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SUCH A GOOD MAN.

BY WALTER BESANT AND JAMES RICE.

*Authors of 'Ready-Money Mortiboy,' 'The Golden Butterfly,' 'By Celia's Arbour,' etc., etc.*

CHAPTER III.

IN THE CITY.

"SIR JACOB ESCOMB." The name —by itself? no "and Company," no statement of trade or calling—was on as large a brass plate as you might see anywhere in the City. The plate was not one of those which modestly retire and seek to efface themselves from the sight of man; it did not lurk in the shadow of a dark entrance hall, or hide its presence on a staircase lighted only by windows never cleaned. Not at all. It stood well displayed facing the street, just below the level of the average human eye, so that those who ran might read, and those who read might wonder.

"SIR JACOB ESCOMB." Those who ran, those who walked, and those who lounged read the name and sighed with envy. Such as had with them country cousins or persons ignorant of the City would stop them, when they came to the spot, to point out this Plutocratic name. "Sir Jacob Escomb," they would say, in the trembling tone of reverence, "is one of those men who began life with a fourpenny-piece." All men like

Sir Jacob begin life on a certain day with a definite sum which becomes historic. "He was a factory hand, and he is not ashamed of it. Now he is worth, it is said, more than a million. Ah! what a country we live in! And such a good man! Foremost in every philanthropic or charitable attempt. Did you read his speech at the Hammerers' dinner last Thursday? It showed how men of wealth who desire to do good must henceforth hand over to paid workmen the practical details of charity, and exercise for their own part a wise rule over benevolent and charitable efforts by means of cheques and donations. Such men as Sir Jacob cannot be expected to waste their time in personal investigations. As good as a sermon that speech was. A million of money, and all made out of nothing! What a man! And such a good man! Hush! There he is getting out of his carriage. Look at the bundle of papers in his hand. I have heard it computed that when he was constructing the railways for Two Eagle Land, he had as many as five hundred thousand men in his employ at once."

Fortunate Sir Jacob!

His offices were built up to the brass plate, so to speak. Behind such a plate ordinary offices would have been mean. Your old-fashioned firms can afford to do their work in dingy rooms. A new house ought to proclaim its prosperity by its internal fittings. Those of Sir Jacob's consisted of three stories above the ground floor. There the rooms were appropriated to clerks. On entering you found yourself opposite a mahogany counter, not intended, as in a shop, to exhibit merchandise, or, as in a bank, for the handing backwards and forwards of gold. It was solely for the reception of visitors. A clerk appeared behind the counter on your entrance: he stepped noiselessly—the whole house was carpeted with some thick and noiseless stuff—from his table, and took your card. Then he vanished, and you were left in a room fitted with one heavy table and a dozen comfortable chairs till he returned. Sometimes it happened that you had to go away, the press of previous appointments being too great; sometimes it happened that you were invited to see Mr. Reuben Gower, instead of Sir Jacob; but if you came by appointment you were asked to walk upstairs at the very moment of the time named.

Upstairs you might see Sir Jacob himself, or you might be put off upon Mr. Gower. In the former case you were handed over to a clerk, quite a young and embryo sort of clerk, who took in your card and showed you into a waiting-room. There were three waiting-rooms round Sir Jacob Escomb's private apartment, and the clerk was a Cerberus who protected each room from the invasion of those who had no appointment. The waiting-rooms—one was large enough for a deputation, and one was small—were furnished in the same way—one table, with leather top, blotting-pad, pens, ink, and paper, and massive chairs; the windows were painted over because the view was bounded, the carpets were thick, fires were burning if the weather was cold, the chairs were like dining-room chairs in some great house, and the table was one of those regulation office tables made of strong shiny mahogany.

Suppose you had no appointment with Sir Jacob or your business was comparatively unimportant, you turned over to Mr. Reuben Gower, his Secretary. Mr. Reuben Gower was not the younger son of a noble house,

but the only son of an obscure house. As his father, too, was dead long since, there might seem no reason for maintaining his Christian name. Mr. Gower, plain, might have done. But it did not. Somehow or other the name of Reuben did not die out. Everybody called Sir Jacob Escomb's secretary, manager, or right-hand man, Reuben—*tout court*. Even the clerks addressed him as Mr. Reuben. It was the custom of the office, and as Reuben was not offended, no one else had the right to complain. Reuben Gower: he was the same age as Sir Jacob, with whom he had grown up as a boy, with whom he had worked in the same factory, by the side of whom, and for whom, he had fought the battle of life. Reuben Gower, on the second floor, had only one waiting-room. It is a theory among City people—I mean, especially, City people in financial interests—that if Smith and Jones both together want to see Brown, and if Smith sees Jones, or Jones sees Smith, either will at once find out the other's business. Hence the three waiting-rooms round Sir Jacob's private office, where Smith, Jones, and Robinson would all lie hidden, each waiting his turn to see the chief.

Above Reuben Gower's, on the third floor, is the Board-room, also used by Sir Jacob and his friends as a luncheon-room. A discreet door hides what is, practically, a cellar. There are choice wines in that cupboard, and many a bottle of chablis, sauterne, champagne, and hock have been cracked with due solemnity in the luncheon-room, preparatory to or after serious business below. But it is very well known in the City that Sir Jacob will not take wine during business hours. A glass of sherry with a sandwich for luncheon if you like; but, if you press him to have more, he will tell you with a soft, sad smile that he comes into the City on business, that he is occupied all day long on business, and that he cannot, most unfortunately, drink wine while he is attending to business. After dinner, on the other hand, it is notorious that Sir Jacob Escomb's finest speeches are sometimes made when he has put away enough wine to make a Barclay and Perkins' drayman blind drunk. His capacity for wine is not the least of those qualities for which City men envy Sir Jacob.

It was a house in which all the offices were solid and even splendid; well-lighted, well-furnished, well-fitted; provided with an

army of clerks, and surrounded with an atmosphere or halo of solidity and stability. Nor was it by any means a new office. Sir Jacob was between fifty-five and sixty; he had held the same offices for a quarter of a generation. They had not originally been so well furnished, nor had he held the whole house for that time, but a plate with his name had been on the same door for five-and-twenty years.

In his private room, Sir Jacob found that morning a mass of correspondence in addition to the letters he brought with him, open, noted, and arranged by Reuben Gower. With practised eye he ran over the letters, making a few notes as he went along. Then he leaned back in his chair, thoughtful.

Sir Jacob in his private room was not like Sir Jacob on the platform, nor like Sir Jacob at home. In the domestic circle he was an amicable demi-god, whose word was law, and whose wishes had to be anticipated. On the platform he was the cheerful expounder of a sunny philanthropy and warm-hearted Christianity, which consisted wholly in giving money himself, persuading other people to give it, and praising the glorious names of noblemen, bishops, and other illustrious men who were associated with himself—to praise your associates is to praise yourself—in what he called the Movement. People talk now of a "movement," as if it was an object or an institution. They say that they have given money to the Indian "Movement" when they mean the Indian Famine Fund. There were few "movements" in which Sir Jacob's name was not prominent either as president, vice-president, or member of the general committee. In his private room, at his office in the City, however, Sir Jacob's features sharpened, his great bushy eye-brows contracted, and his lips—they were the large and full lips which belong especially to men who habitually address audiences in great rooms—locked themselves together. There was not much benevolence left in his face after half an hour of work among his papers.

Business was plentiful—on paper. There were the construction of a railway in Central America, orders waiting execution for his ironworks at Dolmen-in-Ravendale, gas-works in a Russian city, waterworks in a Chilian town—fifty other things: all this looked well. On the other hand, there were bills to meet, claims to contest, and, worse

than all, a long and bitter strike in the north, and by that morning's post—a strike in which compromise promised for the moment to be impossible. And the moment was an important one.

Sir Jacob, after a few minutes' reflection, put the matter for the moment out of his mind, and addressed himself to his correspondence. He wrote with great rapidity and ease, tossing each letter into a basket as it was written. It would be the duty of the clerk to collect and address those letters in the evening. He looked at his list of appointments. There was an hour to spare. In that interval he wrote twenty letters, all on different subjects, and every one commanding complete mastery of the matter. He read over each letter after it was written, approved it by a nod, and tossed it into the basket. It was one of the secrets of Sir Jacob's success that he could pass easily and rapidly from one subject to another, and not the least of his secrets, that while on a particular subject he could concentrate the whole of his attention to it. He was, in fact, a man who could work, and did habitually work.

Then came the appointments. (One after the other the men who had to see Sir Jacob called, stated briefly their business, received a reply, and went away. There was no waste of words, nor any exchange of meaningless amenities with Sir Jacob Escomb. Everybody knew that, and even a Russian diplomatist would have found it hard to get any waste of words out of this man of business.

The morning appointments over, Sir Jacob looked at his watch. Half-past one—time for the sandwich. He took up a few papers; he would go to luncheon, and talk things over with Reuben Gower. Reuben would be able to suggest something.

He looked in at Reuben Gower's room as he went upstairs to the luncheon-room. He was engaged with a gentleman.

"When you are at leisure, Mr. Gower," said Sir Jacob, "I shall be upstairs."

"The great Sir Jacob?" asked the visitor, with awe.

"No other," said Reuben Gower, shortly; "and as I was saying —"

The secretary was, as I have said, a man as old as himself, or a little older. He had been with Sir Jacob since the day when, side by side, boys together, they had run



through the mud and snow in the dark winter mornings to get within the gates before the factory bell ended. Then they were comrades; now they were master and servant. Then they were friends who quarrelled, fought, and made it up again; now they were chief and secretary. But all along the weaker nature looked up to and revered the stronger. It was Jacob who always conquered in their fights; it was Jacob who rose first to be a foreman, then had the courage, followed always by Reuben, to give up the factory and begin as a small contractor; it was Jacob who, when the small jobs multiplied and became large jobs, took pity on the less successful Reuben, and admitted him as clerk, foreman, superintendent of works, accountant—everything. A million men at least, at one time or other, now worked for the great contractor; not one of them ever worked for him so long, revered him so much, or worked for him so well, as his old friend Reuben Gower. No stickler for large salary was Reuben; no strict measurer of hours given to the firm; no undue estimator of his own labour. All he had, all he thought, all he knew, he threw into the affairs of the house. The three hundred a year, which Sir Jacob considered an equivalent for his experience and zeal, seemed a noble honorarium to him, the old factory boy, who had never got over his respect for hundreds. And while he was content to occupy the simple position of jackal, it never occurred to him that it was mainly by the adaptation of his own ideas, by the conveyance to his own purposes of his own surprising mastery of detail, that the great Sir Jacob prospered and grew fat. A simple, hard-working dependent, but one who had faith in his master, one who felt that there could be no higher lot than in working for a good, a noble, and a strong man; and indeed, if such be the lot of any, dear brethren, write me down that man happy.

Outside the private room they were to each other as to the rest of the world, Mr. Gower and Sir Jacob. Within the sacred apartment, whither no one could penetrate without permission, the old Lancashire habit was kept up, and one was Jacob, and the other Reuben.

Reuben looked the older, probably by reason of the careful and laborious life he led. He was thin, grown quite grey, and he stooped. His face was remarkable for a

certain beauty which sprang from the possession of some of his ancient simplicity. Men who remain in their old beliefs do retain this look, and it becomes all faces, though it is unfortunately rare.

He was married, and had one son, John, who was, naturally, in the great Escomb ironworks, a mechanical engineer by trade, and a clever fellow. The father and son were excellent friends on all subjects except one: John could not share his enthusiasm for the great man who employed him.

"He is successful, father, because he has had you in the first place, and half a hundred like me in the second, to work for him."

John did not know, being a young man, that the mere fact of being able to see quite early in life that the way to success is to make other people work for you is of itself so highly creditable a perception as to amount to greatness.

"Who," continued the rebellious John, "would not be successful under such circumstances?"

His father shook his head.

"He is a strong man, John—a strong man."

"How has he shown it? Has he invented anything? Has he written well, or struck out any new idea?"

"He is a man of the highest reputation, John—not here in Lancashire only" (they were then at the works), "but in the City of London."

"Every man has the highest reputation who can command so much capital."

"And he is such a good man, John."

"Humph! Then why does not his goodness begin where it ought, at home? We should have been saved this strike if his goodness had been shown to the hands. Are his men better paid, more considered, more contented, than the men in other works? No—worse. You know that, father. His goodness wants to be proclaimed to all the world; he does good in the sight of men."

"John, Sir Jacob is a political economist. It is hard, he says, to set up private benevolence against the laws of science—as well sweep back the tide with a hearth-brush. Supply and demand, John: the men are the supply, and capitalists the demand."

But John was not to be argued into enthusiasm for Sir Jacob, and returned to the works, where the pits were banked up and the engines were silent, and men who ought

to have been assisting in the whirr and turmoil of wheels and steam and leathern bands were idly kicking their heels outside ; for Sir Jacob had made no sign of yielding, and they would not give way, though the children were pining away for want of sufficient food, and the sticks were going to the pawn-shop.

Reuben came presently into the luncheon-room, going slowly, and bent as one who is in some kind of trouble.

"You have read those letters, Reuben?" asks the great man, who had finished his sandwich, and was slowly sipping his sherry, with his back to the empty fire-place.

"Yes, Jacob, I've read them all."

Reuben sat down by the table, and began drumming on it with his fingers.

"And what do you think?"

"I am very anxious. If the Eldorado Railway money is not ready——"

He hesitated.

"Well, Reuben? It is not ready, and I believe it never will be. Prepare yourself for the worst. The Eldorado bubble has burst."

"We must look elsewhere, then, for money. We must borrow, Jacob, for money we must have, and immediately—you know that."

"Borrow!—that is easily said—where? Of course I know we must find money."

"I made up a statement last night, Jacob. Here it is ; this is what you have to meet in the next three weeks. I fully reckoned on the Eldorado money, which would have tided us over the difficulty. Jacob, Jacob ! I told you that those Central American schemes never come to good !"

"Ay, ay. No use telling me what you prophesied, Reuben ; anybody can prophesy. Try now to see how we can face the storm—that is more to the point."

"There's the Ravendale Bank. You're chairman of the board."

"I proposed at the last meeting to borrow fifty thousand. They asked for securities, as a matter of form—— Well, I promised the securities, and I have not got them"

"There's the works."

"What can be done while the hands, confound them, are out on strike?"

"How much will they let you overdraw?"

"Not much further than we have gone already."

"Jacob, seven years ago we had a bad time to face—just as bad as this—you remember, just before the French war, out of

which you did so well. Then you found at one haul seventy thousand pounds. Can't you repeat that transaction?"

"The money was not mine ; it was my ward's, Julian Carteret's money."

Reuben started to his feet.

"Do you mean that you took his money to help you out of difficulties? Jacob, Jacob ! And all that money gone?"

"It can't be gone, man," said the millionaire. "How can it be gone when it was invested in the works? And a safer investment could not be made."

"If the world would only think so," sighed Reuben.

"Why did we not take steps to raise money before?"

"Because you were so certain of Eldorado. Why"—(here Reuben grew more agitated still) "did you not sell out your bonds?"

"No," said Jacob gloomily. "Perhaps it will recover. I saw a note in the paper this morning that the stock would probably rise again."

"Stock you might buy, but never hold," said Reuben. "And the Columbian Canals, and the Mexican Mines, and Turks and Egyptians, all gone down together. What shall we do—what shall we do?"

"Concede what the men claim, and start the works again," said Sir Jacob, who took things more easily than his subordinate, in whom, indeed, he had full confidence. "Concede all that they ask, and when the furnaces are in full blast make a limited company of it."

Reuben shook his head.

"That cannot be done in a week. Consider, Sir Jacob, you have only a week. If we could only see a way—if we could only gain time. Perhaps I ought to have seen what was coming a little sooner."

"What is coming, Reuben?" Sir Jacob leaned across the table, and whispered the words in a frightened voice. "What is coming?"

"Ruin, Jacob—ruin!" replied Reuben sorrowfully. "If you cannot raise money, ruin. If you cannot restore Julian Carteret his fortune—worse than ruin."

"No," cried the Baronet, "not that—not that. I did my best for my ward. The world will know that I acted for the best: that the works were paying an enormous income——"

"At the time, the money staved off bank-

ruptcy. When the world knows that, what will the world say?"

"How the devil is the world to know it, Reuben?" asked Sir Jacob angrily.

"By the books, All your books will be examined. Your position can be and will be traced year after year. The transactions of every day in your business history will come to light. Man, your affairs did not begin yesterday to end to-morrow. You are too big a ship to go down without a splash. There will be too many drowned when you are wrecked for the world to sit down quiet and say: 'Poor Sir Jacob!' They will examine all your books."

"All, Reuben?" His face was white now, and the perspiration stood upon his brow. "All?"

He spoke as if he was a child learning for the first time what is done in the case of a great smash. In point of fact, he was bringing the thing home to himself, and realising what its effects would be upon him.

There were certain books known to him alone, and to no one else, not even to Reuben. These books were downstairs in his own room, locked in a fire-proof safe. Should they, too, be examined? He mentally resolved that the key of that safe should at least be kept in his own pocket. And yet, how instructive to the student in the art of rapidly piling up a fortune would be the study of these volumes! More instructive than any books kept in the office of Reuben Gower, because they showed of late years a history chiefly of wild speculation, decadence, and approaching ruin. When a man, for instance, has had extensive dealings with the Russian Public Works Department, when he obtains contracts in other foreign countries, when he provides estimates for great national works, which are afterwards largely exceeded, when he receives payment for work never done, and when he makes charges for materials never delivered, the private history of these transactions would, if put into the form of a continuous narrative, be as pleasant reading for the fortunate holder of the fortune so acquired as the true story of his own life by Cagliostro or Beaumarchais, or the faithful narrative of his own doings by a member of the great Tammany Ring. For in such a book there would be bribes—plentiful and liberal bribes—the giving and the taking of commissions, the giving shares in transactions not quite warrantable by the

terms, strictly interpreted, of written covenants, and the introduction of illustrious names—grand dukes, princes, ministers, all sorts of people, whom, for the credit of their biographies, as well as that of the age in which they lived—it would be well not to mention in connection with such doings.

There is no absolute law laid down on this delicate subject; in the Decalogue it is certain that it is nowhere stated in so many words: "Thou shalt not bribe; thou shalt not take a commission; thou shalt not receive interest other than that agreed upon." Whatever is not forbidden is allowed. That is the rule on which the Ritualist clergymen always act, and if Ritualists, why not that much more respectable body—public moralists? It is a sad thing to own that the censorious world looks with disgust—affected, no doubt—on a man who has built up a fortune in such a way. Sir Jacob might have thought, when he was tempted, of a leading case. There was a man a few years ago who was greatly, implicitly trusted by his employer, and paid well for giving honest advice to a confiding public. He sold that advice; he took money right and left for the words he wrote, which mightily influenced the fortune of companies and shares, and though his friends pleaded, perhaps quite honestly, that the advice he had given was good, neither his employers nor the public accepted the plea, and the mistaken man retired into obscurity, nor was he forgiven even when, after he died, he was found to be worth a quarter of a million sterling. Actually, a rich man died, and was not respected for his wealth! Wonderful! Perhaps Sir Jacob did think of that case when he trembled to think that *all* the books might be examined.

At least those should not.

But Reuben had others. Among them, as he said, were the books of seven years ago, when the shipwreck was only averted by the timely aid of seventy thousand pounds, all Julian Carteret's fortune. There should be, Sir Jacob resolved, a break in the sequence of those books.

"Is it necessary, Reuben," he asked, mildly, "that all the books must be handed over? We might begin, say, three years back."

"No, Jacob. Some of your transactions date farther back than seven years. That year must go with the rest. There is one chance. Julian Carteret is a friend of yours,

as well as your ward. He is a good deal in your house. He rides with Miss Escomb—”

“Yes, yes,” cried Jacob. “Reuben, you are my friend again. Shake hands, my chap!” he cried, in the familiar old North-country language. “Bankruptcy we can stand, Eldorado and the strike will explain that much. But what they would call abuse of trust I could not stand. We shall smash to-morrow, if you like. We *shall get up again, Reuben*, stronger than ever. The same forces that raised me before shall raise me again. I am as vigorous as when I was twenty. So are you. And we shall have the backing of all the world, with the sympathy of every one who has money to lend. Let us become insolvent, if we must. But before we do, Reuben, Julian shall be engaged to Rose.”

“How will that help?” asked Reuben sadly. “I was going to say that Julian, being a friend, might be taken into confidence.”

“Not at all. If Julian is to marry my niece, how can he charge me, her uncle, with using his money for my own purposes? He will only be one more to go down with me; and when I get up again, we shall all get up together. To be sure, in that case, Rose’s fortune would have to go with her, to her husband. However—”

The man was a strong man, that was clear. He deserved to succeed. He had the strength of self-reliance, of belief in his own methods, of confidence in his luck. With certain insolvency staring him in the face, he saw a way of meeting his fate with a calmness which belongs to virtue, of gaining more reputation out of it, of wiping off old scores, and beginning new, and of escaping the consequences of the one action of his life which he was afraid to tell the world. He was a strong man, but, for the first time in his life, Reuben felt repulsion rather than admiration for the proof of such strength. To him, a man of more sensitive nature, who had no other reputation than his own integrity had brought him, bankruptcy was a thing so terrible as to dwarf almost all other misfortunes. And here was his master going into it almost with a light heart.

“Don’t be downcast, Reuben.” Sir Jacob clapped him on the shoulder. “Why, I’ve faced this danger scores of times when you thought all was going well, and never with such good chances as now. I shall turn it to account.”

“But how will you live, Sir Jacob; how will you live meanwhile?”

“Lady Escomb, Reuben, had by pre-nuptial settlement thirty thousand pounds when she died. The interest of that money was devised to go to Rose when she marries, that is, if she marries with my consent. This money is in the Funds.”

“But then you will have nothing.

“Why—no. I shall have the handling of the thirty thousand, I dare say; but it is not by that money I mean to get up again. Bankruptcy,” he went on; “it is not the first time that a great contractor has smashed, and it will not be the last. Contractors, in fact, never quite know how they stand. But I think it will be an event in the City when the news is known; and there will be deep sympathy when it is learned by what an accumulation of misfortunes the disaster has been brought about. Bankruptcy! Let it come, then. Let the men go on with their strike, Reuben. We will concede nothing—nothing. Let the Eldorado Government fail to meet their engagements with me: let the Columbian Harbour and the Mexican Mines all collapse together: let Turks and Egyptians go down lower than ever: they can’t go too low for me if I am to be bankrupt: misfortunes cannot come too thick.”

