheless the enemies of Hayti still reckon on the chimera of a division amongst us. What error, and at the same time what duplicity! Let us be eternally united, and faithful in the discharge of our duties; and, with the aid of the All-Powerful, we shall be for ever invincible.

‘BOYER.’

ART. XII. *Practical Observations upon the Education of the People: Addressed to the Working Classes, and their Employers.* By H. BROUGHAM, Esq., M. P., F. R. S. 12mo. pp. 33. London, 1825.

WE cannot make an article of this;—Both because a considerable, though not the most valuable part of it, appeared in our own pages last October—and because we have no longer time or space to deal with it as its infinite importance would require. We cannot allow this Number to go forth, however, without doing what in us lies to second the purely philanthropic views of its distinguished author, by most earnestly recommending it, both for perusal and for circulation, to all who have at any time seen reason to pay attention to our suggestions or opinions.

Since the time when the Scriptures were first printed and circulated in the common tongue, there has been no such benefit conferred on the great body of the people, as seems now to be held out to them in the institutions which it is the business of this little work to recommend and explain:—Nor can any thing be more admirable than the affectionate earnestness, the luminous simplicity, and the patient practical wisdom with which the views of the author are expounded and enforced. Of the many titles to distinction that meet in the person of Mr Brougham, there is none we should so much envy as that which rests on his services in the cause of Education. The good he has done *there* is the most unquestioned and extensive—and the honours he has gained the least alloyed with faction, the least troubled even by eager contention or dispute;—while the efforts he has lately made in behalf of the Mechanics' Institutions, appear to us the most important and meritorious of all. In his memorable exposure of the abuses of public charities, he was animated, in part, by a spirit of just indignation, and the delight of triumphing over the indolent and corrupt opposition by which he was met, in many formidable quarters. *Here* he had no other excitement than that of general philanthropy, and that high-minded anticipation of the love and gratitude of posterity, by which patriots are supported when they silently confer lasting blessings on their countrymen, without rousing their passions or making any demand for their applause. We will not, however, be tempted to say more, even on such a topic—and shall only beg leave, as a specimen of the tone and style of the work we have mentioned, to annex the few concluding sentences.

‘I rejoice to think that it is not necessary to close these obser-

ventions by combating objections to the diffusion of science among the working classes, arising from considerations of a political nature. Happily the time is past and gone when bigots could persuade mankind that the lights of philosophy were to be extinguished as dangerous to religion; and when tyrants could proscribe the instructors of the people as enemies to their power. It is preposterous to imagine that the enlargement of our acquaintance with the laws which regulate the universe, can dispose to unbelief. It may be a cure for superstition—for intolerance it will be the most certain cure; but a pure and true religion has nothing to fear from the greatest expansion which the understanding can receive by the study either of matter or of mind. The more widely science is diffused, the better will the Author of all things be known, and the less will the people be "tossed to and fro by the sleight of men, and cunning craftiness, whereby they lie in wait to deceive." To tyrants, indeed, and bad rulers, the progress of knowledge among the mass of mankind is a just object of terror: it is fatal to them and their designs; they know this by unerring instinct, and unceasingly they dread the light. But they will find it more easy to curse than to extinguish. It is spreading in spite of them, even in those countries where arbitrary power deems itself most secure; and in England, any attempt to check its progress would only bring about the sudden destruction of him who should be insane enough to make it.

' To the Upper Classes of society, then, I would say, that the question no longer is, whether or not the people shall be instructed—for that has been determined long ago, and the decision is irreversible—but whether they shall be well or ill taught—half informed, or as thoroughly as their circumstances permit and their wants require. Let no one be afraid of the bulk of the community becoming too accomplished for their superiors. Well educated, and even well versed in the most elevated sciences, they assuredly may become; and the worst consequence that can follow to their superiors will be, that to deserve being called their *bettors*, they too must devote themselves more to the pursuit of solid and refined learning; the present public seminaries must be enlarged; and some of the greater cities of the kingdom, especially the metropolis, must not be left destitute of the regular means within themselves of scientific education.

' To the Working Classes I would say, that this is the time when, by a great effort, they may secure for ever the inestimable blessing of knowledge. Never was the disposition more universal among the rich to lend the requisite assistance for setting in motion the great engines of instruction; but the people must come forward to profit by the opportunity thus afforded, and they must themselves continue the movement once begun. Those who have already started in the pursuit of science, and tasted its sweets, require no exhortation to persevere; but if these pages should fall into the hands of any one at an hour for the first time stolen from his needful rest after his day's work is done, I ask of him to reward me (who have written them for

his benefit at the like hours) by saving threepence during the next fortnight,—buying with it Franklin's Life, and reading the first page. I am quite sure he will read the rest; I am almost quite sure he will resolve to spend his spare time and money, in gaining those kinds of knowledge which from a printer's boy made that great man the first philosopher, and one of the first statesmen of his age. Few are fitted by nature to go as far as he did, and it is not necessary to lead so perfectly abstemious a life, and to be so rigidly saving of every instant of time. But all may go a good way after him, both in temperance, industry and knowledge, and no one can tell before he tries how near he may be able to approach him.'

We have only to add, that the work is very short, and very cheap—and that we shall be greatly disappointed if it does not circulate an hundred times more widely than this brief notice of it.

WE have been informed of a mistake in the Article in our last Number about the Scotch Poor-laws, which we take the earliest opportunity of correcting. It is there stated, that the parish of *Harwick* is a meritorious example of the eradication of Poor's-rates, after they had been long confirmed. It is *Langholm*, and not *Harwick*, that is entitled to this praise.

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