Reuben again looked at him with forced admiration and a certain involuntary shrinking. He forgot that to a man who has once tasted it, public applause, public sympathy, public praise, publicly, noisily administered, are like a draught of cold water to a thirsty man, or the shadow of a great rock to a noontide traveller in the desert. Sir Jacob was thinking of the history he could command—of course he was not one of those who ever write themselves—in certain organs where he had secret influence unknown to the creditors. He was thinking of the speeches he would make, how he would appear before the world, not as the disgraced man, he would hope, but as the man whom the buffets of Fortune—say, rather, the chastening hand of Providence—has temporarily laid low: how his voice would rise, his figure straighten, his arms spread out as he would repeat the words, “Not disgraced, my friends, not disgraced: only beaten down—to lift my head again, and become once more a goodly tree—yea—with branches of shelter and fruits of comfort.” The peroration struck him as so good

that he immediately entered it in his notebook for subsequent development. "Branches of shelter, fruits of comfort—or consolation. Query—How can trees be said to Do Good?"

"I am glad to see you take it so cheerfully, Jacob. I thought you'd a pined a bit over it," said Reuben, doubtfully.

"Pined? not I. Why?"

"And as you are so cheerful, I won't tell you what I was going to tell you about my son John."

"Your son John? Ay—ay—he is in my works, I believe. Yes, I remember. What about him?"

"Some affairs of the boy's, Jacob."

"John's affairs." Sir Jacob laughed. He was actually in good humour again, he—going to be bankrupt in less than a fortnight, and for two millions at least. "John's affairs? A ten-pound note in a savings' bank, a share in a building society, a quarrel in an Odd Fellows' lodge. Well, well, let us hear."

"It is more than that," said Reuben. "John has got an invention, and he wanted to show it to you; but his ideas are absurd, ludicrous. I told him so. Remember, Jacob, they are not mine; don't be offended with me."

"He always was a hot-headed boy, your son, Reuben. But we will see. Look here. Bring him over to dinner this evening. There will be no one there except Rose and Julian Carteret, and—yes—at the same time drop a note over to Bodkin at his new Society, and ask him to come too. And now I've got a deputation to receive in a few minutes, and we must stop this interview. Don't be downcast, Reuben. Bankruptcy? It will establish my fortune on a broader basis than ever. Telegraph to Dolmen that not the smallest concession will be made. Don't sell out a single Eldorado Bond; send a paragraph to all the papers that their Government has failed to make the regular payments to Sir Jacob Escomb, the great railway contractor: make everything as public as you can. Work, Reuben, work. We shall have our reward after the smash."

"And now," he said, "I shall have another glass of sherry. Have a glass, Reuben? Better. Send me down the books for the time when I invested Julian's money. I will take care of them."

A knock at the door. His own private

clerk opens it, and shows a head, nothing more.

"The deputation, Sir Jacob."

"The deputation? What deputation?"

"Secretary and deputation from the council of the Friends of the Patagonians, Sir Jacob. By appointment."

"Ah! yes—I had forgotten. They are in the reception-room? I will come. Send up the porter with sherry. Two glasses each. The deputation sherry, not the dry. I will not keep them waiting long."

"Always," said Sir Jacob, addressing Reuben, "always send up sherry to your deputation, and always keep them waiting. Nothing like sherry to warm the heart, and ten minutes' patience to cool the heels. I wonder if I shall have many more deputations after the smash."

He went and received them graciously: heard what was agreed on behalf of the Patagonians, how this fine race of giants had been too long allowed to run wild without any of the benefits of civilisation and religion, and how it was proposed—and so on. And then he made his speech, which he set purposely in a frame of sadness. He said that the condition of Patagonia had long been in his mind, that when constructing a railway in Brazil many years ago he had personally visited the South American Continent, and reflected even then . . . Lastly, that in these times of change and sudden disaster it was impossible to promise anything, but they might announce, if that would help, his own sympathy with the cause; that he would gladly become a member of their general committee; and that in the course of the year he would see in what manner he should be able to help them.

The deputation gone, other people who also had appointments began to call: beggars, promoters, all kinds of people who wanted to use the name of the great philanthropist for their own objects, and these objects, if not for their own gain, were for their own glory. Find me a man or woman in this London, the nest of societies and institutions, who promotes a cause anonymously and without the desire of gain. London consists of many cities. There are London Commercial, London Aristocratic, London Frivolous, London Ecclesiastic, London Benevolent, London Lazy, London Artistic, London Literary. London Benevolent, a field hitherto little explored, is a City whose

inhabitants ardently pant for fame; unkind fortune has generally denied them the brains or the opportunities necessary to win fame by the ordinary channels; they win it in channels of their own. Some of them, chiefly women, go a begging from door to door; some, chiefly men, get up projects of benevolence, and write letters showing how the Lord Mayor must first be approached; some make speeches on platforms; some write to the newspapers; some write pamphlets. So, with infinite pains, they rescue their names, as they fondly think, from the oblivion in which, like sheep, lie all the human race; so, when they might have led easy and pleasant lives, hopeful to their neighbours, along some cool sequestered way of life, and far from the madding crowd's ignoble way, they have preferred the trouble and labour by which notoriety is won, they have mistaken the babbling tongue of notoriety which speaks of one man this day and another the next, for the solemn trumpet of fame, and hush themselves to sleep with the fond persuasion of the poet that they will not wholly die. London Benevolent has other citizens besides those who seek for glory; it has those who seek for pay or plunder; it has the crowd who live upon the generosity of England; while Sir Jacob Escomb is a type of one, Theophilus Bodkin may stand for the other.

London Benevolent! Out of such a field there yet grow so many flowers of grace, pity, charity, and love, that one would not check the fertilising streams of gold that flow into it from every quarter. But yet, if people knew; if windbags were exploded; if the true tale could be told; if the disinterested philanthropists could be pulled off their platforms; if—— I am myself about to form (anonymously and without pay) an entirely new Society. Among the rules of it shall be one that there are to be no publication of names, no payment of officer, secretary, or anything, no committee, no council, no Lord Mayor in it, no patronage by Royalty, no lists of subscribers; nothing. No one will belong to it, because in a very short time every one will. If it has a name, and I think it is better without one, it shall be called the Grand Mundane Helpful Association of All Humanity. No one will be a member who does not personally and actively assist in finding out dark corners, unclean places, vicious habitats, and

resorts of crime, or that desperate poverty which makes crime. We shall not leave the discovery of such places to curates, beadles, Bible-women, and the young enthusiasts who rig themselves out like ecclesiastical tomfools in an old Morality. We shall find them for ourselves. And when they are found, we shall cure the patients, not by admonition, but by indulgence. Prisons shall be abolished; all benevolent societies shall die a natural death, and every man shall give part of the day to the help of his brother man. Of course, when that is done, all philosophies and systems will be swept away and forgotten; we may take down all the treatises on philosophy from our shelves, and give them over to the buttermilk. We can send away all books on social economy and law from the libraries, and make a bonfire of them; all religions will be merged into one; we may take down the theological books and toss them joyfully into the fire; we may also tell the priests that we can dispense with their sermons in future;—why, there is more than half the literature of the world gone at one swoop. What a relief! Whew!—— The dream grows too bewildering.

All the afternoon Sir Jacob continued to receive his callers, making new appointments, undertaking speeches, signing papers. No one would have guessed that the man who brought to the business of the moment such practical suggestions, and such ready sympathy was a hopelessly ruined man, who had no securities left on which money could be raised. That was impossible to guess.

## CHAPTER IV.

### THE NEW PARTNER.

SIR JACOB ESCOMB probably had a good many cousins, second cousins, cousins german, and cousins of every degree. Every man born of two parents, who themselves require four progenitors, who in their turn want eight, must needs have cousins by the score. These cousins, however, in the case of people whose grandfathers belong to the prehistoric period, are invisible and unknown. In Jacob Escomb's early life they would have presented themselves to the factory lad as people like himself and his

own father and mother, specimens of the class who toil hard, live hard, spend all, drink as much as they can, and die early. Later on, they might have gathered in troops round his doors, clamouring for a dole out of their rich relation's enormous wealth. But they did not. Perhaps they were unconscionable that one of their own stock was doing such credit to the name: perhaps, as is often the case with poor relations—and a great comfort it is when they are so constituted—they were too proud to force themselves where they were not wanted. In any case, the only relation Sir Jacob had in the world of his own blood, was his niece Rose. Her father, who combined his brother's shrewdness without his ability, had been content, as I have said, to work quietly without an effort to rise, and died leaving a little girl thirteen years of age as a legacy to his brother.

I have explained how Sir Jacob received this legacy, I refrain from enlarging on the hopes and ambitions which Rose's beauty when she came to him after her eighteenth birthday excited in his breast. He would rise higher in the social scale by means of her. She would marry well, she would connect him with some noble House. Like all self-made men Sir Jacob thought over-much of social position, and measured the height to which he had risen by the rank of the people he could count as his friends.

That evening he walked all the way home, a common thing with him after a day of excitement and hard work, and surveyed the position. Well, the sacrifice must be made. Rose must marry Julian, if possible. Farewell all the chances of a noble alliance. He had the books of that period under his own custody now, he would take care that they should not go out of his own hands; the history of that "investment" should remain a secret between himself and Reuben. As for the blow, it must fall; he felt as if it had already fallen: he knew well enough, he had known for months that it must come, he knew that to raise more money was impossible, he had sold, mortgaged, and anticipated a great deal more extensively than his secretary knew; and the last disaster, the insolvency of the El-Doradian Government, only accelerated the ruin which strikes, the fall in stocks, and bad times generally had been working for him. His heroism or callousness, as it seemed to Reuben, was that of a man who has been contemplating the blow

for so long that when it falls it is a positive relief. The agony had all been anticipated.

But there could be no more dreams of matrimonial greatness; the only thing left was retreat with honour and to carry with him in his downfall the sympathy of the world. No thought of the hundred clerks whose fall would be, so to speak, upon the hard kerbstone, while his own would be on cushions and pillows; none of the thousands of men who looked to his pay-offices for their daily bread. When had Sir Jacob ever given one thought to the welfare of his own people? As well expect a general to spare the lives of his soldiers.

Rose, at home, with no suspicion of what was impending, spent the day in a long dream. Julian was in love with her, Julian had asked her to be his wife: was that a real thing or was it a dream? No, it was real; he loved her, he had said so, and she—did she love him? It was, as yet, early to ask herself the question. Love comes upon a girl in so full a current, so impetuous a stream, that at first she is carried away, senseless almost, upon its waves. She has no breath left to ask herself what she can give in return; she has only to sit, and wait, and wonder, and be happy. Julian was in love with her. All day long there was a round red spot on either cheek where Julian had kissed her, all day long she sat with blushing brow thinking of how his arms lay round her waist, all day his voice haunted her as he spoke words sweet as honey from the honeycomb.

She avoided Mrs. Sampson because her heart was full, and when she was tired of wandering among the spring flowers in the garden, sought her own room and sat there with a book before her, trying to read, but breaking down in the attempt, and falling back upon thoughts of Julian and of love.

Love at nineteen is surely the greatest happiness that can fall to any girl. She is too young to calculate the chances, or to know the dangers of wedded life. It is all pure pleasure to fulfil so early the function for which, as her school-life has taught her, she has been brought up, that of standing, the most prominent figure in the whole ceremonial, before an altar to be married. We are not simple shepherdesses, I trow; we who have been to fashionable schools know a good deal. We do not want love in a

cottage ; not at all ; we would rather remain without love in a villa. We do not want a crust with affection, we would much rather have a salmi of partridge or a mayonnaise without. We have been educated to attract, and we live to attract ; we would wish him whom we are fated to attract to be young, good-tempered, sympathetic, artistic, and handsome, as well as rich. Of course he must be rich to begin with. The main thing is the indispensable thing. None of us dream of poverty, even as a possible chance in life, and when we speak of marriage, we mean an establishment *comme il faut*.

Happy Rose ! All these things came to her, just as they might come to a girl in a novel. Julian was handsome—who could doubt that ? He was rich, as men go ; seventy thousand pounds means, because he had often told Rose, three thousand pounds a year. Now, at Campden Hill, where everything spoke of boundless resources, three thousand a year did not seem much, but Rose knew from the way in which her schoolfellows looked at things that three thousand pounds means a really good income, as incomes go ; one which allows of considerable spending and consequent enjoyment. Then Julian was young, just twenty-five, an excellent age for a lover. "Had he ever been in love before ?" thought Rose. There is always that delicate question to be asked or suggested in the early days of courtship ; and always deceitful man, who is like the serpent in getting round an Eve, has to make unveracious statements and explanations that he might have fancied himself in love once or twice already, but that he never knew before what true love meant. We know what they are worth, those statements. The question, in order to elicit the exact truth, ought to be put by the young lady in the form of a public advertisement.

Thus :

"Whereas Julian Carteret, gentleman, of the Union Club, aged twenty-five, has offered his hand to Rose Escomb, of Campden Hill, the said Rose Escomb, who wishes to accept him, hereby calls upon all persons of her own sex, in any rank, to whom the said Julian has at any time, or at any place, made directly or indirectly overtures or confessions, pretence or prelude, of love, or with whom he has transgressed the legitimate bounds of flirtation, to communicate to her, in the

strictest confidence, all the details and full particulars of the *amour* or *amourette*."

There : and pretty kettles of fish there would be to fry, if this method of public advertisement were only to come into fashion.

Rose resolved on asking Julian the delicate question that very afternoon, but did not, because she found no opportunity.

At five o'clock he came again, but Mrs. Sampson was there and other people called. At half-past six she went for a drive with Mrs. Sampson. They dined as a rule, at eight. Perhaps after dinner there would be an opportunity.

The Park was full of carriages and people. "How pale the girls looked," thought Rose. Was that because they had no Julians to make love to them ? And how wearisome their lives must be without some such strong arm as Julian's to lean upon. Pity is a luxury, because it implies for the most part a little superiority. We pity the poor creatures who have fallen from paths of rectitude, and at the same time we feel a little glow of satisfaction in thinking that we could not possibly so fall. Rose's pity for the listless and bored faces in the carriages, was, perhaps, not unmixed with that self-approbation. If their pulses were languid, her's was beating full and strong ; if their blood ran lazily along their veins, her's ran in a warm, swift current ; if their cheeks were pale and their looks languid, her own cheeks were bright and her face full of life and happiness."

"Home, dear ?" asked Mrs. Sampson. "We dine at half-past seven to suit Mr. Gower, Sir Jacob's secretary, who is coming. Quite a dinner-party, indeed. Mr. Gower brings his son, Mr. John Gower."

"Oh, I know him," said Rose ; "I am glad he is coming, my old friend John Gower. He used to be pleasant to talk to, with his rough brusque ways. I wonder if he is pleasant still. It is seven years since I saw him last ; he has been all the time in my uncle's works. I wonder what he is like to look at."

"And Mr. Bodkin is coming too," said Mrs. Sampson, with a little demure dropping down of her eyelids. "My friend, Mr. Bodkin, who was here this morning on business connected with the new Society."

"I am glad he is coming," said Rose, vaguely ; "Julian Carteret is coming too."



"Oh!" Mrs. Sampson did not say what she felt, that, on the whole, she would have been glad to dispense with Mr. Carteret's company for that one evening. She had planned a little programme in which Sir Jacob should spend the after-dinner time, which was not long, with Mr. Gower, Rose with Mr. John Gower, leaving herself free to exchange pleasant things with Henry Bodkin. And now the programme was all upset by the intrusion of Julian Carteret.

Perhaps he would not come.

But he did; came before any of the rest arrived; came with a face all aglow with satisfaction half an hour before dinner; and was there to welcome the three unwonted guests before Sir Jacob appeared.

Reuben is quiet, but at his ease, in the big house, whose grandeur does not overwhelm him. He respects its owner, not the house, and he looks sad to-night because he knows that in a few days all these splendid things will pass away and become the property of some one else. Sitting at meat with a man who is to be a bankrupt in a few days is like taking a cheerful meal with a man the day before he is hanged. Wonderful, too, that Sir Jacob looks so cheerful and talks so bravely.

John Gower is a young man with a ruddy countenance, curling brown hair, strong features, and red hands marked with hard work. Late dinners and dress-coats are not his usual style of life; but he is here to-night with a definite object, and he tries to be agreeable. Picture to yourself a young man of twenty-two, who is absolutely ignorant of the tolerant carelessness of London, who is incapable of conversation, and who is always, whatever he does or says, in earnest. If you look in his face you will see lines about the eyes already; they are the lines of thought and anxiety. If you look in his eyes you will see that they are eyes which are steadfast and firm—eyes that mean success. John Gower means to succeed. John Gower is of the stuff whence England has got her greatness; he can fight; he can work; he can wait; he can be frugal; he believes in himself as strongly as any fighting man of Queen Elizabeth's time; and he believes in the might, majesty, and glory of the machinery among which he is always at work.

Mr. Bodkin has not quite put off with his secretarial garb the secretarial demeanour. He is ostentatiously respectful to Sir Jacob;

he listens to his utterances as if they were proverbs to be remembered; he even repeats them softly to himself. The secret of this behaviour is not a disposition to grovel on the part of Mr. Bodkin, he is no more a groveller than any other poor devil who is just a pound or two this side of nothing: it is the admiration which a man who at forty-five finds himself a complete failure has naturally conceived for a man who seems to be a complete success.

The dinner is not very brilliant; Sir Jacob's seldom are; when the great man is silent, there is little conversation, and what Julian Carteret says is generally flippant, and falls on unresponsive hearts except for that of Rose. When the ladies go things are a little worse for Julian. Never, perhaps, was a more discordant group of men got together to circulate the decanter. Sir Jacob, calm in conscious superiority, lays down the law, while he absorbs copiously:—it is, as I have said, a mark of this man's strength that he can, and does, drink immense quantities of wine without feeling in the slightest degree affected. It is a Princely—a Royal—quality to possess. Reuben, hanging his head, listens gravely and sadly. John listens impatiently, drinks nothing, and looks as if he would like to contradict. Mr. Bodkin listens deferentially, and looks as if he would like more talk; he also sticks manfully, like Sir Jacob, to the port. Julian listens with an air as if the whole thing was an inexpressible bore, and keeps the claret within reach.

Presently Sir Jacob asks if no one will have any more wine. No one will.

"Then, Julian," he says, "you will take Mr. Bodkin into the drawing-room with you. We have a little business to talk over here."

A good opportunity. He has Rose to himself at her piano for a whole hour; the drawing-room is large, and Mrs. Sampson with Bodkin are at the other end. "I believe, Rose," whispers Julian, "that Bodkin is making love. Isn't it shameful? and actually in our presence?"

When the door was shut, the Baronet went to a sideboard, and from a drawer produced an inkstand and a packet of paper. Then he rang the bell.

"Coffee in half an hour. Do not disturb us until then. And, Charles, cigars."

Reuben Gower did not smoke; John refused a cigar because he wanted to have all his wits about him, and because he would

have preferred the little wooden pipe which was lying in his greatcoat pocket, only he did not dare ask for it. The Baronet took the largest and finest cigar in the chest, which contained twenty compartments, all filled with choice brands. Then he filled and drank a full glass of port, and then leaning contentedly back in his chair, the *vera effigies* of peace of mind, stable affluence, and benevolent comfort, instructed Reuben to open the case.

"You said, Reuben, that your son desires my help and advice, I believe. Well, John Gower, such help and advice as I can offer I am willing to give. What is it now? Is it an offer from some other works with higher salary? Are you discontented? Discontent with the young is a very, very mournful sign."

"If we were not discontented, we should always remain where we are," said John, bluntly. "Were you contented when you were a young man?"

"I was ambitious, perhaps; fired with the healthy desire of success."

"I am ambitious too," said John, roughly. "My desire of success is as healthy as yours."

"Well—well. What is it?"

"I have spent pretty well all my life about your works, Sir Jacob, as perhaps you know. If you do not know, it does not much matter. I was sent to school within the shadow of the furnaces, and it was my greatest pleasure as a boy to wander among the engine-houses and study the machinery. So that I suppose that by the time I was fourteen years old, which was when I was apprenticed to you in order to become a mechanical engineer, there was little in the place that I did not understand as well as the man who put the machinery together."

"A clever boy," murmured his father. "Always a clever boy, but self-willed."

"Naturally, when one understands a thing, one begins to try how it can be improved. Contentment won't do with machinery, Sir Jacob, whether you are old or young."

"Right," said the Baronet. "You owe, however, the best of your thoughts and all your work to your employer."

"That is the employer's theory," returned the young man, who was not in the least abashed by being in the presence of so great a man. "It is not mine. I have given you what you paid me for. Since my appren-

ticeship was finished, I have been one of your regular engineers, receiving the regular engineer's pay. I don't grumble at that, because it is what all get. If I were twenty years older and had a dozen children I should grumble."

"Come, John, come," said his father.

"No, father," said John. "I shall go on my own way. I came here to have my say out, and if Sir Jacob does not like to hear the truth, he may tell me so himself."

"Surely we live only in order to hear the truth ourselves, and to do good to others by telling it," said the Baronet. "It is the truth that some of my engineers complain of their pay? Is that what you would say, John Gower?"

"All your engineers, all your clerks, all your people, from the superintendent to the youngest hand, complain of your pay, Sir Jacob. When they read your fine speeches they say that charity begins at home."

"Go on, John Gower. I am accustomed to misrepresentation, and ingratitude I can bear. Go on."

"Well—" John made a face as if he was swallowing a very nasty medicine. "It doesn't do any good, I suppose, to fire up and tell all. But I suppose you know that there is not general contentment and satisfaction at the works, Sir Jacob?"

"I know that some among you," said Sir Jacob, knocking off the ash of his cigar, "have instigated my hands to strike. And I wish I knew who had done it. Because if I knew that man he should go, even if it were the son of Reuben Gower here. You will, perhaps, go down to-morrow, John Gower. You will tell them, from me, that I will not make the smallest concession, that they must accept my terms or stay outside altogether. Pray do not forget to tell them that even if they remain I will never give in."

This was a very proper sort of stroke, because the promise was certain to be told about, and people would connect bankruptcy with principle. Few men can do more than go bankrupt on principle.

"However, you did not come here, I presume, to teach me my duty—ME—my duty." Sir Jacob spoke calmly, as if he was not in the least annoyed by the young man's plainness of speech. In fact, he was not. North-country men are practical, and their dislike to humbug makes them welcome even rude language.

"No, Sir Jacob, I did not," replied John. "My father told you, I believe, that I have made a discovery, being a discontented man"—he smiled in Sir Jacob's face—"a discovery of which you will be the first to recognize the importance. It is a mechanical discovery."

"Ay, ay—some little improvement—some alteration. Let us see if we can use it at the works."

"I have here, Sir Jacob, the specifications"—he drew out a little roll of small diagrams—"of my invention. You will see that we have to do with no little improvement, but a great one; no small alteration, but a radical change. Did my father tell you that I set a high price upon this invention?"

"He said you set an extravagant price upon it."

"Did he tell you what my price is?"

"No."

"John, John," his father rebuked him. "Don't grasp at too much. Be moderate."

"My price has risen since this morning," the young man went on. "It has doubled, father,"

"What?"—Reuben started from his chair in surprise—"doubled!—doubled!"

"Sir Jacob, this invention is an immense, a boundless fortune in itself!"

"An invention made on my own works, by a lad whom I have educated, with my own materials, by the son of my private secretary and old friend, should, I think, have been first shown to myself."

"I do show it to you first. I do more than that, sir—I offer you the refusal of it. Do not say that I am ungrateful. But, to make sure that there shall be no misunderstanding, I have registered the thing at the Patent Office, and secured my own rights."

"And this is confidence," murmured Sir Jacob sorrowfully. "This is confidence between man and man—the trust which the young man learns to repose in his elders: he invents something—it may or may not be valuable: instead of coming to me, whose advice might have helped him—"

"He goes to the Patent Office," said John, laughing. "Wonderful, isn't it, Sir Jacob? He does not even go to his father, because that dear old man would always take whatever he learned straight to his employer. This inventor actually hid his secret from his own father, so that he might himself be the one to introduce it—to Sir Jacob."

He bowed with reverence, half assumed, half real, to the man who paid him his meagre salary. John Gower felt himself so much the master of the situation that he could say or do what he pleased. Happy position! to be four-and-twenty years of age, to have hit, partly by good luck, partly after that long course of work and study without which no good luck is of any use, upon a secret which promised, nay, held out a certainty of effecting such improvement in machinery as would make the holder of the patent a man of enormous wealth. Why, then, did he offer his invention to Sir Jacob? Because, in the first place, the reputed millionaire could work it better than any financing firm, and in offering to divide profits with Sir Jacob he was probably doubling them: in the second place, because he was a lad with a little sentiment behind his rough, rude practicality, and wanted to please his father; and lastly, for another reason which he had, and which he had hitherto kept to himself.

Without a word in addition John Gower laid the plans before Sir Jacob.

He was right in his estimate of the great man's power of discernment. For years he had left the practical part of his work entirely to others; for years he had neglected the fields in which his earliest triumphs were won; but yet he had not forgotten. Sir Jacob had as good an eye for a wheel and a piston as ever—an eye which had not forgotten its early training—an eye which was as quick to seize and put together as that of any young mechanic in his workshops.

The first external evidence of appreciation which he showed was that he laid down his cigar and examined the specifications thoughtfully. Then he looked gravely across the table at the young fellow.

"All your own doing?" he asked.

"All," said John.

"Any one in the secret?"

"No one."

"Good."

Then Sir Jacob fell to examining the plans again.

Presently, the plans before him, he took a paper and pen, and began to make calculations. Feeling a little annoyed at the eyes of his guests, which were naturally fixed upon him, he took another glass of port, and pushed the decanter across to John.

"There, take some more wine, you and

your father. And don't talk—I mean. don't interrupt—don't stare ; I shall be ready in five minutes."

In ten minutes he put down the pencil and spoke, shading his eyes :

"This is a discovery, John Gower."

"It is, sir."

"Reuben, your son is a very clever man."

"A good many clever men have come out of the old place, Jacob," said his old schoolfellow.

"My word, Reuben, you're right !" They had dropped, involuntarily, into the Lancashire dialect, the pronunciation of which we need not try to reproduce. "You're right, Reuben, chap, a deal of clever men."

Then he turned to John.

"Business, young man. Name the price."

John reddened. He was going to play his highest card.

"My price——" He stammered, then recovered himself with an effort. "I might take my patent to financing people and show it to them," he said ; "I might raise a company to work it——"

"Better not," said Sir Jacob.

"I might sell it to some man like yourself, in Middlesborough or Barrow-in-Furness. I might take it over to America ; all those plans would do for me quite as well as the one I am going to propose to you. I will let you have my patent, Sir Jacob, on two conditions."

"Go on, John ; go on."

"Be moderate, John—oh, be moderate," urged his parent.

"The first is that you take me in as a half-partner in your ironworks, keeping the whole business separate from the contracts——"

"John, John !" said his father, "a half-partner!—with Sir Jacob Escomb—Sir Jacob Escomb, Baronet, F.R.G.S., Chevalier of the Legion of Honour, Black Eagle of Russia, Iron Vulture of Prussia, and Copper Hawk of Austria, besides Knight of the Holy Joseph of Brazil ! Are you mad, John—are you out of your senses ?"

"Not at all, father," said John ; "I am only diving below all the externals to get at the real. Half-partner in the profits of the ironworks of Sir Jacob Escomb, Baronet, Vulture, Hawk, and Eagle, as you say. My discovery against his prestige, my profits against his debts, my power of managing the men against his unpopularity, my genius

against his experience. Is that a fair bargain, Sir Jacob ?"

Curious to say, the Baronet took no offence at this extremely impudent and irrelevant speech—no offence at all. He only laughed. To Reuben Gower's amazement—for the good secretary expected the ground to open and swallow up this new Dathan—Sir Jacob actually laughed.

"He is a well-plucked lad, this boy of yours, Reuben. Did you teach him to ruffle his feathers and swagger like this ?"

"Nay, nay, Jacob ; it's pure natural devilment in the boy."

"Half-partnership, you say ? Will nothing less content you ?"

"Nothing, Sir Jacob."

"But there were two conditions. What is the other ?"

"The other, Sir Jacob"—and here the young man blushed and hung down his head, pulling nervously at the table-cloth—"the other—the other—is this : I will sign the deed of partnership on the day when—your niece, Rose Escomb, accepts me as her husband."

"JOHN !" cried his father, "are you mad ?"

Sir Jacob said nothing, but he looked steadily in the young man's face. Yes, he recognised a face which meant what it said : there was determination in it, and there was force.

"Do you know my niece ?" he asked.

John answered, as they say always Orientals answer, by another question :

"How long has she been under your guardianship ?"

"Seven years or so."

"Seven years. And before that she was my ward, Sir Jacob. While your brother lived she was my playfellow, my companion, my little sister, three years younger than I. We ran about the streets hand in hand, we went to school together, we kept holiday together. I loved her then, Sir Jacob, and I love her now."

"But suppose she does not love you ? This is not a continental country. We do not arrange marriages to suit the convenience of old people as well as young. I can hardly, even though I am her uncle, go to Rose and say, 'Fall in love with John Gower.'"

"No ; I do not suppose you can do that."

"Then what am I to do ?"

"What you can—what you please. Is she engaged to any one else ?"

"No," said Sir Jacob, with great decision. And, indeed, how was he to know that at that very moment Julian was leaning over the girl as she sat at her piano, breathing the perfume of her hair, and whispering a thousand pretty passionate things into her coral ear? He did not know; he did not even suspect. "No," he replied, "there is no engagement."

"Marry Rose?" gasped old Reuben, in sheer inability to comprehend the impudence of his son.

"Marry Rose," said John. "If you take your eyes off these mahogany splendours, and look at things in their real light, father, you will see that there is no reason why I should not marry Rose Escomb. Her father, you, and Sir Jacob all belonged to the same level. I am as well educated as she; I am as clever; I shall be as rich. As rich? Far richer: for every pound that Sir Jacob has in his pocket to give her, I have a bill in *my* pocket of a hundred to put against it! And drawn at short dates too!"

All this was quite true, the only mistake made by the young engineer being in the statement that he was as well-educated as Rose. He was, in fact, better. Rose knew nothing of the differential and integral calculus. Rose knew nothing of machinery, nothing of German and French scientific works; Rose knew hardly anything. And yet, for a rich man's wife, her knowledge was worth everything, while for a rich man and apart from the question of getting riches, his knowledge was worth nothing.

Rose knew the great, the ineffable mystery of being pleasant. John knew the invaluable, but not the charming, Art of success. Englishmen and Scotchmen are the only people in the world who succeed greatly. They are respected for possessing this talent, but they are not loved. John Gower was, therefore, by no means so well educated as Rose.

Sir Jacob was silent again. He looked through the diagrams once more, he examined his calculations.

Then he took his cigar, which had gone out, lighted it again, drew two or three whiffs, threw it away, drank another glass of port,

all in a leisurely and not at all in a fidgety manner, and then, to Reuben's intense astonishment, he said quietly:—

"I accept your offer, John Gower. There is my hand. As for Rose, I promise nothing. I shall not do more than mention the fact to her."

John said nothing. As he grasped the hand of the Baronet a soft suffusion filled his eyes. Surely his father was right when he insisted that Sir Jacob was the best as he was also the ablest of mankind.

"Reuben," said the chief, "go down tomorrow to the works. Call the men together, make them a conciliatory speech. Mind, no half measures. Say I am ready to meet them on their own ground: on their own ground. And at once. Tell them that I am coming down directly, that all their grievances shall be attended to—you hear, you young John?—and that we shall light up the furnaces next week. Promise everything. And as for our talk of this morning," he murmured, "forget it. *I have found the way.*" And now, old friend Reuben and partner John, one glass of wine to our future success. God bless you, John. You have begun as I did, with industry and audacity. They always succeed. Reuben, chap, you are happy in your son; and now—to the ladies. Rose will wonder what has become of you, John."

It was more than an hour after Julian and Mr. Bodkin had returned before the other three entered the drawing room. "What had happened?" Rose thought. "Reuben Gower upright, and laughing at some joke; Sir Jacob, without his pomposity, had got his hand on John's shoulder and was laughing too; John alone was sheepish and hung his head. What did it mean?"

To Sir Jacob it meant that he would not be a bankrupt after all; to Reuben it meant that disgrace had been averted from the house; to John it meant fortune; to Rose—what did it mean to Rose?

"Rose," her uncle said, "will you play something to John Gower? I want you to be very good friends again with John Gower, your old friend of childhood."

(To be continued.)

## MR. SPEAKER.

"Mr. Secretary Wentwood, after great silence in the House, stood up and made speech, the sum whereof was—

That the Honour of the King and the Happiness of the Subject depended upon this Parliament; but great Care should therefore be had for the Choice of Speaker—

The Speaker, the Pilot to guide the great Ship of State.

On all sides seemed great variety of Choice for the Service, but commendeth to them specially Mr. R. Crew for his Learning, Judgment, Religion.

A general voice—Mr. Crew, *nemine contradicente*.

Mr. Crew, after Silence, disableth himself by his own Infirmities, Weight of Business, by the Judgment of the House, by the Difficulty of the Negotiation between a Prudent King and Intelligent House; not inured to the Public Business.

Mr. Chancellor—That his Excuse kindleth the Desire of the House; his Modesty specially commended.

Mr. Crew, with general Applause, called upon and fetched to the Chair."

THE quotation which heads this paper is taken from the Journals of the English House of Commons of more than two centuries and a half ago, and affords an excellent illustration of the quaint phraseology as well as of the style of reporting of the "good old times." The Journals in those days not only contained, as they do now, a record of the actual proceedings, the *res gestæ*, of the Commons, but also pretended to give a brief summary of some of the debates. In this curious melange, the reader will probably detect certain phrases which he has heard or read before. Even in these more refined and intellectual times, we find orators of no very original turn of mind forced to fall back on the well-worn phrase of the "Pilot to guide the great Ship of State;" and certainly it is not seldom that we hear appeals made to "an intelligent House" or to "an intelligent country."

But whilst the phraseology of the official records is now less quaint, the procedure in the election of a Speaker is just the same to all intents and purposes that it was in the seventeenth century, when the English Commons were battling heroically for their "undoubted rights and privileges." Then, as now, the House elected its Speaker at the command of the Crown, and he was obliged to present himself formally for the approval

of the Sovereign. In only one memorable instance has the reigning Monarch ever refused that approval, which constitutional usage declares a necessary form on such occasions. Every student of English history will recall the rejection of Sir Edward Seymour, who had incurred the disfavour of Charles II. The Commons deeply resented this act of the King, and passed several resolutions in vindication of their privileges, which were afterwards revived in a similar case in Canadian history. The proceedings did not appear in the journals of 1678, but Bishop Burnet tells us that the debate "lasted a week and created much anger," but "a temper was found at last." Seymour's election was allowed to fall, but the point was settled "that the right of electing was in the House and the confirmation was a matter of course." Be that as it may—for Hatsell does not see on what authority the Bishop's statement rests—from that day to this, no King or Queen in England has ever ventured to deny the right of the Commons to select whom they please for their Speaker.

The foregoing incident is recalled because it is interesting to us from its connection with an equally startling episode in our own political history. In the old days when the Assembly of Lower Canada was fighting for its rights, the Governors-General, who were too often military men, had a very ready way of asserting their prerogatives, or, at least, what they thought to be their prerogatives. In 1808 Sir James Craig was waging a lively war against everybody who did not happen to agree with his method of carrying on the Government. Among those who found disfavour in his eyes was Mr. Panet, the first Speaker of the Assembly, whom he had dismissed from the Militia on account of his connection with the *Canadien* newspaper. It was generally believed that Sir James would refuse to confirm the choice of the Assembly when the Speaker presented himself for approval; but the Governor evidently thought it wise to reconsider his first decision, and contented himself with sanctioning Mr. Panet's election in these very

cool and unusual terms, which naturally attracted much comment in those lively times:—"I am commanded by His Excellency," said the Speaker of the Legislative Council, "to say that, having filled the Chair of Speaker during four successive Parliaments, it is not on the score of insufficiency that he would admit of excuse on your part, or form objections on his. His Excellency has no reason to doubt the discretion and moderation of the present House of Assembly, and as he is at all times desirous of meeting their wishes, so he would be particularly unwilling not to do so, on an occasion in which they are themselves principally interested." This was literally snubbing both Speaker and Assembly in the genial way peculiar to the Governors of those times.

It was left to a Governor-General in later times to assert a right—if right it can be called—which an English king, more than two centuries ago, exercised, probably to his regret, and which none of his successors have ever since thought it prudent to revive. Mr. Papineau was a very imprudent politician, and often forgot the respect due to the representative of the Sovereign in his dislike of the overbearing demeanour and official obstinacy of the man. Mr. Papineau had been Speaker for several Parliaments, but in 1827 he insulted the Governor-general, Lord Dalhousie, in an address which he issued in the heat of a violent election campaign. His Excellency would, no doubt, have best consulted his own dignity by taking no notice whatever of any imprudent remarks that an impetuous politician had made in times when men's tempers were too often excited to a high pitch by the political controversies of the days of family compacts and bureaucratic rule. On the meeting of the Assembly Mr. Papineau was chosen Speaker by a large majority, and presented himself for approval in the usual way. He was informed by the Speaker of the Legislative Council that His Excellency the Governor-in-Chief "doth not approve of the choice the Assembly have made of a Speaker, and in His Majesty's name His Excellency doth accordingly now disallow and discharge the said choice." And then the members of the Assembly were instructed to "again repair to the place where the sittings of the Assembly are usually held, and there make choice of another person to be your Speaker." But

the Assembly was no more prepared than the English Commons of 1678 to submit to the arbitrary exercise of the Royal prerogative. Many indignant speeches were made in vindication of the right to choose a Speaker without the interference of the Crown. The Assembly passed a series of resolutions, in which they asserted "that the presenting of the person so elected as Speaker to the King's representative for approval is founded on usage only, and such approval is and hath always been a matter of course." They also passed an Address to the Governor-General similar to the one presented to Charles the Second, in which they humbly hoped that "His Excellency, after having consulted the old precedents, would be pleased to remain satisfied with their proceedings, and not deprive them of the services of the Speaker they had chosen." Lord Dalhousie refused to receive the messengers or the Address, and, when he saw that the Assembly was resolved on adhering to their choice, immediately prorogued the two Houses. Fortunately for the quiet of the country at that time, Lord Dalhousie was soon afterwards recalled from the Province and appointed Commander-in-Chief of India. When his successor, Sir James Kempt, assumed the government of Lower Canada, he decided on adopting a conciliatory policy towards the French Canadian party, and one of his first acts was to approve of the choice of Mr. Papineau, when he again presented himself as Speaker at the opening of Parliament in 1828. For several years up to 1841 the Speakers of the Assemblies of Upper and Lower Canada continued to present themselves for approval by the representative of the Crown; but the Act of Union of 1840 being silent on this point, the practice was discontinued in the Parliament of United Canada. When a Speaker is now chosen by the House of Commons and presents himself at the bar of the Senate, he informs his Excellency that he has been elected Speaker, and expresses his doubts as to his ability to fulfil the important duties thus assigned to him. "If in the performance of these duties," he adds, "I should at any time fall into error, I pray that the fault may be imputed to me, and not to the Commons, whose servant I am." He then claims their "undoubted rights and privileges," which the Speaker of the Senate recognizes on behalf of the Governor-General, but not a word is said as to the wisdom

of the choice made by the Commons.\* When a Speaker dies or resigns, and another has to be chosen during the Parliament, he also presents himself to His Excellency and makes the usual speech, merely omitting the assertion of the rights and privileges of the Commons, which is only made at the commencement of a new Parliament. On such an occasion the Governor-General will content himself with an expression of confidence in the devotion and attachment of the Commons to Her Majesty.

The title of Speaker is one which perhaps needs explaining to those who have neither opportunity nor patience to search out such things for themselves. In the old rolls of Parliament he is called, in ancient French, "Parlour." Yet we all know that now-a-days he only *speaks* when called upon to keep the House in order, or to carry out the resolutions and commands of the Commons. But like all parliamentary phrases and formulas, the title of Speaker has its historical significance. It was given to him because he is the mouth-piece, as it were, of the House, on all State occasions. The Commons could alone approach the Sovereign through him in old times. He went up with all Addresses, and presented them humbly on behalf of the Commons. When that ill-advised monarch, Charles I, came into the House of Commons to arrest the five members who had made themselves so obnoxious to him, the Speaker of that day expressed the character of his duties in a few terse phrases which are now historical: "May it please your Majesty, I have neither eyes to see nor tongue to speak in this place, but as the House is pleased to direct me, whose servant I am here, but humbly beg your Majesty's pardon that I cannot give you other answer than this." On another memorable occasion, a Speaker was forced to speak because the House was silent. In 1523, Cardinal Wolsely was deeply incensed against the Commons, for "that nothing was so soon done or spoken therein, but that it was immediately blown abroad in every ale-house." The Cardinal was very anxious that the Commons should pass a great subsidy, and with that object in view he decided to go down to the House and indulge in that bullying tone which it was

long afterwards the style to adopt whenever a king or his ministers wanted money from the people. "Masters," said Sir Thomas More, the Speaker, when he heard of the Cardinal's proposed visit, "forasmuch as my lord Cardinal lately, ye wot well, laid to our charge the lightness of our tongues for things uttered out of the House, it shall not be in my mind amiss to receive him with all his pomp, with all his maces, his pillars, his poll axes, his hat, and great seal too." The Cardinal soon appeared and made his speech, but none of the Commoners answering he enquired the reason, but still they held their peace. He addressed himself to several individually, but none would speak to him—"being agreed before," says the old chronicle, "as the custom was, to give answer by their Speaker." The Cardinal was very irate at the obstinacy of these Commoners who dared assert their rights against the king and his then all powerful favourite. "Masters," said he, "unless it be the manner of your House, as of likelihood it is, by the mouth of your Speaker whom you have chosen for trusty and wise (as indeed he is), in such cases to utter your minds, here is, without doubt, a marvellously obstinate silence." And then he required answer from the Speaker, who first excused the silence of the House, and then showed by many arguments that "for them to make answer was neither expedient nor agreeable with the ancient liberty of the House." It has been well for the liberties of the English people that there were Speakers and Commoners like More, Hampden, Pym, Seymour, and many others, whose famous names the historical student will recall, always ready to vindicate the rights of the Commons of England against Sovereigns and Ministers too often labouring to overturn them for their selfish and ambitious purposes. It is not necessary, now-a-days, to dwell on these things so far as we are concerned. Happily we enjoy in the British dependencies the fruits of the courage and wisdom of those great Commoners who laid the foundations of the constitutional liberties of the British Empire.

But as we read and study the history of the struggles for parliamentary government in England, we cannot fail to sympathise with those peoples who have entered on a similar contest in these modern times. In the conflict between Marshal McMahan and the majority of the French Deputies, we see

\* In the Maritime Provinces the Speakers of the Assemblies continue to receive the approval of the Lieutenant-Governors.



at stake the same principles, the success of which, in England, has made her great and prosperous above all other nations. We can remember, too, that it was not many generations since Canadians had a stern conflict with prerogative and bureaucracy. It was only a few years ago that we read of the death of Mr. Papineau, the representative of times when men were fighting for free parliamentary government. Men like Mr. Papineau committed a sad mistake when they took up arms against the Crown, for there is little doubt that, had they continued to exercise a little more patience, they would have gained what they contended for. In those times, however, there were little Wolseys always caballing against the Assembly, and scolding or lecturing them with all the irritable tone of a master haranguing his scholars. We cannot now imagine a Speaker being forced to stand patiently at the bar of the Senate, whilst a Sir James Craig closed the Session with a speech, in which he tells the Commons—"You have wasted in fruitless debates, excited by personal and private animosities, or by frivolous contests upon trivial matters of form, that time and those talents to which, within your walls, the public has an exclusive title. This abuse of your functions you have preferred to the high and most important duties which you owe to your Sovereign and to your constituents. So much of intemperate heat has been manifested in all your proceedings, and you have shown such a prolonged and disrespectful attention to matters submitted to your consideration by the other branches of the legislature that, whatever might be the forbearance and moderation exercised on their parts, a general good understanding is scarcely to be looked for without a new Assembly." This was the way in which the military Governors of old times scolded Canadian Assemblies because they did not obey their orders. It is only surprising that, like Cromwell, they did not go a little further, and turn the Assembly out of their chamber by means of a file of soldiers. The wish was certainly not wanting in their case. If they did not use force, they more than once stretched the prerogative of the Crown to the utmost, and sent the House about its business by a proclamation of dissolution. If such things were done now-a-days, the members of our Commons would probably express their dissatisfaction in loud murmur-

ings, which would even disturb the placidity of the serene Senate Chamber. But, happily, matters are very differently managed under the admirable system of Responsible Government which is the result of the contests that lasted for some three quarters of a century, and only ended with the arrival of Lord Elgin, one of the ablest constitutional Governors this country has ever had.

But all this must be considered parenthetical; we must return to the subject-matter of this paper. We have shown that the Speaker, in old times, derived his name from the fact that he was the organ of the House in its official intercourse with the Crown, and that the Commons could only approach and speak to the Sovereign through him. In later times, it is only on rare occasions that he is called upon to exercise such functions. Addresses to the Queen or her representative are now generally taken up by such members of the House as are of the Queen's Privy Council. But on certain occasions, he is still obliged to address the Crown. First, on his election as Speaker, when he asserts the privileges of the Commons, and, again, on presenting the Supply Bill to Her Majesty, when he makes a formal speech; but it is perfectly allowable for him, at such a time, to address the Crown at some length, and review the important measures that have passed during the Session—a privilege which has only been exercised on one occasion since 1867.

It is always the practice in this country for the leader of the Government in the House of Commons to propose the candidate for the Speakership, but this is not in accordance with the British custom of modern times. In former times, when the Crown had more power than it now enjoys, the Speaker was too often inclined to be its creature, rather than the servant of the Commons. The Speaker was always nominated for a long time by a Privy Councillor; but it is said that one of the results of the conflict between the King and Commons, in 1678, was "that the Speaker might be moved for by one who was not a Privy Councillor."\* At a very early date in the parliamentary history of England, the Commons found it necessary to free the Speaker from the influence of the Crown. Sir Simond Ewes, in

\* Hatsell states this on the authority of the Earl of Oxford (Harley), who had been Speaker.

his "Autobiography," gives us an illustration of this influence, and of the manner in which the Commons promptly rebuked it. On the 3rd March, 1629, the Speaker was the Queen's Solicitor, Sir John Finch, and it devolved upon him to read certain papers which he believed would be displeasing to the reigning Sovereign, Queen Elizabeth, who always wanted to have her own way with Parliament as with her courtiers in the Palace. When Sir John Finch refused to do his duty, "as the House enjoined him, many members thereof fell to reproving him, others to excuse him; and the tumult and discontent of the whole House was so great, as the more grave and judicious thereof began infinitely to fear lest at the last swords should have been drawn, and the forenoon ended in blood." Selden thus addressed the Speaker on this occasion: "Dare not you, Mr. Speaker, put the question when we command you? If you will not put it, we must sit still; thus we shall never be able to do anything; they that come after you may say they have the King's command not to do it. We sit here by command of the King under the Great Seal, and you are by His Majesty sitting in his royal chair before both Houses, appointed our Speaker, and now you refuse to perform your office." But now it would be unconstitutional for a Speaker to be subject in any way whatever to the influences of the Crown. The candidate first proposed in the English Commons is always known to be a supporter of the Government of the day, but he is never proposed by a Minister, but by some independent member. On one occasion Mr. Pitt was desirous of proposing Mr. Addington himself; but Mr. Hatsell, that eminent authority, then Clerk of the House, on being consulted, said that he thought "that the choice of the Speaker should not be on the motion of the Minister." "Indeed," added Mr. Hatsell, "an invidious use might be made of it, to represent you as the friend of the Minister rather than the choice of the House;" and Mr. Pitt at once saw the force of this objection.† No doubt the same practice will, sooner or later, obtain in the Canadian Legislatures, though it must be admitted that no one can justly give an instance where a Canadian Speaker, in these later times, has ever been influenced in his conduct in the chair by the fact that

he was nominated and elected by the majority in the House. It is satisfactory to know that the moment a Canadian politician becomes the presiding officer of the Commons, he lays aside all his political prejudices, and discharges the duties of his office with fidelity to the constitution and impartiality to all parties. Now and then the party newspapers will make an assault on his fairness, but those who know anything about parliamentary practice are aware that such attacks are written too often in the excitement of the moment, before the writers have had the patience or the time to look up the authorities. The Speaker never gives his decision without deliberation or consultation with those officers of Parliament‡ who have devoted their attention to such studies; and it would be very unwise for him to give any decision which could be proved incorrect after reference to the authorities which are open to everybody. The practice which now obtains in the mother-country, of continuing the same Speaker from term to term, as long as he is willing to give his talents and experience to Parliament, has been found admirably calculated to promote the progress of public business, and preserve the order and decorum of the House on all occasions. It has been too much the custom in this country to allow the demands of party to be superior to the advantage which the Parliament must always derive from having in the chair a man of large experience in the functions and responsibilities of this high office. In England they have a Chairman of Ways and Means, who also acts as Deputy Speaker, and is accordingly enabled to obtain that knowledge of parliamentary law and procedure which only years of study and experience can give a man, however great his natural talent may be. In this country a Speaker's functions are fully as onerous whilst the Session lasts as they are in the mother-

† The works of Henry Elsyng and J. Hatsell, Clerks of the Parliament of Great Britain, are the old authorities on Parliamentary practice. Hatsell's work must always remain a monument of accuracy and patience; its arrangement and lucidity are admirable. Sir T. Erskine May's works, as every one knows, have given him a distinguished reputation. The first editions were printed whilst he was Assistant Clerk of the Commons, and he soon afterwards received his title in recognition of his eminent talents. Mr. Palgrave, the present Assistant Clerk, has also published several interesting minor works on cognate subjects.

† 1 Lord Sidmouth's Life, 78, 79.

country. It is safe to say that now-a-days the Commons of Canada adhere as closely to correct parliamentary law and procedure as their prototype in England itself. Not only have we our own procedure and precedents to guide us,\* but there is the vast storehouse of British parliamentary lore to refer to in cases of doubt. From the very commencement of the legislative history of this country, it has been the aim of the public men to adhere closely to the parliamentary practice of the mother-country; and what difference of procedure exists has necessarily arisen from the difference of circumstances, and the necessities of the situation of a young country. The result has been that the Commons of Canada, in its adherence to correct procedure, and in the decorum of its debates, need not fear comparison with the English House; and it is safe to say that the authority of the Chair is more frequently called upon in the latter body to interpose in cases of disorder and unseemly language than it is now in the younger legislature. If this be the case—and the writer is not penning this inadvisedly—it is justifiable to infer that the Speakers of the different Parliaments of Canada have had much to do in establishing a correct procedure, and preserving a proper tone in the parliamentary debates. In the discharge of his duty, the Speaker has to contend with difficulties which can only be overcome by the exercise of much patience, and the display of great tact and judgment. On the one hand, he has constantly to deal with the want of knowledge and experience among the younger members, who are at times too ready to undervalue the importance of rules. On the other hand, he has sometimes to guard against the tendency which older politicians will show in the direction of overriding useful rules, or stretching them beyond their true meaning or intention. Fortunately, in every House there are men like Mr. Holton, who have accumulated a large store of knowledge, and who, understanding the value of a correct parliamentary procedure, will always come to his assistance in cases of perplexity, and enable him to arrive at that decision which is most consonant with those principles of common-sense which underlie all the practice and rules of a British Parliament.

The popular idea is to invest the Speaker with a great deal more power and authority than he really possesses. If a member infringes the order of the House, the Speaker may "name him"—which is a parliamentary mode of telling him that he has divested himself, for the moment, of his privileges as a member of Parliament. But the Speaker cannot proceed further, and order him to be taken into custody of the Sergeant-at-Arms, or reprimand him unless the House sustains the chair. It will be for a member, properly the leader of the House, in all such cases to move that the offender be reprimanded, or otherwise censured and punished. The House must listen respectfully to his decision on any disputed point, but it may be immediately reversed afterwards. It is a very old rule that in matters of doubt he is to explain but not to sway, neither ought he to argue, or draw conclusions from the authorities he may cite on such occasions. A member may weary the House for hours with his dreary platitudes, but as long as he is in order the Speaker must preserve order, and give him every opportunity to be heard. Fortunately there is no rule which prevents him from taking a nap on these sleepy occasions, and more than once during the night of a lengthened sitting it will be difficult to "catch the eye" of Mr. Speaker. He cannot leave the chair of his own motion and adjourn the House, but must wait patiently until some considerate member rises and relieves him in proper form. In those old times of English history when there was constant wrangling between the Court and the Parliament, a Speaker who was inclined to favour the former, wished on one occasion to declare the adjournment of the House and to leave the chair, but he was made to resume his seat and kept there by force, one of the members saying, "God's wounds! Mr. Speaker, you shall sit there till it please the House to rise." From that day to this, he has been obliged on many an occasion to suffer a patient martyrdom. It is not unusual for the House, during an exciting debate, to sit till three or four o'clock in the morning, but one of the longest sittings in Canada was in 1859, when the Seigniorial Tenure question was under discussion, and the House sat for thirty-nine hours. The most exhausting sitting for a great many years in the English Commons occurred last year, when the South Africa Bill was under

\* "The House of Commons in Session," CANADIAN MONTHLY, March, 1877.

consideration, and a few Irish members wasted the time and patience of all parties by an interminable series of frivolous motions, but the House was in Committee of the Whole, and the Chairman of Ways and Means had consequently to suffer all the weariness and annoyance.

The Speaker in the Canadian House has at times to face a little difficulty which can never arise in the English Commons. It often occurs that he is not sufficiently conversant with the French language to interrupt a French member when he happens to infringe a point of order. In such a contingency he must depend on the translation of another member, who may not always catch the actual purport of the words, and it almost invariably results that a dispute arises and the Speaker is considerably perplexed how to decide. All motions, however, are translated at the table, for the French members have always clung with great tenacity to the use of their language in the official proceedings of the House. When the first Speaker of the Assembly of Lower Canada was proposed, in 1792, a question arose as to the necessity of a member knowing the two languages. The brother of Mr. J. A. Panet, who was then elected, expressed his opinion "that there is an absolute necessity that the Canadians, in the course of time, adopt the English language as the only means of dissipating the repugnance and suspicions which the differences of language would keep up between two peoples united by circumstances and obliged to live together," and in expectation "of the accomplishment of that happy revolution," he thought it "but decent" that the Speaker on whom they might fix choice "be one who could express himself in English when he went to address the representative of the Sovereign." This Mr. Panet, it appears, could only speak a few words of English. The old journals record his speech to the Governor-General as follows: "I humbly pray your Excellency to consider that I cannot express myself but in the primitive language of my native country, and to accept the translation in English of what I have the honour to say. My incapacity being as evident as my zeal is ardent to see that so important a duty as the Speaker of the First Assembly of the Representatives of Lower Canada be fulfilled, I most respectfully implore the excuse and com-

mand of your Excellency in the name of our Sovereign Lord the King." In those days the Governor-General delivered the speech to both Houses in English, and a translation thereof was read by the Speaker of the Legislative Council; and it was not till the time of Lord Elgin that the representative of the Crown read it in the two languages to the assembled Houses.

Whilst the Speaker is in the chair, his emblem of authority must always rest on the table in front of him. Most persons probably look upon the mace as a very unmeaning piece of metal, more ornamental than useful; but when we come to consider its uses, we find that it too has its significance like all other forms connected with parliamentary proceedings. It is a rule of the Commons that "when the mace lies upon the table, it is a House; when it is under the table, it is a Committee. When it is out of the House, no business can be done; when from the table, and upon the Sergeant's shoulders, the Speaker alone manages." Cromwell's contemptuous treatment of this ensign of authority is familiar to every one. Cromwell came into the House, according to Algernon Sydney, clad in plain black clothes, with gray worsted stockings, and sat down as he was used to do in an ordinary place. After a while he burst out into a tirade of abuse against the Parliament. Sir Peter Wentworth answered him, but Cromwell would not listen and called in the musqueteers who were outside awaiting his orders. Sir Henry Vane, observing this from his place, said aloud: "This is not honest, yea, it is against morality and common honesty." Then Cromwell "fell a-railling of him and cried with a loud voice: 'O, Sir Henry Vane, Sir Henry Vane, the Lord deliver me from Sir Henry Vane.' Then looking upon one of the members he said, 'there sits a drunkard;' and giving much reviling language to others, he commanded the mace to be taken away, saying, 'here, take away that fool's bauble.'" But the mace of the Canadian Parliament has also had to undergo equal contumely, not, however, at the hands of a statesman; but of a mob during a very exciting episode of Canadian history. The inexcusable riots that occurred in the city of Montreal on the 25th April, 1849, will be still fresh in the recollection of many persons. The excitement against the Rebellion Losses Bill culminated on that day, when Lord Elgin came

down to the Council and formally assented to that measure. When the rioters broke into the Parliament Building, the House of Assembly was in Committee of the Whole on a Bill to amend the laws relative to the Courts of original civil jurisdiction in Lower Canada. We find the following entry in the Journals of the proceedings that broke up the Committee: "Mr. Johnson took the chair of the Committee, and after some time spent therein the proceedings of the Committee were interrupted by continued volleys of stones and other missiles thrown from the streets through the windows into the Legislative Assembly Hall, which caused the Committee to rise, and the members withdraw into the adjacent passages for safety, from whence Mr. Speaker and the other members were almost immediately compelled to retire and leave the building, which had been set fire to outside." When the members left the Chamber, a number of rioters entered and proceeded to destroy the desks and gas globes, while one of them ascended the Speaker's chair and mockingly dissolved the Parliament. The mace was then lying under the table and caught the eye of one of the rioters who took possession of it and proceeded to carry it out of the Chamber. The Sergeant-at-Arms witnessed this daring act from the doorway leading into the library, and attempted to wrest it from the fellow as he was passing out; but several other rioters came up to their comrade's assistance and the sergeant was forced to relinquish his hold of the crown, which was nearly torn off in the struggle. It appears, however, that the mace was returned on the next day to the officers of the House; for an account of the proceedings on the 26th April, in Bonsecours Market, informs us that it was then lying on one side of the hall. I have not been able to find any printed account of the way it was returned to the Speaker, but the generally received story is that some of the rioters sent it to Sir Allan McNab, who, whatever might be his sentiments as to the cause of the riot, was far too wily a politician to keep possession of so dangerous a witness, and

accordingly took prompt measures to have it returned to its proper custodians. One of the little beavers, which surround the mace, was wrested off by one of the rioters, and was afterwards seen in the possession of a person in Montreal who probably would have liked, had he dared, to hang it to his watch guard. The same mace still remains in the possession of the Commons of Canada, though it is said a demand was made for it by the late Mr. Sandfield Macdonald, when Premier of Ontario, on the ground that it had originally belonged to the Province of Upper Canada previous to the Union of 1840; but Mr. Macdonald was disappointed and obliged to order another on that economical scale which was in conformity with his ideas of carrying on the government. Consequently, whilst the mace of the Ontario Assembly appears to the eye as brilliant an ensign of authority as the mace of the House of Commons, it is intrinsically very much less valuable, as it is only made of some cheap material, whilst the other is all silver, richly gilded. The mace of the Commons always remains in the possession of the Speaker, and is kept in his chambers whilst the House is not sitting and during the recess. It accompanies him on all State occasions where the House is supposed to be present. It will be remembered that the House passed a resolution in 1873, to give a State funeral to the late Sir George Etienne Cartier, and that Mr. Speaker Cockburn, dressed in his official robes, and preceded by the Sergeant-at-Arms with the mace, had a prominent place in the cortege. Whenever the Speaker enters the House, the mace must be carried in front of him; at the hour of rising it is removed from the soft cushion on which it reposes and precedes him into his adjoining chambers. And now, in closing this paper, we may suppose that the proper motion for the adjournment has been made and carried, that the genial Sergeant has shouldered the gilded ensign of legislative power, and that the Speaker has followed him out of the House to seek that repose which he too often sadly needs.

J. G. BOURINOT.

"THE FAIR OPHELIA."

"The young, the beautiful, the harmless, and the pious."—DR. SAMUEL JOHNSON.

PERHAPS it may be asserted, without fear of contradiction, that more has been written about Hamlet, the luckless Prince of Denmark, than about any other of those immortal existences with which Shakspeare's creative genius has peopled the world of imagination. Every earnest student of drama in life and literature puts a different interpretation on one phase or another of this enigmatical hero's character, and every year some new solution of its fascinating problems is offered to the public.

And either by the perfect skill of the great dramatist, or the subtle intuition of genius which seems to transcend art and better nature, but is in truth that supreme art which nature makes,\* Ophelia, in this respect as in others, shares the lot of her mysterious lover. The timid, voiceless reticence veiling her inner life, which is the most stringent law of her being, and in which the true key to her character and conduct must be found, has puzzled the critics as much as Hamlet's dreamy speculations and indecisive utterances; and scarcely one has had sufficient insight to penetrate the delicate veil so subtly woven round her, and discern the pale beautiful hues, the soft opaline tints, the pearly lights and shades in which the great artist has painted this exquisite portrait of a most rare and lovely type of womanhood.

Still, in spite of all misapprehensions, this white rose of Denmark, while seldom if ever fitly appreciated, has generally had an irresistible attraction for all lovers of dramatic art, or art in any form. A list of the painters—English, French, and German—who have painted her in her pathetic madness or mournful death, would be a long one. *The Death of Ophelia* is one of Millais' early masterpieces, and the well-known French artist, M. Bertrand, has painted a picture on the same theme, which has been much admired. But of all the pictures her sad story has inspired, *La Triste Rivage*, the work of

M. Hamon, another French painter, is the most fanciful and original in its *motif*, which represents her consoled by Love while with other parted spirits she waits for Charon's boat beside the doleful river. A crowd of disembodied souls, still wearing the semblance of earthly life, are grouped among the gloomy rocks and caverns through which the dark water glides. Princes in royal robes, poets crowned with laurel, young mothers clasping their babes, lovers whispering together, are there, and a shadowy form holding a branch of olive beckons them onward. Ophelia, clad in robes of gleaming white, lies beside the slumberous, leaden-hued river as if asleep and dreaming; her "honey-coloured hair" flows over her shoulders and breast; two maidens with burning lamps lie at her feet, while Eros with white dove-like wings hovers over her head, filling her dream-like reverie with inspired promises of future bliss.†

"If thou marry," Hamlet says to Ophelia, "I'll give thee this plague for thy dowry: be thou as chaste as ice, as pure as snow, thou shalt not escape calumny." Strangely enough his words have been fulfilled, for, though only the bride of Death, calumny has been her portion. Tieck, with a want of poetic insight curiously opposed to the romantic spiritualism his poetry assumed to represent, and equally at variance with the plainly implied meaning of Hamlet's words, "as chaste as ice, as pure as snow," supposed her to have been Hamlet's mistress; not in the high and pure sense attached to the title in the days of chivalry, but in that ignoble one into which it degenerated in a coarser age. But all who recognise the deep pathos which lies in the cruel contrast between her character and its surroundings, so finely and delicately worked out by the master mind which conceived, and the master hand which formed this matchless image of fair unhappy girlhood perishing innocently in her helpless grief and distraction, and feel the mute appeal of her

\* Winter's Tale, Act IV, Scene ii.

† Athenæum, June 7th, 1873.

silent and suppressed anguish, more persuasive of pity to those who can comprehend its language than the most eloquent words, will thoroughly sympathise with that chivalrous English gentleman who sent a challenge to the German poet for having so foully slandered her fair and unpolluted innocence. Goethe, though he did not go quite so far as Tieck in misreading Shakspeare, accused her of wishes and longings and proneness to dally with the mysteries of love incompatible with virgin modesty. Even Mr. Ruskin is so insensible to the sad, sweet pathos of her character that he reproaches her with being the weakest of all Shakspeare's heroines, and lays upon her delicate head the heavy burden of Hamlet's failure.

True it is that the fair Ophelia is not a strong-minded woman in any sense, either noble or ignoble. She is no more a Portia than she is a Lady Macbeth. She belongs to that order of women to which Scott's Lucy Ashton belongs; gentle, undemonstrative, timid, docile, with a depth of hidden feeling which she has no power of expressing, and a speechless tenacity of affection so persistent and clinging that it cannot be torn from the object round which it twines without injury to all the finer fibres of her being. Fitted for the loved and loving woman's place in happy domestic life, made for peace and tranquillity, not for tempest and strife, formed for submission, not for sway, she has no proud, impassioned self-assertion, no strength or energy of will to conquer opposing circumstances or combat fate. Wanting all those active elements of resistance and defiance which make the true tragic heroine, she becomes one only by being the helpless victim of a tragic destiny. And here again there is that subtle adaptation to Hamlet before alluded to. He is as little of a true hero as Ophelia of a heroine, and sinks beneath the burden too great for his strength which fate has imposed upon him: the only difference is that the man struggles in the toils which he clearly sees, but is powerless to break through, while the woman yields blindly as well as helplessly, unaware of the meshes fate and circumstance are weaving round her feet.

This "rose of May," this "kind sister," this "sweet Ophelia," is, as it appears, motherless and sisterless, the sole daughter and lady of the house. That she was tenderly loved by her father, the pompous

and politic old Polonius, and her brother, the gay and impetuous Laertes, we need not doubt; but their love was clearly of that selfish, unsympathetic, despotic kind, which inferior men generally bestow on the women under their control; a love which even in its most refined and tender form only prizes and protects those fair delicate flowers of humanity as sweet and lovely appendages to the larger and fuller lives of the men for whose solace and delight they were born, and with no other excuse for being. We see that Polonius and Laertes never for a moment conceive it possible that she can have any will or opinion contrary to or even independent of theirs, nor dream that, beneath her gentle reticence and that docile obedience with which timid and dutiful natures surrender all they most cherish to the claims of authority, hopes and wishes, altogether at variance with those they expect her to feel, may lie hidden.

Without mother, without sister, without any loving companion to cheer her solitude, the lonely girl sits "sewing in her closet," working at her tapestry, or embroidering garments for her father, her brother, or herself after the fashion of her time, and while she plies her needle, weaving with her threads sweet or bitter fancies as the feeling of the moment prompts, and singing snatches of old songs, sad or joyous, according to her varying moods. Her chamber, where Laertes takes leave of her before he goes to France, and where Hamlet afterwards bids all the love he had felt for her a strangely passionate, though mute and fantastic farewell, we know to have been very unlike a modern lady's boudoir. A lady's bower in those days was simply the upper chamber of the house; we must therefore picture Ophelia's bower or closet, as the upper room of her father's roughly built log house, one of many similar rough dwellings inhabited by the courtiers and retainers of the chieftain or king, lying within the royal borg and protected by the royal fort or castle, which was also built of logs, and was at once the king's stronghold and palace. The floor of Ophelia's chamber is strewn with fresh tufts of pine or sprays of cedar, giving out a pleasant aromatic odour to the tread; the windows are open to the sea-breezes except when closed by shutters to keep out the rain or snow, and the sharp winds force their way through many chinks

and crevices and wave the tapestry hangings which cover the log walls. There is little furniture, except the couch with its silken coverlet and embroidered cushions which served as a bed by night, a seat by day; a harp or lute, and an embroidery frame; one or two gold cups and silver-hilted knives; and the jewels and rich dresses in which so much of the wealth of those days consisted; to which we may, perhaps, add such pretty adornings as female taste and skill in that rude age could create from feathers and flowers and similar simple materials. It is amidst such surroundings, and amidst a maze of mirrors and pictures and old china, we must imagine the fair Ophelia, seated at her embroidery, while the clash of arms, the words of martial command, and the shouts of the soldiers with their noisy wassails, mingle with the dashing of the waves on the wild and stormy steep of Elsinore. A pearl of the true and tender North, this sweet Ophelia is fair as the sea-foam, with sapphire blue eyes, and abundant tresses of pale, golden hair, with slender, delicate limbs, and small harmonious features, sweet, serene, and a little pensive, not sad. She wears a red silken kirtle and a mantle of blue, her girdle is embroidered with gold, and her shoes are clasped with the same precious metal; her fair hair falls in shining tresses to her waist, and is drawn back from her brow by a silken bandeau\* wrought with gold and pearls, the badge of maidenhood worn of old by Northern maidens till marriage or the loss of virgin innocence forced them to lay it aside, to knot up their long tresses and cover them with coil or kerchief.

Even at Elsinore it is not always stormy, and on the day that Laertes goes to bid his sister farewell before setting out for France, the sky may have been blue and bright, the air soft and balmy, and the waves breaking with gentle ripples and placid murmurs on the gray steep rocks that met and stopped

their career. Sitting at her open casement, pausing now and then as

"She weaves the sleided silk  
With fingers long, small, white as milk,"

to watch the happy sea-birds in their play, and half unconsciously drinking in the beauty and brightness in which all nature seemed to rejoice, she may have been thinking of love and happy lovers, of Hamlet and his passionate words hid in "her excellent white bosom," while before her dazzled fancy flit visions of bliss so vague and intangible that she dare not look at them long enough to give them shape or name, lest they should suddenly vanish.

But Laertes rudely wakes her from her day-dreams, and as he pours into her startled and bewildered ears terrible words of warning against Prince Hamlet and his love-songs, and she hears the cherished secrets of her heart, which she had scarcely dared to whisper to herself, much less to any other, dragged from their sanctuary and turned into a deformed and distorted travesty of the beautiful visions on which she had looked with timid joy as at a sacred mystery of wonder and delight, must she not have felt like the horror-stricken mother who sees a misshapen miserable changeling in the cradle instead of her beautiful and beloved darling, or that unhappy wretch who finds the fairy gifts in which he has been secretly exulting suddenly turned into dead and withered leaves? As if a canopy of cloud had suddenly darkened the heavens and turned day into night, we see her grow pale and shiver, as if with a presentiment of coming woe. Too much absorbed in the prospect of enjoying his liberty in France to pay much attention to such slight signs as betray emotion in Ophelia's restrained and reticent nature, Laertes, eager to be off, returns to his own affairs, and, as he bids her farewell, tells her to let him hear from her while he is away.

"Do you doubt that?" she asks in her gentle, undemonstrative way. And then something of suppressed pain and agitation in her voice or manner seems to have forced its way through Laertes's dull egotism and easy assumptions. Can it be possible, he asks himself, that she has been more moved by Hamlet's unmeaning gallantries than he had believed? and he delays his departure to repeat and enforce his previous warnings.

\* The Scottish snood, the Scandinavian and German garland, crantz, or crown.

"Tom is the garland, the fair blossoms strewed," says poor Margaret, as she laments her sin and shame in the prison cell. And Mr. Millais in his picture of Effie Deans touchingly depicts the poor lily of St. Leonard's, soon to be a mother, though no wife, holding with nerveless, drooping arm the blue, silken snood which she has just taken off as she appeals to her lover for the help and protection she so much needs.



"For Hamlet, and the trifling of his favour,  
Hold it a fashion, and a toy in blood ;  
A violet in the youth of primy nature,  
Forward, not permanent, sweet, not lasting ;  
The perfume and suppliance of a minute ;  
No more."

And then she ventures a faint and timid remonstrance, a pathetic appeal against the doom he has pronounced, which in so reserved and undemonstrative a nature shows deeper emotion than volumes of supplication in those whose feelings find ready and fluent expression :

"No more but so?"

"Think it no more," Laertes replies as lightly as if he were merely destroying a stray weed in a garden of flowers, not trampling down the buds of love and hope and trust in his sister's heart ; and he hastens to clinch his moral with such words of wisdom as might have been expected from the well-instructed son of Polonius. Venturing no farther expostulation, she receives his lessons with quiet submission and with harmless will, which in other circumstances might provoke a smile, but which now has an echo of stifled pain more fit to move our tears ; she tries to hide the wound she has received and ward off any more cruel stabs by turning the tables on Laertes, and repeating some of the wise saws learned from their father's sapient lips in answer to the word-wisdom he had bestowed on her. But she cannot thus escape from her doom. She has to endure another course of counsels and commands from her father, and as she sees every fragment of the veil of celestial warp and woof which her fancy had woven round Hamlet's love torn away, she begins to comprehend that if it was indeed only a dream and no reality, she is the most wretched and most disconsolate of women, and, plucking up a desperate courage from the very extremity of her fears, she tries to assure herself and convince her father of her lover's truth and sincerity :

"My lord, he hath importuned me with love  
In honourable fashion,  
And hath given countenance to his speech, my  
lord,  
With almost all the holy vows of heaven."

But Polonius, far too worldly-wise after his fashion to believe easily in a prince's disinterested affection, mocks at her simple

faith and girlish innocence, tells her with many set phrases that Hamlet's vows are only meant to beguile and betray, and imperiously commands her to listen to them no more. And what can poor Ophelia do but dutifully promise obedience?

In the next scene in which she appears, we see her rushing suddenly into her father's presence, terrified out of all her reticence and self-control, and in her excitement vividly describing the strange appearance and behaviour of Hamlet which had so much agitated her :

"O, my lord, my lord, I have been so affrighted!"

"With what, in the name of heaven?"

"My lord, as I was sewing in my closet,  
Lord Hamlet,—with his doublet all unbraced ;  
No hat upon his head ; his stockings foul'd,  
Ungarter'd, and down-gyved to his ancle ;  
Pale as his shirt ; his knees knocking each other ;  
And with a look so piteous in purport  
As if he had been loosed out o' hell,  
To speak of horrors ;—he comes before me."

"Mad for thy love "

"My lord, I do not know ;  
But, truly, I do fear it."

"What said he?"

"He took me by the wrist, and held me hard ;  
Then goes he to the length of all his arm ;  
And, with his other hand thus o'er his brow,  
He falls to such perusal of my face  
As he would draw it. Long stay'd he so ;  
At last,—a little shaking of mine arm,  
And thrice his head thus waving up and down,—  
He raised a sigh so piteous and profound,  
As it did seem to shatter all his bulk,  
And end his being : that done, he lets me go ;  
And, with his head over his shoulder turn'd,  
He seem'd to find his way without his eyes ;  
For out o' doors he went without their help,  
And, to the last, bended their light on me."

Polonius is now convinced that Hamlet's love for Ophelia is no trifling or evanescent fancy, but a violent passion stung into madness by her rejection.

"This is the very ecstasy of love!" he exclaims, and, full to overflowing with word-wisdom and lip-lore, he speculates on the power of such a passion to lead the will to desperate undertakings, and, we may conclude, calculates that through his politic management the King and Queen will be led to desire Hamlet's marriage with Ophelia as the only means of saving him from some wild outbreak, dangerous to the state as well

as to himself. With as little consideration for his daughter's feelings now as when he told her to look on the Lord Hamlet as a prince out of her sphere, and commanded her to repel his visits and reject his letters, he exults in the certainty of the prince's violent love, and, pondering ambitious hopes and projects of which she is to be the docile instrument, he hastens to the king. Having in his prolix fashion unfolded his tale, thus at any rate, as he hopes, proving his loyalty and disinterestedness and that astute discernment which could find truth though hid "within the centre," he produces Hamlet's letter "to the celestial, and my soul's idol, the most beautified Ophelia," in which some prosaic critics have seen only the hyperbolic extravagance of euphuistic gallantry, while more romantic readers accept it and its most Hamlet-like conclusion—"Thine evermore, whilst this machine is to him, Hamlet"—as the fervid, impassioned language of a youthful lover who is "of imagination all compact." The king and queen certainly seem to regard it as a genuine love-letter. To them, however, any explanation of Hamlet's morbid moods and mysterious behaviour, besides that which their guilty consciences whispered, could not fail to be welcome, and any course of action that might occupy him with other matters than his father's death, his mother's marriage, and his uncle's usurpation, and make him contented with the new condition of things in Denmark, must have been acceptable. Still, the king's suspicions that something of more dangerous import than love was brooding in Hamlet's soul were not to be quieted without further proof, and this Polonius readily undertakes to give. Ophelia's conduct, in submitting to be the instrument of her father's plot, has been denounced as heartless treachery to her lover, but this is only one of the many calumnies of which she has been the victim. Though, after she has told her father of Hamlet's distracted conduct, he says, "Come, go we to the king," Shakspere takes care that she is not present when Polonius expounds the cause of the prince's lunacy, and promises to confirm the truth of his assertions by means of his daughter. We have no scene to show us how the plot was first presented to her, but we may be very sure she regarded it in no other light than as the means of restoring Hamlet to health and sanity. The queen's speech to her before

she is left alone to wait for Hamlet's entrance puts this beyond question :

"And, for your part, Ophelia, I do wish  
That your good beauties be the happy cause  
Of Hamlet's wildness; so shall I hope your virtues  
Will bring him to his wonted way again,  
To both your honours."

What wonder that such delicate flattery should inspire her with the hope of securing her lover's happiness and her own by obeying the directions of her father and of the royal pair whose commands she would have thought it sacrilege to resist, and in whose professions of affection for Hamlet she would naturally put implicit trust. But with characteristic reserve, she simply answers the queen's gracious speech with the brief words,

"Madam, I wish it may."

While she waits and watches for her lover, she reads, or seems to read, the book her father put into her hands—a book of prayers, as we learn from Polonius's sapient moralising, and Hamlet's first address to her. As he enters, he dreamily utters his immortal soliloquy; then, suddenly becoming conscious of Ophelia's presence, he starts a little in surprise :

"Soft you, now !  
The fair Ophelia.—Nymph, in thy orisons  
Be all my sins remember'd."

But though he at first addresses her in this complimentary strain, he quickly proceeds to show her, with what seems the most callous cruelty, but is in reality the reckless bitterness born of despair, that cynicism and scorn have taken the place of faith and love in his heart, and, when she timidly ventures on a kind answer to his greeting—

"Good my lord,  
How does your honour for this many a day ?"

he replies with cold and mocking courtesy,

"I humbly thank you, well."

Ophelia, innocently thinking herself the sole cause of his disordered mind, gently tries to lead his thoughts back to the happy days when he had first sought her love :

"My lord, I have remembrances of yours,

That I have longed long to redeliver :  
I pray you, now receive them."

Lightly he answers,

"No, not I ;  
I never gave you aught."

She still persists in her gentle efforts to appease the anger she thinks she has deserved :

"My honour'd lord, you know right well you did ;  
And with them words of so sweet breath composed  
As made the things more rich : their perfume lost,  
Take these again ; for to the noble mind  
Rich gifts wax poor when givers prove unkind."

But her lover, once so passionately tender and adoring, has apparently grown hard as the nether millstone, and treats her with that cold and cutting irony with which such natures as Hamlet's, over-refined and speculative, and withal somewhat weak and selfish, so often try to lessen the pain they cannot bear by inflicting it on the innocent cause of their sufferings.

"Ha ! ha !" he roughly exclaims, "are you honest ?  
. . . . Are you fair ?"

"What means your lordship ?"

"That if you be honest and fair, your honesty should admit no discourse to your beauty," &c., &c.,

thus signifying his conviction that the love her words and manner timidly imply is only seeming and pretence, and warning her what the results of playing with men's hearts after such a fashion must be. And then comes the pathetic touch :

"I did love you once."

"Indeed, my lord," she answers, "you made me believe so."

But he instantly hardens himself again, throwing the blame of his fickleness, not only on her feminine credulity, but on destiny, and that evil vein in his blood which had come as his heritage :

"You should not have believed me ; for virtue cannot so inoculate our old stock, but we shall relish of it. I loved you not."

And then, unsoftened by her simple and touching reply—

"I was the more deceived —"

he breaks out into a fierce tirade against human nature, and especially woman's nature, in language which serves satirists as well in our own days as in those of Hamlet to ridicule the vanities and frivolities of womankind :

"God hath given you one face, and you make yourselves another ; you jig, you amble, and you lisp, and nickname God's creatures, and make your wantonness your ignorance. Go to ; I'll no more of it ; it hath made me mad. I say, we will have no more marriages ; those that are married already, all but one, shall live ; the rest shall keep as they are. To a nunnery, go."

And so he leaves her, while she remains,

"Of ladies now so deject and wretched,  
That suck'd the honey of his music vows,"

lamenting the

"sweet bells jangled, out of tune and harsh ;  
That unmatch'd form and feature of blown youth  
Blasted with ecstasy. O, woe is me,  
To have seen what I have seen, see what I see."

Mr. Ruskin tells us that it is because Ophelia in her weakness fails Hamlet at the critical moment, and is not and cannot in her nature be a guide to him when he needs her most, that the bitter catastrophe follows. But those who accept the key which to us seems to unlock all the secret recesses of her character, namely, that inwardness and reticence of nature which made it impossible for her to break through the bonds of timid reserve which chained the expression of her feelings, and formed the unconscious mystery of her being, can by no means allow that any blame of neglected responsibility, or failure in womanly love and duty was ever intended to rest on her by Shakspeare. She acts all through as such an ideal of timid, submissive, gentle girlhood as Shakspeare had in his imagination, must inevitably have acted. Her function was obedience, not guidance, and Hamlet must certainly have known that it was in obedience to her father's commands that she had refused to receive his visits. In truth, it was Hamlet who failed Ophelia, and his weakness which destroyed both himself and her. Had he been true to himself, he would have been true to her, and had he boldly confronted his destiny, as heroes do, he might have sustained her womanly weakness with his manly strength, and

have either carried his fortunes to a triumphant issue, or nobly fallen in a fair and open combat with "inauspicious stars," or fate, or whatsoever dark, mysterious Powers he burdens with the responsibility he tries to shirk, and which Mr. Ruskin throws on the hapless and innocent Ophelia.\*

As we have said before, Hamlet is no hero. Dreamy, speculative, indolent, and fanciful, his nature was all disordered and unstrung by the terrible revelations which had confirmed the previsions of his prophetic soul, and bent his haughty spirit beneath what he calls "the yoke of inauspicious stars." His faith in human truth and virtue was at once destroyed, and over all womanhood especially the guilt of his "most seeming virtuous" mother had cast its dark reflection. Called, as he believed, to give up his love for Ophelia, along with every other trivial fond record of the heart, that he might devote himself to the sacrifice his father's ghost had laid upon him, he had not the generosity and manliness to make the sacrifice bravely. He plunged at once into the dark waters of moral scepticism, and made himself drunk with them as with an opiate which, however poisonous, yet blunted his pain. Why should he regret the loss of his love? There was no genuine truth or lasting purity in woman. And why should he pity Ophelia for having lost her lover? Let her take refuge from the world and its corruptions in a nunnery, the only place in which she could be kept innocent and harmless. When he bursts in on her with disordered dress and distraught demeanour, as she sits sewing in her closet, he simply seeks some relief for his over-wrought emotions, by taking, in this fantastic fashion, an eternal farewell of the love he had resolved to renounce. When he finds her where she has been placed by her father to await his approach, the lessons of cynicism he has been learning are more thoroughly mastered, and it is not necessary to believe that he has seen the king and Polonius in their hiding-place, and thinks Ophelia their willing instrument in a plot to surprise his secrets, to account for the rude and insolent behaviour

with which he tries to drive away all tenderness, all relenting, to trample on all the finer fibres of his heart, and make the death of their mutual love a sacrifice of cruel torture to both. Still more revolting is his treatment of her at the play, where, in accordance with his vow of sweeping from his memory "all trivial fond records," he seems bent on showing how slight and worthless a thing he deemed a woman. "He plays the madman most," says that tender-hearted old autocrat, Samuel Johnson, "when he treats Ophelia—the young, the beautiful, the harmless, and the pious—with rudeness which seems to be wanton cruelty."

In a wholly different spirit from that of Johnson, some critics labour to clear Hamlet from all stains of morbid weakness and selfish cruelty by blackening the fame of poor Ophelia; and tell us that the light and unfeeling manner in which she receives his odious speeches at the play proves her want of self-respect and modesty. But under any circumstances an exhibition of insulted dignity or injured virtue would have been wholly incompatible with Ophelia's timid and reticent nature; the more deeply she felt the outrage offered to her purity and her love the less able would she be to give utterance to her pain. It must be considered, also, as some excuse for Hamlet's repulsive language, that in those days there was much greater license of speech than at present. Coarse jokes and indelicate allusions were the fashion of his time, repeated and laughed at by prince and peasant, milk-maid and fine lady. The divine inspiration of Shakspeare made his works purity itself compared with those of his contemporaries, yet, with reverence to the great master be it said, even he sometimes allows certain words and phrases to drop from the lips of high-bred lord or lovely lady so repugnant to the greater refinement of manners, if not morals, in these latter days, that they jar on us like harsh discords suddenly coming in the midst of harmonious music, blows from the fair hand of a bride, or any other most painful and perplexing incongruity. Our modern refinements and reticences were then unknown, and the wild licence of Hamlet's gross insults to modesty and womanhood, in which his diseased and over-strained mind, wrought up to the very verge of madness, found a safety valve, would not in Shakspeare's time have seemed so odious and unpardonable as in our own.

\* It is strange that Mr. Ruskin does not see that Ophelia is formed of that "ductile and silent gold," of which he tells us in "Fors" for May, 1876, ancient womanhood was composed. Yet the Hebrew Miriam was not silent. Neither, indeed, was the Greek Xantippe.

To Ophelia they were the mere ravings of insanity, and to attribute her gentle endurance of them to any lightness or unchastity of nature is grossly to misunderstand Shakspeare's conception of her character, and foully to slander the gentlest, the sweetest, the most pathetic figure among all the radiant shapes of womanly virtues and loveliness which pass before us in the magic mirror in which he reflects for us the human heart.

When next Ophelia comes before us she is hopelessly frenzied and distraught. And in this lies one of those subtle psychological mysteries, so often indicated by Shakspeare with finest artistic touch. So possessed was her sensitive, sympathetic nature with the grief and horror of Hamlet's madness, that she became actually the victim of the awful phantom which had so strongly impressed her imagination, and the frenzy which her lover had only assumed and dallied with, half by design and half in wayward wantonness, became in her a terrible reality.

"Nature is fine in love, and where 'tis fine  
It sends some precious instance of itself  
After the thing it loves."

Like Scott's Lucy Ashton, like Hawthorne's Priscilla, Ophelia's mind was a finely strung instrument sending forth sweet music at every gentle and tender touch, but shattered for ever by a harsh and discordant blow. And many harsh blows had suddenly stricken her. First the separation from her lover forced on her by her father's command; next Hamlet's apparent madness, of which she believed herself the cause; then her father's death, slain, as it was whispered, by her lover's frenzied hand. Such cruel strokes as these might have crushed a far stronger spirit than the gentle Ophelia.

Most pathetic is the scene where she enters while Laertes, "casting away both worlds in negligence," is vowing vengeance for his father's death; and the dullest imagination might picture it without the aid of any stage presentment. We see the guilty, terrified king and queen vainly trying by an assumption of royal dignity to hide their dread of that impending retribution with which all things now seem to menace them. We see Laertes raving in frantic fury, and then we see Ophelia enter. She comes with uncertain wavering steps, with white wasted face, with wild wandering gleams in her

sunken blue eyes, but still showing her pretty, womanly tastes and fancies by the garlands fantastically woven in her hair, and the flowers and weeds she carries in her hands. Her glance falls without recognition on her amazed and bewildered brother, and as he comprehends what has befallen her the terrible shock calms all his reckless rage. The pity of it fills him with a passion of wonder and sorrow; he seems to fall into that state described by Leonatus:

"Being that I flow in grief  
The smallest twine may lead me;"

and he becomes on the instant a fit tool for the crafty king to work with.

Even in madness the mystery of reserve still clings to Ophelia and veils her grief, and her sorrow for her dead father and her lost lover only finds utterance in snatches of old songs and the language of flowers:

"O rose of May!  
Dear maid, kind sister, sweet Ophelia!—

Hadst thou thy wits, and didst persuade revenge,  
It could not move thus."

We can hardly go astray in divining how she distributes her poor little gifts. With that strangely vacant glance and smile which tells at once that the soul lies bound and torpid, she looks about her, and then, moved by some vague memory or unconscious instinct, she turns first to her brother:

"There's rosemary, that's for remembrance;  
pray you, love, remember: and there is pansies,  
that's for thoughts."

"A document" (or instruction) "in madness," says Laertes, eagerly watching her words for some indication of meaning to instruct his revenge; "thoughts and remembrance fitted."

Seeing and hearing nothing but her own fantasies, she turns to the King:

"There's fennel for you, and columbines."

Then to the Queen:

"There's rue for you; and here's some for me:—  
we may call it herb of grace o' Sundays:—you may  
wear your rue with a difference."

Rue in old herbals is said, on the authority of Galen, to be antagonistic to love, and Ophelia seems to have this in her mind when

she divides her rue with the Queen, while the words, "you may wear your rue with a difference," touchingly and delicately imply that while both had loved, not wisely but too well, the Queen's love had been unlawful and unholy, while her's had been spotless and pure.

"There's a daisy—I would give you some violets, but they withered all when my father died—they say he made a good end;—

'For bonny sweet Robin is all my joy.'

And playing thus with the sorrows that had blighted her life and broken her heart, she turns "thought and affliction to favour and to prettiness."

"He is gone, he is gone,  
And we cast away moan;  
God'a mercy on his soul!  
And of all Christian souls, I pray God. God be wi' you!"

And so she passes away, spirit-like as she had come, and goes to her mournful death—"drowned! drowned!"—in the placid little brook, under the weeping willows, among the wild weeds and flowers she had loved, and with which she had played so pathetically in her madness.

But her part in the sad drama is not yet done. In slow, solemn procession she is borne to her grave, beside which Hamlet, all-unconscious of her fate, had sought a brief intermission from his burden of fateful woe in bandying quaint jests and cynical "moralities" with the grave-digger.

"But soft! but soft! aside:—here comes the king, The queen, the courtiers! Who is this they follow,  
And with such maimed rites? This doth betoken,  
The corse they follow did with desperate hand  
Foredo its own life: 'twas of some estate.  
Couch we awhile, and mark!"

LAERTES—What ceremony else?

PRIEST—Her obsequies have been as far enlarged  
As we have warranty: her death was doubtful,

And, but that great command o'ersways the order,  
She should in ground unsanctified have lodged  
Till the last trumpet; for charitable prayers,  
Shards, flints, and pebbles should be thrown on  
her:

Yet here she is allowed her virgin crants,  
Her maiden strewments, and the bringing home  
Of bell and burial.

We should profane the service of the dead  
To sing safe requiem and such rest to her  
As to peace-parted souls.

LAERTES—Lay her in the earth;—  
And from her fair and unpolluted flesh  
May violets spring! I tell thee, churlish priest,  
A ministering angel shall my sister be,  
When thou liest howling!

HAMLET—What! the fair Ophelia?

QUEEN (scattering flowers)—Sweets to the sweet!  
Farewell!  
I hoped thou should'st have been my Hamlet's  
wife;  
I thought thy bride-bed to have decked, sweet  
maid,  
And not have strew'd thy grave."

Then, as Laertes, leaping into the grave, invokes ten times treble woe on his sister's destroyer, Hamlet's long pent-up emotions break forth. In a furious fit of Berserker-rage, he too leaps into the grave and seizes Laertes.

"This is I,  
Hamlet the Dane.

Nay, an' thou'lt mouth,  
I'll rant as well as thou.

I loved Ophelia; forty thousand brothers  
Could not, with all their quantity of love,  
Make up my sum."

That this passionate cry of long-suppressed love was the genuine voice of his tortured heart, we surely were never intended to doubt, and let us hope that poor Ophelia's gentle spirit, lingering by her new-made grave, heard and understood it, and, soothed and satisfied at last, carried it joyfully with her to the spirit land.

LOUISA MURRAY.

## THE PASSING OF AUTUMN.

TRAILING his misty garments far along,  
 Which, from his tall dim-shadowed shoulders cast,  
 Fell on the earth; chaunting an ancient song,  
 Murm'ring, the Angel of the Autumn passed.

Passed—with his great grey wings spread wide aloft  
 Through the deep air, and o'er the smiling sky;  
 Just 'scaping earth as with a motion soft  
 He glided, thrilling that unceasing cry.

Passed—and the wild-voiced forests felt his breath,  
 And bowed and quivered in their night of fears,  
 And sent, as feeling the approach of death,  
 A troublous murmur o'er the placid meres.

The wild swan, straining on its wings of snow,  
 Meeting the phantom shrieked a boding knell;  
 The Angel wept that all should fear him so;  
 To earth the shriek through the abyss of ether fell.

Fell, and in falling roused to take their flight,  
 Whatever haunts the sedge and reedy fen;  
 They passed athwart the waning purple light,  
 In long dark rank above the heads of men.

So the night fell; and then the Angel stooped  
 To where the blood-red moon refulgent lay  
 On the horizon; and the great wings drooped  
 Nearer the earth; but it he bore away.

Bore as a buckler chased of purest gold  
 Far up th' ascent of sky upon his arm;  
 But all men shivered, for his breath was cold:  
 "Alas!" said they, "he comes to work us harm."

And then the Angel: "Ah, I must to work;"  
 And so he sent a warning cry abroad,  
 That pierced to every dell and cranny murk  
 Where live the elves from homes of men outlawed.

Then all that storied elfin race came forth  
 And stood beneath his shield upon the plain;  
 Not one of all—South, West, or East, or North—  
 Lagged or dared still in hiding-place remain.

When thus he spake : " Ye know, my willing fays,  
 Why ye are called : disperse, and to your task ;  
 Scatter o'er all this earth of many ways ;  
 Hasten the Fall ; prepare the world's death mask."

And so they sped and painted all the leaves,  
 Vermeil and golden and more varied dyes  
 Than wears that bird, who, where the South sea grieves  
 Round happy isles, on the spiced breezes flies.

But soon these leaves grew russet-brown and sear,  
 And fell in rustling showers upon the ground,  
 As still the windy gusts with moaning drear  
 Swept through the boughs with deep-voiced mournful sound.

And then the Angel mounted somewhat up,  
 And cried aloud : " His boasted strength is fled :  
 Deep—to the dregs—he hath drained the appointed cup ;  
 Sing ye his requiem, for the year is dead."

" Dead !" cried the forests, and prolonged the moan,  
 Telling it as a burden to the wind,  
 Which swept it on across the moorland lone  
 Leaving a strange unnatural calm behind.

The robin feeding on the thorny spray,  
 Scared from his meal, dropped the dry seed and fled,  
 On frightened pinion speeding far away,  
 Re-echoing as all else in nature—*Dead !*

Once more the Angel, ever mounting higher,  
 Cried yet again—the voice was far and faint,  
 Like the wild whisperings of an Æolian lyre,  
 Or music heard in visions by a saint—

" Those paintings were the hatchments of his race ;  
 His race was ancient, and their blazons proud ;  
 Yet even he hath knelt and veiled his face,  
 And low before a mightier power hath bowed.

" Swathe him, O Winter, in a shroud of snow ;  
 Lay him in state with mournful wailings due ;  
 Strew o'er his grave what latest flowerets blow—  
 Yellow chrysanthemums, and sprigs of yew."

The voice grew very faint ; the Angel knocked .  
 At heaven's gate, and bowed the adoring head ;  
 On earth the haw-trees wildly swayed and rocked ;  
 The winds were saying masses for the dead.



PERSONAL REPRESENTATION AND THE REPRESENTATION OF MINORITIES.\*

HITHERTO we have been engaged in a comparison of the relative merits of the different systems of election whereby the representation of minorities may be secured ; and, having arrived at a conclusion on this point, on an examination of the validity of the objections made to the system assumed to be the best, and the means of overcoming such of them as appeared to be valid. The arguments in favour of adopting the system advocated remain for consideration.

On this point it may be remarked that, if the reasoning in the second of these papers is correct, the expediency of the change advocated must be conceded. Mr. Bagehot, writing in 1866, has confessed that if Mr. Hare's scheme would accomplish even *half* what its friends say, it would be worth working for, if it were not adopted until the year 1966. In reply to his arguments, I have endeavoured to prove that some of his objections to it are inconsistent with one another; that others are incorrect in point of fact; and that those which may be admitted to have weight could be overcome by trying Mr. Hare's scheme of election by quotas on a smaller scale than that proposed by him, and by substituting successive pollings for his scheme of contingent voting. Hence it follows that if I have succeeded in establishing these positions, the ablest opponent of Personal Representation would be forced—were he alive—to admit that the scheme advocated in my last paper is worth a century of agitation! It is, of course, for my readers to judge of the correctness of my positions; but, that once granted, they must either advance new arguments against the scheme or concede its expediency. This fact will appear more clearly as its advantages are set forth in detail.

1. The difficulty of obtaining seats for Ministers is one very frequently felt at present. As the law now stands, it declares that any member on accepting a seat in the Cabi-

net shall vacate his seat in, and cease to be a member of, the House, unless he be re-elected by the same, or some other, constituency. The need of re-election thus established is nearly always seized by the Opposition as a means of winning two votes, unseating a Minister, ejecting him from the House, and defeating an appointment. Their success is frequent, and the result is that inferior men are often taken into the Ministry instead of their betters, in order to avoid the risk of defeat at the polls. Thus the country gets a bad ruler instead of a good one; or, perhaps, the good man may be appointed and defeated, in which case the country loses his services in the House as well as in the Ministry. The existence of this evil is notorious; in one instance a gentleman was kept eighteen months in the Ministry without a seat in the House, and of late two defeats were before us in the cases of Messrs. Laurier and Vail. That it is a very serious evil none can doubt. Whatever party is in power ought to be allowed to bring its best men to the public service; for if this right be refused it, the public will suffer. The difficulty would cease to exist with the establishment of personal representation, as the constituency, being unanimous, would not fail to re-elect the man who had justified their choice by winning an honourable post, which fact now only strengthens the enmity of his foes. I have no doubt that since the establishment of Responsible Government, under which no Ministry can hold office for a week against the will of the House, this vacation of seats on acceptance of office has become unmixedly mischievous in throwing obstacles in the way of bringing the best men into power, and decidedly inequitable in practically giving the majority of a single constituency a veto on a matter in which the whole country is interested. But as we may be sure that, having a democratic odour, it will not be abandoned, the next best course is to neutralize it by a system of election which would place the representative on good terms with all his constituents, and

\* Concluded from the December number.

thus secure his re-election, unless his conduct had been such as to give them some reason for changing their good opinion of him.

2. The improvement in the general talent and tone of the House is an immense advantage which might fairly be expected to result from personal representation. People's chances of being suited in any article are nearly always proportionate to the extent of the choice offered to them. In the case of Parliamentary representatives, this choice is as much limited as it well can be. At present the choice of the electorate is limited to one of two men, and their choice between these is determined in advance by the banners which they follow. Nine-tenths of them will vote for an ignoramus on their own side in preference to a statesman on the other. Let their choice be enlarged to over a dozen men, and even should party venom continue as bitter as before, they would be enabled to choose *the best men of their own party* and to keep them in the House; besides which the more intelligent part of the electors, who now form only a drop in the bucket, would, in large constituencies, approach so nearly to a quota that there is every chance of their being sufficiently strong to enable them to influence as many votes as would be requisite to secure the return of a special representative of their own ideas. The importance of this matter is unspeakable. The whole question of good or bad government, which involves national prosperity or ruin, is bound up in that of the character of our legislators and rulers. It seems to be thought by some persons that if the people are only allowed to go on making money, under a popular form of government, the action of the ruling authorities is of comparatively small importance. Setting aside for the moment, all other than financial interests, it is forgotten by such philosophers that the power of taxation places the whole national property at the disposal of its rulers, who may, by extravagance, reduce the people to bankruptcy; that after all the available land in a country has been occupied, labour can be set in motion only by the aid of capital; that capital will avoid any country in which either the principal may seem insecure or the return small; that it will be insecure in any state in which law is not absolutely supreme, and that the return will be small in any over-taxed or debt-

burdened nation. Thus even the financial interest, to say nothing of national freedom, political liberty, intellectual and moral elevation, and justice between contending interests, can be maintained only by having men of talent and virtue at the helm. That manhood suffrage and election by local majorities will not place such men in the Legislature is proved by the contempt into which the American Congress has fallen in the eyes of capitalists, who now congratulate themselves on its prorogation as on the removal of a danger. The reason of the failure of these systems to place able men in power is confessed by one of the greatest of modern Liberals, Mr. J. S. Mill, to lie in the fact that "the natural tendency of Representative Government, as of modern civilization, is towards collective mediocrity; and this tendency is increased by all reductions and extensions of the franchise, their effect being to place the principal power in the hands of classes more and more below the highest level of instruction in the community."\* But having admitted this much he goes on to argue that under personal representation "the minority of instructed minds scattered through the local constituencies would unite to return a number, proportioned to their own numbers, of the very ablest men the country contains;"† alleges, truly, that their return would improve even the representatives of the majority, and would help to bring truth to light by forcing on a fair fight in presence of the country "when it would be found out whether the opinion which prevailed by counting votes would also prevail if the votes were weighed as well as counted;"‡ and concludes that he is unable to conceive any mode by which the presence of great minds in the Legislature can be so positively assured as by that proposed by Mr. Hare.¶ I have already confessed that the establishment of separate constituencies would reduce the influence of the intelligent minority; but its influence would certainly be greater than it is at present, and each party would no longer have to fear the opposition of its opponents to its best men—a fact which would be of immense importance in Canada where, as already remarked, we often see defeated

\* Representative Government, Chap. VII., p. 50.

† *Ib.* p. 34.

‡ *Ib.* p. 60.

¶ *Ib.* p. 60.

by a local majority, men whom one tenth to one-third of the entire electorate would wish to see in the House.

3. But it is not merely by giving increased influence to intelligent minds, and rendering party opposition in many cases innocuous, that personal representation would improve the character of the House, and help to bring truth to light. It would induce able and virtuous men, who now refuse to stand, to come forward and offer themselves for the service of their country. The disinclination of such men to political life in the States has become a matter of every-day complaint in the Union, and it is to be feared that a like feeling has begun to show itself in Canada also. The cause of this unwillingness is simply to be found in the fact that the game is not worth the candle. On the selfish side of the case we find men deterred by the fact that, in a money-loving age, politics "don't pay." The salaries of Dominion Ministers are about half those of Railway Managers and Bank Cashiers, and bear about the same proportion to the amounts which able men can earn at the bar or, perhaps, at commerce. This deterrent, of course, would not be affected by any change in the mode of election; but there are moral deterrents of a still more serious character which the change would go far to remove. Under election by majorities it is almost impossible for anybody to offer himself with any chance of success otherwise than as a purely party candidate. He must endorse the whole platform whether he may believe it or not; he must defend the whole doings of his party whether he may consider them good or evil; and he can scarcely offer a new idea of his own unless it has been formally adopted in the caucus. He goes before the electors, and he finds that he must submit to an amount of abuse and misrepresentation rather hard to bear, and that, unless he wishes to stand almost unsupported, he must not be very scrupulous in retorting. Before the "free and enlightened electors" he must utter the shibboleth of the hour, and deal with every subject as will best suit their prepossessions. "Rare are the cases and eminent must be the man," says Mr. Hare, "who dares to appear as he is and speak as he thinks on public questions, before those whom he addresses and hopes to influence in his support. \* \* \* He must often, to please some men, approve of—

at least, countenance—bigotry; and if he does not positively encourage, he is obliged to wink at, corruption, intemperance, and deceit; or shut his eyes to what he knows is taking place. In addition to this, he may be driven to competition in promises which he is aware cannot be performed. The whole process is demoralising, and tends to exclude some of the best men and the most scrupulous and trustworthy order of minds." How much more forcibly do these words apply to Canadian than to English elections; and how much more forcibly again do they apply to those of the States? The main causes of the evil would be removed by the adoption of personal representation. These causes are to be found in the facts that under elections by majorities, each candidate knows that each vote that is not with him is against him, and that the result of the contest will be decided by a balance of votes, often not exceeding fifty in number. All doubtful votes must go to make up this balance, and the candidate must, therefore, court them by whatever means are most likely to prove efficient, or be defeated. Under personal representation the candidate's position would be altogether different. Any more votes than his quota would be useless to him, and he would, therefore, not need to seek them; he would need to place himself in direct opposition to another candidate only when a conscientious difference of opinion existed, and even then the temptation to any evil practices would be small in comparison with what it is at present, as the difficulty of winning a seat by such means would be immensely increased. Under election by quota each candidate would stand almost exclusively on his own merits, and not, as at present, chiefly on his opponent's demerits. His appeal for election would be made to men who would agree with him, and not, as now, to men one-half of whom are opposed to him. The change "would enable the candidate to discard all mean and dishonest compliances and frankly to express his sentiments whatever they might be," and the alteration could scarcely fail to remove many of the objections which now deter high-minded men from entering political life on this continent.

4. This change, however, would not only improve the House, but would also prove highly beneficial to the electorate. The use of natural talent and special knowledge, is,

that they enable their possessor to arrive nearer the truth than can those who are destitute of them. Under our present system, the possession of either of these advantages is almost useless in elections, from the fact that, for a candidate to place unpalatable truths before the electorate, is to ensure his own defeat. On this point, De Tocqueville has well said: "It is true that American courtiers do not say 'Sire,' or 'Your Majesty,'—a distinction without a difference. They are forever talking of the natural intelligence of the populace they serve; they do not debate the question as to which of the virtues of their master is pre-eminently worthy of admiration; for they assure him that he is possessed of all the virtues under heaven without having acquired them, or without caring to acquire them. . . . Before they venture upon a harsh truth they say, 'We are aware that the people we are addressing is too superior to all the weaknesses of human nature, to lose the command of its temper for an instant; and we should not hold this language if we were not speaking to men whom their virtues and their intelligence render more worthy of freedom than all the rest of the world.' It would have been impossible for the sycophants of Louis XIV. to flatter more dexterously."\* No doubt: but the consequences of flattery of a people are more dangerous than even those flowing from the flattery of a despot, as the latter may hear truth from others than his courtiers, while the people can never hear it from any others than their leaders. This disgusting servility has never reached the same point in Canada as in the States, principally because our monarchical institutions have acted as a check on it. But there are probably fewer means of resisting a frenzy of the popular mind here than there; and had it not been that our Colonial position has contracted the field of popular energies, our experiences would probably have been as bitter as theirs in civil war, debt, and political demoralization. If anybody should doubt that such frenzies can arise, I would ask him to carry his memory to the time, when, under the cry of "Broad Protestant Principles," people were a little "cracked" against those grants to separate schools, which are now acquiesced in as a fundamental condition of our political union; or to the time when the Scott murder

roused a similar feeling against men whose pardon is to-day being complacently accepted; or—going outside our own limits—to the time when France almost unanimously voted away its liberties; and to that when the Southern States unanimously seceded from the Union. I am not offering any opinion on the merits of any one of these acts; but merely refer to them as frenzies followed by reactions on the part of their authors. To have men in public life able and willing to resist such frenzies, and to tell the broad truth to the electors, would be of incalculable value. And if, as has been already argued, personal representation would enable candidates to come forward and express their sentiments frankly, it would in some measure supply this need. Nay, it would also enable men of foresight to point out to electors and to legislators, the course which events were taking and the problems which would have to be faced, and thus to calm men's minds, and hinder them from rashly pledging themselves to any policy before they had examined it. It is much the same as this point to which Mr. Mill refers, when he says:—"The great difficulty of democratic government has hitherto seemed to be, how to provide, in a democratic society, what circumstances have hitherto provided in all the societies which have kept themselves ahead of others—a social support, a *point d'appui*, for individual resistance to the tendencies of the ruling power; a protection, a rallying point for opinions and interests which the ascendant public opinion views with disfavour. For want of such a *point d'appui*, the older societies, and all but a few modern ones, either fell into dissolution, or became stationary (which means slow deterioration), through the exclusive predominance of a part only of the conditions of social and mental well-being. Now this great want, the system of personal representation is fitted to supply in the most perfect manner which the circumstances of modern society admit of."†

5. In face of the revelations made before our courts of law, it is impossible to deny that bribery and corruption figure largely in our electioneering contests. That this is a monstrous evil is admitted by all: to say anything in reference to its demoralizing tendency, or the desirability of destroying or

\* Democracy in America, Chap. XV.

† Representative Government. Chap. VII.

diminishing it, is therefore needless. Personal representation would diminish it, by making, as has been already seen, at least half of the elections practically uncontested, and thus destroying any temptation to bribe in them. And in the remainder, under the cumulative vote, it would decrease the temptation, as each party would know that for it to elect all the members, it would require to possess all the votes, and that to gain them would be impossible. Thus the temptation to bribe would probably be reduced to one-fourth of what it is at present. Of the efficacy of any remedy which would remove the temptation to the practice of any vice, there can be no doubt; and on the necessity of finding some remedy for this vice all are agreed. Need anything be said in favour of the merit of a remedy which would strike at the cause of the evil?

6. The evils of partyism are a theme as old as popular government. Its monster evil has been set forth by Washington in terms so forcible as to leave nothing unsaid. In his parting address he wrote as follows:—"Let me now warn you in the most solemn manner against the baneful effects of the spirit of party generally. It is unfortunately inseparable from our nature, having its roots in the strongest passions of the human mind. It exists in different classes under all governments, more or less stifled or controlled or oppressed, but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy. The alternate dominion of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a horrid despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of a single individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this despotism to the purposes of his own elevation on the ruins of public liberty." We have no reason at present to fear this phase of the evil; but that the danger indicated is a real one has been proved by the occurrence of one civil war, and a narrow escape from another in consequence of party strife in the States. There is, however, another phase of

the evil which is but an introductory stage to the above, that exists amongst us in full bloom. It has been well said that "society is convulsed by great parties, by minor ones it is agitated; it is torn by the former, by the latter it is degraded, and if these sometimes save it by a salutary perturbation, those invariably disturb it to no good end." The effects of this disturbance are very serious. It causes all matters to be considered as party questions and treated by each party almost with a single eye to its own interests. It connects measures which naturally have no connection so very intimately that, as Mr. Stephen well remarked in 1874, "the chances of denominational education in England would have been increased had the Ashantees contrived to destroy Sir Garnet Wolseley and his staff;" and in 1878 we may say that the chances of Free Trade in Canada will be somewhat increased should the American Government consent to pay the award of the Fishery Commission. It causes legislators frequently to support, or oppose, measures according to the source from which they emanate, and thus leads to the defeat of many good, and the success of many bad, measures. It weakens the force of our available statesmanship, by setting one-half of it to fight the other half, and forcing the half on the Treasury benches to devote its chief energies to the task of holding office. It tends, through the style of advocacy adopted on both sides, to leave the electorate much more in the dark on the merits of the questions referred to it for decision than a jury would be without the charge of the judge. And though last, not least, as this contest is carried on by the tongue, it tends to impart to Parliamentary eloquence an altogether fictitious value, and to render the mere speaker much more powerful than either the statesman, the philosopher, or the patriot; a fact which has frequently led, and is continually leading, to most disastrous results. I do not mean to say that these evils are utterly without compensation. As Mr. Stephen has truly said, "a legislature without parties would be little better than a mob;" but wherever we see parties fighting rather for office than for strong convictions, and doing violence to convictions in order to obtain it, we may be sure that partyism is little more than an unmixed evil, that it bids fair shortly to result in political demoralisation, and that any measure which will moderate it cannot fail

to be beneficial. Now the object of partyism is to secure success in an electioneering strife, which strife again furnishes new fuel to partyism. As has been already indicated, the violence of that strife is due almost entirely to the uncertainty of its result, and this again to the system of election by local majorities. So great is this uncertainty that, as Mr. Blake has told us, a change of 408 votes in Ontario at the election of 1867 would have altered the fate of 17 seats; and a change of 178 votes in the same province in 1874 would have transferred 16 seats, making a difference of twice these numbers on a division. It is this uncertainty which imparts to electioneering strife nearly all its gambling and unprincipled characteristics. Politicians who have before their eyes the fact that victory or defeat may depend upon the suffrages of some 200 or 300 electors cannot—or, as experience proves, will not—be very delicate as to the means which they employ to win votes. It follows that any measure which will diminish the number and violence of electioneering contests must also moderate partyism. This could not fail to be done by personal representation. It has already been shown, that, under the scheme proposed, the probability is that one-half of the elections would be uncontested, and that the contested seats would be fairly divided between the contestants. Each party would thus be assured of a representation in the House proportionate to its strength in the electorate; the balance of power would cease to be in the hands of a few voters, and the temptation to employ vicious means to gain these votes would consequently disappear. Besides this the envenomed hostility now directed against party leaders, in hope of obtaining the crowning-victory of driving them from the House, would lose its motive, as their own friends could always ensure their election; and the House would almost surely be enriched by some moderate men who would present to legislators and electors some other than the purely party aspects of politics. These changes could not fail to elevate the nature, and moderate the rancour of party strife very considerably. To destroy it must be impossible, so long as a nation consists of "many men of many minds," and would probably be inexpedient even were it practicable. But to destroy temptations to conduct it inequitably must be an unmixed blessing, and the fact that personal represen-

tation would go a long way to effect this object should alone suffice to recommend it effectually.

7. But the strongest plea of all in favour of personal representation yet remains to be examined. It will be granted by all, or almost all, that one of the most important objects for which representative institutions exist, is to prevent any portion of the community monopolising power, and ruling solely for its own advantage. But it is frequently forgotten, on this continent, that unless all classes and interests are represented in, or wield a powerful influence over, the legislature, a part of the community may obtain command of it, and pervert it from a guardian against, into an instrument of, class-government. And it is generally forgotten that, under the rule of a numerical majority of the adult male population, such perversion is almost a certainty. It has already been shown that this system of election cannot secure even a fair representation of two political parties; and if so, how much smaller is the chance of it supplying a fair representation of the many classes, interests, and opinions which are to be found in every community? It insures the representation of the dominant majority of the day only, thus endowing it with absolute power. The result must be, in the words of Lord Macaulay, "to destroy liberty or civilisation, or both." It is now over forty years since De Tocqueville, writing on the political institutions of the United States, made use of the then startling words:—"If ever the free institutions of America are destroyed, that event may be attributed to the unlimited authority of the majority, which may at some future time urge the minorities to desperation, and oblige them to have recourse to physical force. Anarchy will then be the result, but it will have been brought about by despotism."<sup>\*</sup> He then goes on to support this view by quotations from Hamilton and Jefferson; but its correctness has been much more strongly supported by the facts that the "tyranny of the majority" has already once forced a minority in the States to resort to physical force, and has been within a hair's-breadth of repeating the feat; while in England we find the ablest and most uncompromising Radical of his day forced to admit the correctness of DeTocqueville's theory. Mr. Grote, writing shortly

\* Democracy in America, Vol. I., p. 267.

before his death, said :—"I have outlived three great illusions. First, I always held that if supreme power were held by the people, it would be exercised more righteously than when entrusted to one person, or a few. But this I have now found to be a mistake. . . . I have outlived my faith in the efficacy of Republican Government, regarded as a check upon the vulgar passions of a majority in a nation; and I recognise the fact that supreme power lodged in their hands *may* be exercised quite as mischievously as by a despotic ruler like the first Napoleon. The conduct of the Northern States in the late conflict with the Southern States has led me to this conclusion, though it cost me much to avow it, even to myself."\* If any further argument or testimony on this matter be needed, it can be found in the admissions of a native American. Mr. Calhoun, when writing on the institutions of the United States, told us that a dominant majority "would have the same tendency to oppression and abuse of power which, without the right of suffrage, irresponsible rulers would have. No reason, indeed, can be assigned why the latter would abuse their power, which would not apply with equal force, to the former. The dominant majority of the time would, in reality, through the right of suffrage, be the rulers—the controlling, governing, and irresponsible power—and those who make and execute the laws would, for the time, in reality, be but their representatives and agents." If the reader should ask how, if this be true, the rule of the numerical majority can have continued to exist in the Union, the answer is, that it has continued to exist in consequence of the peculiar circumstances of the country. In the early stages of society, or in newly-peopled countries, there is scarcely any diversity of interest amongst the inhabitants. Nearly all are agriculturists and owners of the land which they cultivate, while the facility of obtaining land is such that almost anybody can acquire it if inclined to do so; all are independent and have interests almost identical. The duties of government are, consequently, few and simple, being almost limited to the protection of life and property. The well-being of the people can be assured by leaving them alone, and the identity of interest existing, leaves no perplexing controversies

between different classes requiring adjustment in a manner at once equitable and satisfactory to all. But as the land becomes occupied, the situation becomes changed. The natural inequality of man manifests itself in a more unequal distribution of property; the share of the wise, industrious, and frugal increases, and that of the foolish, idle, and extravagant decreases, while that bequeathed to offspring by the former class becomes, as "money makes money," a new means of increasing the inequality. Then, as the acquisition of land becomes more difficult, and as the growth of civilisation promotes the division of labour, diversity of trades and callings is increased; and by the different acquirements needed for the practice of each, intellectual diversity is promoted, and thus diversity of opinion is augmented. On the question whether these changes are desirable or undesirable, I have nothing to say. All I allege is that diversities of property, intelligence, and employment are, unquestionably—and of morality and religion probably—greatest in the most highly civilised of European, and in the longest-settled of North American, countries; and that the increase of this diversity is inevitable wherever free and unrestricted competition is permitted, the reason being that in such competition success must attend those possessed of the greatest natural superiorities, or the greatest acquired advantages. The result of the establishment of such diversities is thus stated by Mr. Calhoun :—"The more extensive and populous the country, the more diversified the condition and pursuits of its population; and the richer, more luxurious, and dissimilar the people, the more difficult it is to equalize the action of the Government, and the more easy for one portion of the community to pervert its powers to oppress and plunder the other."† Experience has placed the correctness of this theory beyond doubt. In Europe, where the diversity of society is fully established, and where a large majority of the population of every civilised country consists of a class dependent for its subsistence on the receipt of wages, we have twice within the century seen France adopt despotism in order to escape the rule of the numerical majority. Both in France

\* See Greg's "Rocks Ahead," p. 14.

† Disquisition on Government, p. 13, as quoted by Mr. Hare.

and elsewhere we have seen its disciples enunciate such destructive doctrines that even Liberals, such as Macaulay, have been forced to confess "that it might be necessary to sacrifice even liberty in order to preserve civilization." And wherever we have seen freedom established we have seen the rule of the numerical majority, in the shape of manhood suffrage, carefully eschewed. On this continent it has, until lately, been otherwise, from the facts that diversity of interests have not been fully developed and that a purely wage-receiving class has not constituted a majority of society. But it is rapidly becoming so, and as it does, the same difficulties are being felt here as in Europe. Trades' Unions, Strikes, Granger Associations, and hostility between labor and capital, are becoming prominent in the Union. Nay, it is even confessed that the "Communist is here;" and that among the victories already won by the new anti-capitalist spirit are "the unequal taxation of banks, the repudiation of many state, county, and municipal bonds." There as elsewhere, however, it is in the great cities that the greatest diversities of society prevail, and the largest wage-receiving class exists, and accordingly it is in them that the rule of the numerical majority has been most pernicious. Its effects have been ably set forth by Mr. Sterne in an article entitled "The Administration of American Cities," published in the *International Review* for September-October, 1877. In this article Mr. Sterne asserts, and goes on to prove, that, "by the adoption of universal suffrage in the administration of the property interests of cities, we have organized a Communistic system which has been carried in its practical results to the actual confiscation of a large portion of the wealth accumulated in our cities."† That the statement is nothing more than the simple truth is proved decisively by unquestionable facts. In reference to New York, the *Bulletin*—a purely commercial newspaper—has been, during a great part of the past year, calling on its readers to "Examine these Figures":—

Debt of New York City, 1876.....	\$160,000,000
Debt of United States, 1860....	65,000,000
Excess against New York City ..	\$95,000,000

Taxation of N. Y. City, 1876....	\$33,000,000
Taxation of U. S., 1860.....	53,000,000
Difference only.....	\$20,000,000
Debt per head of city population..	\$133 00
Taxation per head do do ..	27 50

Compare these figures with the following facts of POPULATION and TAXATION in several foreign states, which include expenses for armies and navies :

	Taxation.	Population.	Taxation per head.
Canada .....	\$24,200,000	3,800,000	\$6.36
Ireland .....	21,000,000	5,500,000	3.82
Netherlands ...	41,000,000	3,674,000	11.16
Switzerland:...	8,000,000	2,700,000	2.96
Portugal.....	26,000,000	4,000,000	6.50
Bavaria....	50,000,000	4,863,000	10.81
Saxony.....	20,000,000	2,556,000	7.80
Hamburg.....	5,000,000	340,000	14.71
Argen. Confd....	23,500,000	1,750,000	13.43
Chili.....	13,500,000	2,068,000	6.53
New York City.....			27.50

Nor is this evil peculiar to New York. In the abovenamed article Mr. Sterne has published a table of statistical returns from fourteen of the largest cities of the Union. This table shows that from 1860 to 1875 the population of these cities increased from 2,875,000 to 4,903,000, or 70 per cent., and their valuation from \$1,665,000,000 to \$4,279,000,000, or 156 per cent., while in the same time their municipal taxation increased from \$19,778,000 annually to \$91,657,000, or 363 per cent; and their indebtedness from \$109,808,000 to \$407,218,000, or 270 per cent. The conclusion to which these figures lead Mr. Sterne is that "the residents of cities are consuming their capital; and that within a short period of time such a course will lead them to bankruptcy." That it is the rule of the numerical majority, consequent on universal suffrage and election by majorities, which has produced this danger he has before confessed. And this judgment is also adopted by another writer on the same subject, who pertinently says:—"Our present system did well enough so long as we were a vast agricultural community. But the telegraph, railroads, and manufactories have changed the entire face of the country and built up vast interior towns, with populations densely packed and ignorant, who can be easily swayed by designing demagogues and public plunderers. As long as the elements of vice, ignorance, and poverty preponderate, as they do in most of our large cities, just so long will universal suffrage be

† *International Review*, September-October, 1877, p. 634.



a farce and municipal indebtedness continue to increase \$50,000,000 annually!"\* Finally, the same conclusion has been reached by a commission appointed to devise a plan for the government of the cities of New York State. For it proposes to lodge the total management of city finances in the hands of a body to be called The Board of Control, the election of which is to be left to those "who pay a tax for two years successively, in larger cities on property amounting to \$500, or who during a like period pay a rental for any shop or dwelling to the amount of \$250;" and in the smaller cities to those who pay "a tax of some kind for two years successively;" and on which Board provision is made to secure the representation of minorities. Do not these facts, from the experience of Europe and America, unite to prove most decisively that wherever wide diversities of property, employment, intelligence, and morality exist, the rule of the numerical majority is inconsistent with the maintenance of representative government; and that some check on its absolutism is demanded in the interests of freedom?

The check usually adopted is that proposed by the New York Commissioners—its disfranchisement. But this violent remedy I believe to be both inexpedient and unnecessary. It is inexpedient from the fact that it tends to introduce class-government in another form, by enabling the enfranchised class to rule solely for its own advantage, unless deterred by fear of action on the part of the disfranchised majority; and also because it is, for many reasons, usually desirable to have a large electorate. And it is unnecessary, as the absolutism of the numerical majority can, even under the present system of election, be avoided by proportioning each elector's vote to the amount of his intellectual and property qualification, or, in other words, by a graduated suffrage. In countries containing a wide diversity of classes and interest, and a large wage-receiving class, this measure, modified by a provision for the representation of minorities is, probably, the mildest check likely to prove effective. But in Canada we are as yet without these elements of strife; and, therefore, we may try whether the still milder check of personal representation with our present franchise might not suffice. It is

certain that the former measure would be fiercely—though inconsistently—opposed by the fanatical worshippers of "equality" in our midst, as being a violation of their shibboleth; but to the latter they could, on this ground, offer no opposition whatever. For, as Mr. Mill has said, "In a really equal democracy, every or any section would be represented, not disproportionately but proportionately. A majority of the electors would always have a majority of the representatives, but a minority of the electors would always have a minority of the representatives. Man for man they would be as fully represented as the majority. Unless they are there is not equal government, but a government of inequality and privilege, one part of the people rule over the rest; there is a part whose fair and equal share of influence in the representation is withheld from them, contrary to all just government, but above all contrary to the principle of democracy, which professes equality as its very root and foundation."\*

Such are the grounds on which I would advocate the adoption of personal representation in Canada, according to the system explained in the second of these papers. It is fundamentally just, be the franchise what it may, while the system which it would supersede is fundamentally unjust. It would interfere with no vested rights or interests, but would make a reality of prerogatives which at present are often little more than a sham. Instead of narrowing the electors' field of choice to two candidates, and thus rendering anything like discrimination on their part impossible, it would offer them a wide field of choice. Instead of rendering the defeat of one candidate essential to the success of another, and thus forcing on a strife which demoralises both candidates and electors, it would enable them peaceably to "agree to differ." And instead of enabling local majorities to monopolize the representation, it would secure, probably, a representation of all classes and interests of the community, and, certainly, of all political parties, according to their numbers. These evils are felt wherever representative government exists, and it seems impossible to doubt either that personal representation would moderate them or that such moderation would materially enhance its benefits,

\* The Galaxy, September, 1877.

\* Representative Government, Chap. VII.

and render it a much more efficient guardian against despotism, class-government, and bad legislation than it is at present. And, finally, while bringing us all these advantages in the present, it would tend, in the future, to avert perils to freedom and order which the experience of other nations warns us to expect that the complexities of civilization are almost certain to bring to countries that have conceded so much power to the numerical majority as we have done.

Still, notwithstanding these facts, I do not plead for a hasty adoption of the scheme—all that I would ask for it is a trial. We are about shortly to hold a general election of the House of Commons. What is there to prevent the establishment of a couple of

such electoral districts as I have sketched, in which the practicability of the system might be tested, and its merits or defects brought to light by experience? Were the results to prove beneficial the system could be extended; were they doubtful it could be tried a second time; or, were they mischievous it could be abandoned. That any serious evil could result from such an experiment seems almost impossible, and that much good might result from it is, at least, highly probable, as the system is endorsed by some first-class politicians everywhere. Under such circumstances, is it not clearly a much wiser course to make the experiment than to neglect it?

Jehu MATHEWS.

## THROUGH SORROW TO LOVE.

FROM THE GERMAN.

“Mit meinem Mantel vor dem Sturm  
Beschütz ich Dich.”

THE young Contessa Etelka Von Guendalin and the guest of the house, Baron Gyula Isolani, were alone in the great music-hall of the old Castle of Guendalin. The Contessa was singing Hungarian Volkslieder, and her companion was listening.

As she finished, she turned quickly to him. “I do not like singing in the daytime,” she remarked, as she rose from her seat. Isolani hastened to aid her in shutting the piano.

Etelka seated herself by him, and continued: “The evening, or at night, is the proper time for singing; daylight is not suited for song.”

She spoke these words hastily. Her small figure was half buried in a great arm-chair, and her cheeks were flushed.

The baron regarded her fixedly.

“Why are you studying my face?” she asked, unwillingly; “for I can call it nothing less than that. It is very disagreeable to be gazed at as a boa-constrictor gazes at a poor bird that it is watching to entrap.”

“Poor bird,” he exclaimed, laughing; “a flattering comparison you have for me, certainly. I will tell you why I study you, and why you do not like me to look at you for a little while.”

“A little while,” she replied, “so long as I have sung, that little while has lasted; I was nearly jumping up and running off several times. It is not usual to listen with the eyes, but I suppose the Baron Isolani is an exception to the general rule.”

“Let us return to our subject, do not rush right and left, but let us keep a little while at the same thing, Contessa.”

“A little while,” she sighed, “you will tire me with your little while.”

“It would be a very good thing if you were tired for once; indeed, I should take a great deal of credit to myself if I could weary you. Well, Contessa, I like to watch you singing; watching is as necessary to me as hearing; when a soft colour comes into your cheeks, your eyes glisten, and I see your throat giving forth sounds as melodious as a nightingale, it gives me double pleasure. And you feel uncomfortable because

you imagine I am looking at you. You sing our melancholy Volkslieder as plaintively and feelingly as though you really felt all the pain and anguish of the song."

"I do feel it!" she broke in, earnestly.

"For how long?"

"As long as I sing."

"I often think, so expressive is your singing, that your soul knows nothing of it; it is mere practice and exercise."

"And if it were so, Baron Gyula?"

"There would be a want; your wonderful singing would be a semblance, for a real song must be the expression of a soul."

"Therefore I must be in love, mortally wounded, a lonely wanderer, a king's daughter; goodness knows what I must imagine myself to be in order, to sing correctly, according to your ideas."

Baron Isolani laughed. "You have no experience as yet; you have never been away from this castle, Fraulein Etelka."

"Yes," she continued, "I am an enchanted princess; that is clearly my rôle. Yesterday I received from my cousin Gabor his latest composition, 'The song of the enchanted king's daughter.' I listen to it."

She stepped lightly to the piano, forgetting her dislike to singing in the day-time, and sang with such passion and truth that a delicious thrill came over the listener. And amidst the fervent rushing sound of the love song, came ever the Schlummer Lied in softest, sweetest notes, which touched the heart:

"Schlafe nur Du  
In wonniger Ruh,  
Es kommt der Tag  
Wo Dich die Liebe wecken mag."

She cast the music noisily aside. "Well, have you nothing to say?"

"One cannot speak; silence is the only thanks meet for such a song."

"Have I any soul?" she asked, mischievously.

"There still lacks something, enchanted princess."

"You are not polite."

"Because I do not flatter you as others do."

"What do I lack? Perhaps I can improve. Am I not agreeable to you?"

"Love and sorrow," murmured the baron to himself, as he rose.

She stood before him, a little figure, reaching merely to the tail man's heart.

"How great you are, Gyula!"

"I feel myself very small, Etelka."

"Beside me?"

"No."

Guendalin, the old family seat of the Guendalins of Rocozsvar, lay far from the highway and from the railroad. The castle was buried in the midst of a beautiful park, for which nature had done more than art. Etelka is the daughter of the count; Gyula, the son of the late Prince of Hungary; he had taken a high degree at the University, and was now come to reside on the neighbouring estate, in hopes of turning his knowledge to a practical account.

Etelka hardly knew her old playfellow when he returned from the University, so altered was he.

Gyula found her character very slightly changed; she had always appeared to him childish, and her ceaseless chattering and laughing provoked him. Her figure was altered, her dress being now that of a young lady; she endeavoured to make herself taller by erecting a monument four inches high on her head, and adding two inches to her heels, according to the fashion of the day. She tripped gaily through the old castle, nodding her little head brightly with its tall chignon, and loving flowers and pretty trinkets, as a child would do.

The return of Baron Isolani to her little world was like a new page in her life; she was pleased to see him again, though he must be astonished at the improvement she had made in the last few years, and was therefore taken aback, when the tall, handsome young fellow fixed upon her his great black eyes, and laughed.

She made him a deep curtsy, feeling hurt; his laughter offended her, for she felt he looked down upon her as though she were a child.

Nevertheless, Isolani often came to Guendalin. Etelka was pleased, too, when she saw his fiery horse cantering up the avenue, even though he did not pay much reverence to the young contessa, lecturing when she turned over the leaves of her songs without coming to any decision; asking what she should sing, and then singing what best pleased herself; still she gave him in friendship her hand, which looked so tiny when held in his, that he could not forbear a smile.

Etelka was her father's idol: her mother

died when she was an infant, but the count had neglected nothing in her education, and in his blind love thought her perfect.

Father and daughter—a thorough contrast.

There sits the old grey-headed man, thinking over the days of his youth, how he had frittered them away as he now sees, though then it was all enjoyment; groaning over his misspent days in his daily work; making him more than ever discontented with himself, more inaccessible to others. He endeavours to hobble to the door, but owing to rheumatism he fails, and sinks again on his comfortable sofa to indulge in his sad reveries.

Suddenly a sunbeam glides in, not quietly or softly, but with noisy little high-heeled boots, banging the door in such a way as to startle the old count, and make him irritable, were it any but his daughter who made such music. She had a playful pretty way of doing little things for him, services that he would scorn from another, and flew like a pert little robin redbreast round his room, from the walls of which looked down gigantic deer's horns, black eagles, and great boars' heads.

"Shall I sing? Shall I play? Shall I read, or shall I go out again?" asked Etelka, without pausing to take breath. "Gyula was here to-day," she continued, without waiting for an answer, and seating herself at her father's feet.

He looked down contentedly upon her, passing his hand over her golden hair—fair hair is a rarity in Hungary, and her's was more noticeable, as both father and mother were dark. Her eyes, which were brown, with a roguish brilliant light in them, formed a great contrast to it.

"And how dost thou like Gyula?" asked Count Guendalin, holding his daughter's hand.

"I have not thought much about it," she replied; "I am pleased to see him come, and part with him without sorrow."

"Would there not be a great blank were he to stay away?" he enquired further.

"I think not, papa, but why dost thou ask? he will not stay away."

"Does he entertain thee well, my child? He does not come to see me often, now that I cannot leave my room."

"He thinks he is not welcome, that is the reason. He entertains me very badly, for he

is always scolding, on the score of old friendship, he says."

The count frowned.

When the young countess spoke earnestly her voice lost its childish accent, and took a deep pure tone that made it very sympathetic.

"He said to-day that my life lacked love and sorrow, therefore my songs had not the true ring in them." So saying, the lovely child looked up at her father pathetically.

"The fool," growled the old man, "tell me, child, hast thou not love? Dost thou know thou art my life, my all? It is through thee my life has worth and light, and without thee thy father would be a lonely hermit." He spoke with a certain anxiety; he who lived generally in the past got now a glimpse into the future, and the thought that his child could not remain for ever by his side, but must experience love and sorrow, distressed him.

"I shall write to my sister, and invite her to bring her daughter to spend the summer with us, and when Gabor has his vacation at the University he can come also."

Etelka sprang up with a beaming face. "Splendid," she cried, "Ilka can ride with me; Gabor shall sing with me, and compose new songs."

She laughed in childish glee.

Every change was delightful to her. All remembrance of Gyula was lost in the thought of the happiness before her. She kissed her father and vanished.

A pink bow lay on the floor. The old Count lifted it up, and kissed tenderly this knot of ribbon from his daughter's hair.

Etelka thought now only of the coming guests, and set to work to put in order the whole castle. For her cousin Ilka, whom she only remembered as a little dark child, she prepared the room next her own, giving orders herself, and flitting about everywhere as busy as a little bee.

Gyula still came, but the piano remained closed, for Etelka's love of singing had given place to other duties, and in the evening she was tired. Count Guendalin, however, saw more of Isolani, and liked him better each day; found him earnest and quiet, helpful to him, and always ready to play chess, a game for which Etelka had no love.

So passed the spring, and at last the day came that the guests were to arrive. Etelka stood at the window, tired of waiting and watching. Now and then she wandered

through the rooms, finding pleasure in putting a last touch here and there.

In her hand she held a bouquet of wild roses she had picked in the Park as a gift for her cousin. Baron Gyula was also coming to receive the guests; there he was now, riding beneath the window. Should she throw the roses to him? What would he say? She had thought him changed of late, not unfriendly, but more reserved and earnest. The young girl felt so happy that she began to sing softly to herself. Gyula looked up.

Etelka stood at the window, keeping time to the song with her merry eyes; she held the roses still in her hand, and, surrounded by the crimson rays of the setting sun, looked like a will o' the wisp, Gyula thought. She listened in vain; he did not knock at the door. She opened the piano and sang, sang with all the fervour of her young heart, though no one was listening; or was he listening and did not come to her?—was most probably having a quiet game of chess. Suddenly she heard a bustle in the house, as of the arrival of her guests. She rose quickly, feeling angry, not with herself, but with Gyula, on whom she thought, for whom she had sung, and on whose account she had missed being the first at the door to welcome her cousins. Etelka ran down stairs. In the corridor she saw approaching her, two figures, two tall noble figures, almost of a height. Gyula and Ilka. As she stood there not knowing whether to laugh or cry, a young fellow suddenly darted past and she felt herself embraced and kissed, whilst a voice cried in joyful tones: "This is the little one; how pretty you are, you do not look like a country girl, but like a fairy, a nymph; Princess Rococo I shall call you."

Etelka was so astonished that she could do nothing at first, but, recovering herself, she administered a sharp tap to him, crying, "I shall call you Master Quicksilver. Is that the way you greet your cousins, at the Residency, whom you have not seen for many years?"

"Many years," cried the young student, turning to his sister, "'many years,' says the little one, as if she knew what many years were. And now know you, Princess Rococo, our time shall be divided between kissing and singing: big people, such as my sister and Baron Isolani, require more substantial things, we little ones can live ethereally." The

little one thought her cousin chatted too much and turned to Ilka, kissing her warmly.

Etelka felt Gyula's eyes resting upon her wonderingly. There was so much softness and earnestness in his gaze that she felt confused and suffered Gabor to lead her upstairs without hearing what he said. She listened only to the two voices behind her and thought, how is it possible that the ugly, dark little Ilka has become so beautiful?

"Mamma is already up-stairs," said Gabor; "she could not wait longer to embrace her brother and was quicker than we young people."

"Come, I will take you to your room," said Etelka to Ilka. Baron Isolani bowed and moved away.

Ilka noticed the lovely flowers in her apartment, but thanked her cousin with a hearty look only, which Etelka did not understand. She required words and caresses, but this tall, beautiful girl was cold, and spoke only on indifferent topics. As soon as the toilette was complete they descended, arm-in-arm, to the salon.

"Do you love Baron Isolani?" asked Ilka, suddenly, on the way. Etelka felt the colour rising in her face. "Ah! I see it already," cried her cousin, laughingly; "he is a handsome man; his riches are fabulous; his manners are charming; and Gabor tells me he passed all his examinations successfully. I quite understand that you love him, and he will marry you."

"But I don't love him!" cried Etelka.

"Why is he always here, then?" asked the inquisitive one.

"Because he has to play chess with papa," said Etelka, almost in tears.

"Really!" exclaimed her cousin, and was silent.

Baron Isolani watched the two girls entering the room with admiring eyes, they were both so lovely and yet so different. The tall, handsome figure of the elder, attired in rather fantastic costume, with crimson roses twined in her dark hair, proved a good foil to the petite Etelka, who was not laughing as usual, but had a new expression in her brown eyes, that made her more beautiful than ever.

The Countess Illgen embraced her niece. She was tall, with traces of former beauty, but there was a haughty look, and her smile was cold and severe. When she spoke pleasantly it gave one the idea that this was

merely the introduction, and that severity must follow. An unhappy marriage, and the misanthropic character that all the Guendalins, save Etelka, possessed, had made her a woman who had found life bitter, and with nothing to look forward to.

Ilka greeted her uncle pleasantly, and Gabor shook him heartily by the hand.

"Why do you return to your lonely home, Isolani?" said the old gentleman to his guest during the evening; "stay with us as long as you can, you will be welcome. Etelka will sing for us; she has deprived us of that pleasure for a long time, but now Gabor can accompany her." He stayed.

The first few days brought many disappointed hopes to Etelka; after which the young people got on better, although the two girls were very unlike, Ilka being of a reticent nature, a thorough contrast to her cousin. They, however, rode together: and Etelka and Gabor sang duets. One evening Gyula begged for his favourite song, and as Etelka came to the words,

"Mit meinem Mantel vor dem Sturm  
Beschütz ich Dich,"

Ilka noticed that his eyes were turned towards the singer with an unmistakable look of love.

The young contessa found her cousin a good comrade; she pleased him, and he wished for no change in his Princess Rococo, therefore they were generally together, and it so came about that Ilka was thrown more with Isolani, and they seemed satisfied with the arrangement.

Countess Illgen did the honours of the house, and Count Guendalin was delighted to see how well his little plan of inviting these guests for the summer answered. He had no great love for his sister; indeed, he cared for no one save himself and his daughter.

And the daughter took but little notice of her father now; he was always talking of old times with her aunt, or business with Gyula, or literature with Ilka. He only heard his little bird singing now and then.

"I certainly am stupid!" cried Etelka one day to Gabor; "I do nothing but sing, chatter, and laugh," she said, sighing.

The student laughed. "I think you are wise," he said; "indeed, I think you and I are the only wise ones in the house, for we practise the true philosophy of enjoyment;

we do not trouble about the coming day; forget the past, and pluck the hours from the tree of life; we are happy natures, thou and I. Your father is a bookworm; my mother is a mummy, everything is petrified in her; my sister is an enigmatical person, cold as ice; and this Isolani, who, when you sing, gazes at you as though you were a work of art, and never notices you at other times, he is just the man for my sister."

"You have a sharp tongue, Gabor, and speak very impertinently of your elders," Etelka answered. She felt the blood rush to her face. The child vanished, and the woman's heart felt a keen pain at his last words. He spoke openly what she had often thought of her cousin and Isolani—they were made for each other. And she herself—ought not she then to belong to the merry, fair young fellow, who so remorselessly touched upon the subject most dear to her? No! no! She could have cried, you are nothing in comparison to Isolani; you are not a man; I cannot look up to you. You are like myself, childish; you are always praising me; I require censure, I require strength and earnestness. When you pay me compliments I long for the reproving words he used to say to me so gently; and when I sing, the remembrance of those words comes to me, 'You lack sorrow and love.' But she merely said quietly, "You are right; they do suit each other."

"How sadly you say that, little one."

"Do not call me *little one!*" she cried; "you yourself are small. A man ought not to live for enjoyment; he should work. Go to the Academy and study music, that is your forte."

"Aha!" cried Gabor, not in the least offended, "So you can scratch; I thought you were made only to kiss."

Etelka burst into tears. "Your whole character is disagreeable to me!" she exclaimed, jumping up. He recollected himself, and his good nature prevented him teasing her further.

"Etelka is cold-hearted; she cannot love," he remarked.

"I also!" she cried, bitterly, and rushed away almost into Gyula's arms, who was walking alone in the garden. She stood still, alarmed.

He gazed at her, astonished; then, noticing Gabor appearing at the entrance of the

alley, he said in a low tone, "Forgive me, contessa, for crossing your path."

She was so excited that she walked on to the house without answering him. Soon after, Gyula heard her singing, and crept to the open window of the music-hall to listen. Her cheeks were pale. He now heard the tone that had always been lacking in her voice. Yes, there rang through this song a tender accent that made it most inexpressibly touching, almost like a secret wail. She sang it as he had wished to hear it, but he listened with sadness; not for him was it sung, this song with its joy and its sorrow. She sang for Gabor, for the young merry student, who he felt sure had won her heart. I have only kissed her with my eyes and embraced her with loving words, he thought.

Gyula rode back to his estate, which required his presence, promising to come now and then to Guendalin.

The old Count was suffering from an attack of gout which made him very irritable, and was also dangerous. "I wish I were dead," he growled; "why should I live so long?"

"And what would become of Etelka?" asked Countess Illgen, who was with him, "it seems to me her feet are too tender to carry her steadily through the world."

"Yes!" he sighed, "it is true, and for that reason I must live. She is my sunshine, and when she sings my heart grows young. I idolize her, and she needs my love; she would be miserable with a mother like you."

The Countess bit her lips as she answered, "And yet you, selfish father, declare you could not make up your mind to give your child to any man, because then you would lose your sunshine; she is to brighten your life, and in your happiness and love she is to find her highest joy. Is it not so?"

"And you, sister," he asked, gazing at her intently, "would you marry your Ilka willingly, perhaps with the rich Baron Isolani?"

Her voice took a softer tone as she answered, "That is the difference between us; you show your deepest feelings openly, I hide mine, therefore the world calls me heartless—even my children think so—mine is not the fault; and yet, brother, I love Ilka more than you do Etelka, for I would deny myself to make her happy, whereas you make your daughter deny herself for your happiness. Often at night have I stood at my child's bed, wept over and kissed her whilst

she slept, and she thinks me stern and cold. I admire her beauty of mind as well as body. No man is deserving of her, and none shall she marry, for I do not believe in marriage; she possesses within herself sufficient springs of happiness. My eyes are sharp; I understand men thoroughly from experience and observation. She resembles me, but as the shadow resembles the reality. Gyula is not the man for her; besides, he loves your daughter, and I expect the time will soon arrive when you can prove if I were right to call you a selfish father; we shall see."

Etelka sat before her easel, though she had not accomplished much. She had talent for painting, but when she arrived at a certain point, she lost her taste for it, and devoted her energies to music. Gyula's prophecy struck her forcibly: there was something lacking, and she felt it now.

Ilka entered, placed herself near her cousin, and looked intently at the easel. "You certainly have talent," she said, after a pause; "how beautiful you have painted that bit."

"I wish that I could not paint, could not sing; that I were like you!"

"Why?" asked the girl.

"Because you have everything that is wanting in me."

"And that is?"

"Repose, contentment, happiness."

"How strange those words sound from your lips, Etelka; why, are you not happy?"

"I am very unhappy; you are the one to be envied; you live in a town and have plenty of people to love and admire you."

"I had rather be loved by a chosen few," replied Ilka. "But I am happy because I see clearly, and understand how to value compliments, and that is what you do not. You think only of yourself and your pleasure, take your surroundings only as a means to amuse yourself; but to *think* of anything never enters into your head."

"Is it really so?" said Etelka, and her eyes rested on her wise cousin with such a troubled look that Ilka could not help smiling.

"Remain only as you are; you are lovable enough, few have ever been near you that have not done you homage."

"*He* always lectures me," she whispered.

"Who?"

Etelka pulled out a photograph she had been endeavouring to paint.

"Baron Isolani!" she cried, holding the picture in her hand.

Etelka threw herself into her cousin's arms, hiding her face, whilst she asked in trembling tones, "Tell me Ilka, do you love him very much?"

So that is it, thought Ilka. She stroked her cousin's golden hair, and kissing her, said firmly, "No, I love not so lightly, and love only when I can hope for it to be returned; so paint on quietly now, little jealous one."

She did paint indeed: Gyula's picture received so much colouring it could hardly be recognised. She, however, found it charming and wore it next her heart.

Gabor von Illgen had conceived a great liking for Isolani, perhaps because he was so different from himself. It was with him as with Etelka. Both appeared superficial, but if one took the trouble to separate the reality from the appearance, there was much good in both.

Baron Gyula had invited Gabor to visit him. At Guendalin one day the old Count was lame with his gout. Ilka sat reading to him, and the Countess Illgen wandered steadily up and down the long alley. Her lively son got tired watching; the perpetual backwards and forwards in the same place was to him dismal. "My mother is like a pendulum," he remarked, in his off-hand way. Master Quicksilver accordingly mounted his horse and fled from the unfriendly atmosphere. Etelka was also in a sad humour and sat in her room alone. On his way he met the count, who turned back with his visitor. Gabor remarked on the good condition of his crops and stock, and admired his beautiful castle.

"Method is everything," said the count; "All that you see is done after a certain plan and goes on in order."

"You are a wonderful man," said the young student, heartily, "and I never feel myself more insignificant than when I am with you."

"There is nothing wonderful about me; one requires only to know his vocation and then endeavour to work it out."

Gabor could never be long with Gyula without talking of Etelka. "It is a pity she tries to paint; one cannot cultivate several talents successfully, she ought to give her whole energies to music." Their late quarrel, that had ended in the contessa's flight, he also recounted, and ended up by saying,

"Etelka thinks you are just the man for my sister."

Isolani did not interrupt him, but when the boy stopped he said, in a tone Gabor did not understand, "You are a good fellow, Gabor, there is my hand, let us be friends."

"We have been that for a long time," answered the young fellow, heartily.

"I will give you a proof of my confidence," said Gyula. "I have long feared Etelka loves you."

Gabor laughed. "She loves me because we are such good comrades; like a mirror, we are so much alike, like the half of a duet, without one the other is nothing; but you, my friend, you would not have feared, would not have questioned me, had you not *hoped*."

"I hope for everything," Isolani stood up, and laying his hand on the boy's shoulder, gazed so steadily at him that he felt dazzled by the fire and brilliancy of the great black eyes, and yet looked with fascination at the handsome face before him. "When she sang with you my heart swelled and nothing in my life has moved me so much as that duet: 'I saw thee on the heather there.' I saw then before me the boundless heather of life; the sun went down in purple splendour; the night came and the storm. Etelka danced joyously, an ivy wreath in her hair, and laughed and sang till the storm came and carried her away. Yes, Gabor, I felt sometimes as though I must spring up, carry her away, and say, be still in these arms my child, from the storms and winds that must and will come in thy life, for you are a weak, helpless plant, that will be broken down without support. The love that I had wished for came. So I thought, as I stood by the window and listened to that beautiful song; her voice trembled over it, and I felt sure her love was yours. Still the sorrow is lacking with which her soul and song will be altered." An indescribable brightness was in his face as he spoke, and Gabor listened, entranced. Gyula accompanied him home. It was a beautiful night, the air calm and the heavens filled with stars.

Suddenly a horse's hoofs were heard in the stillness, and a horseman appeared. It was a servant from the castle: the Count had a stroke of paralysis, he said, and lay dying. Gyula turned pale, and hurried on.

The Countess Illgen met him at the door. "There is no hope," she said, quietly. They entered the room. Etelka lay like a helpless



child in her cousin's arms ; the moment Gyula's step was heard she looked up at him. He never forgot that look.

Just then the dying man awoke, stretched out his hands and said, faintly, "Sing, my child, sing."

"Father," she cried, sobbing, "my voice is choked with tears, how can I sing?"

"I should feel better." He could say no more, but the longing for her sweet voice seemed to put new life in him. Etelka took courage and began very softly one of his favourite songs. She sang as a mother would to a sleeping child, and the song ceased gradually as tear after tear rolled down her cheeks.

"He is dead!" The harsh voice of the Countess Illgen spoke these short hard words.

Etelka threw up her arms and opened her lips as though to scream, but no sound came. Her eyes turned to Gyula without knowing it ; she saw a vivid light, like a star in the desert heather ; she breathed painfully as though a tempestuous storm had struck her, the first in her life ; and half fainting, she felt herself clasped in two strong arms, while a firm voice whispered in her ear :

"Mit meinem Mantel vor dem Sturm  
Berhützt ich Dich."

With my mantle from the storm  
Will I guard thee.

### TO A LATTER-DAY HYPATIA :

#### A DESPISER OF LOVE AND MARRIAGE.

**M**OCK not at Love as but a maiden's weakness,  
From thine imagined loftiness of soul ;  
For, if love bend thee to its noble meekness,  
Bowling, thy heart will touch a higher goal.

Love is not this : the dalliance of a summer,  
Flushing of cheeks and dreaminess of eyes,  
With truant wings to fly to each new-comer,  
Ready with wiles and shallow-hearted sighs.

This never cease to hold in utter scorning ;  
Watch well thy heart to guard it from this blight ;  
Eros is tender in the sunny morning,  
Flitting and faithless in the gloom of night.

Neither is love the bargain and the mating  
Dull spirits seek for grossest needs of life ;  
Finding a listener for the petty prating,  
Finding a victim for the petty strife.

Love thou shalt know, if it be for thy knowing  
How two full hearts like Sundered seas can meet ;  
Rushing together in their overflowing,  
Mingling their burdens, bitter and the sweet ;

Love thou shalt know, if, in the lonely weaving  
Of thy heart's goodness in the web of deeds,  
Colours that lack the warmth of thy conceiving  
Flash from a life of kindred hopes and needs.

Mock not at Love ! and think not of reproving  
Her that would bear the holy name of Wife ;  
Keep pure thy heart, till thou hast found in loving,  
All the deep peace and sacredness of life !

## BUDDHA AND BUDDHISM.

## II. THE DOCTRINE.

For centuries after the death of Gautama his teachings were transmitted orally, under the care of his successors in influence, who were called patriarchs, and who handed down from generation to generation, the "Dharma" or doctrine of the great Buddha. Of course, in this process of oral transmission, it must have undergone many modifications. Very diverse schools of Buddhism in time arose; numerous controversies grew out of these, and heresies sprang up which it required Œcumenic Councils to put down. For two centuries after the death of Buddha, up to the invasion of Alexander the Great, the influence of the new religion did not extend beyond the countries bordering on the Ganges. But Asôka, the grandson of the founder of the new Indian empire, which arose on the ruins of the rest, proved to be a Buddhist Constantine, who strengthened and established the Buddhist Church by every means in his power, called an Œcumenical Council for defining its teaching; perfected its organization and discipline; endowed innumerable monasteries, and sent out to all the surrounding countries enthusiastic missionary-preachers, clad in rags and bearing alms-bowls, but supported by all the prestige and power of the great Asôka. His own son, Mahinda, went to Ceylon, and converted the whole island to Buddhism.

Cabulistan, Ghandara, Cashmere, and Nepal soon followed its example, while missionaries, attached to every caravan of traders, penetrated all parts of Central Asia, and in A.D. 61, Buddhism was officially introduced into China, under the Emperor Ming-ti. Buddhist doctrines had been promulgated there many years before, and it was many centuries more before it influenced the mass of the people, a fact which might supply hope and patience to Christian missionaries. It is to-day the general though not the State religion of China—the Chinese name of Buddha being *Fo*—and its prayers and litanies are recited not in Chinese, but in Sans-

krit. From thence it spread to Corea in 372 A.D., and to Japan in 552 A.D. Thibet adopted it in 407 A.D., and there it became a most elaborate ritualism, incorporating with the original Buddhist teaching as many of the current Christian traditions and forms as it was possible to amalgamate with it. Thibetan Buddhism, therefore, has its pope, its cardinals, bishops, priests, and nuns, its infant baptism, confirmation, mass for the dead, rosaries, chaplets, candles, holy water, processions, saints' days, fast days; in short, all the observances which, by the fifth or sixth century, had engrafted themselves on the simple Christianity of Christ. From Thibet, Buddhism extended itself to Mongolia and Manchuria, where it fulfilled its mission in taming the ferocious Mongol nature, and bringing its savage ferocity in a state of semi-civilization, acting as an educational discipline to prepare the way, in God's providence, we may surely believe, for a purer faith.

Meantime, Buddhism in India, its original home, was suffering from repeated sanguinary persecutions. These, combined with the invasion of Mohammedans, have almost crushed it out in the native country of the Buddha. Buddhism still flourishes as a religion, in Mongolia, Tartary, China, Japan, Thibet, Nepaul, Siam, Burmah, and Ceylon; while Russia and Sweden are not without traces of its existence. Between Northern and Southern Buddhism there are well marked differences arising from their different historical development. In India, its ancient seat—the cradle of the religion—its scanty traces alone are found, "in the shape of ruins, rock-temples, and the seat of Djains, whose connexion with Buddhism is now scarcely recognisable."

Of Buddhism, taken as a whole, it would be impossible to convey any adequate idea in a brief article, even with a much fuller knowledge of the subject than the present writer can command. In the words of Mr. Ernest J. Eitel, who has studied it in its

eastern homes, "Buddhism is a system of vast magnitude, for it embraces all the various branches of science which our western nations have been long accustomed to divide for separate study. It embodies in one living structure grand and peculiar views of physical science, refined and subtle theories on abstract metaphysics, an edifice of fanciful mysticism, a most elaborate and far-reaching system of practical morality, and finally, a church organization as broad in its principles and as finely wrought in its most intricate network as any in the world." The general teaching, however, of Buddha and his immediate followers, is, in general, distinguishable from the many heterogeneous elements which have become engrafted into the system; while it has been sought, and with some probable success, to distinguish between the teachings of Buddha himself, and the additions of those who followed him. It is not probable, however, that Buddha originated his whole system of teaching. It is much more likely that he embodied and combined in it many floating ideas that had existed long before him among a people especially given to knotty questions, paradoxes, and intricate and sublimated thought. As a philosophy and an "attempt to explain the phenomena of the universe," Buddhism seems to have had an appreciable influence on the whole course of philosophic thought in Europe, from Socrates downward; while, within the last half century, Schopenhauer and other "pessimist" philosophers, Comte, Lewes, Emerson, and Matthew Arnold are among the many who have shown a strong affinity for some of its distinguishing lines of thought. "Most of all," to quote Eitel once more, "that latest product of modern philosophy, the so-called system of positive religion, the school of Comte, with its religion of humanity, is but Buddhism adapted to modern civilization, it is philosophic Buddhism in a slight disguise."\*

\* "For some time past," says M. de St. Hilaire, "we have seen systems arising in which metempsychosis and transmigration are highly spoken of, and attempts are made to explain the world and men without either a God or a Providence, exactly as Buddha did. A future life is refused to the yearnings of mankind, and the immortality of the soul is replaced by the immortality of works. God is dethroned and in His place they substitute man, the only being, we are told, in which the Infinite becomes conscious of itself. This is not the place to examine these theories, and their authors are too

As a mere system of natural philosophy and metaphysics, Buddhism needs to concern us but slightly, and it is impossible here to go into any detailed description of its strange phantasmagoria of Brahma worlds of gods and demigods and demons, its endless succession of universes, world systems, and worlds, gradually cooling themselves through almost endless *Kalpas*,† or periods of formation, as the lotus buds open themselves on the surface of the stream—then passing gradually into ruin, chaos, and emptiness, through a period of destruction—always to be succeeded, in turn, by a new formation; while the gods and demigods share the universal law of destruction and succession with the lower creations. By a strange coincidence or anticipation, the Buddhist natural philosophy hit upon some of the best established hypotheses of modern science. The nebular hypothesis, the originally incandescent state of the earth and other planets, the final catastrophe of conflagration for the worlds in turn, the long geological periods of the earth's formation,—even the evolution hypothesis itself,—all came within the range of a system so oddly amalgamating absurdity and superstition with what is now commonly regarded as sober scientific truth.

As a religious and moral system, however, Buddhism is at once more interesting and important. The two leading ideas of the teaching of Buddha have excited much controversy, as indeed one of them does still. These are, the teaching as to the existence of a God, and of a future state—Buddha's atheism and his NIRVANA. He admitted, as we have seen, the existence of gods and demigods, but these were finite beings. The existence of an eternal personal God, it is

learned and too sincere to deserve to be condemned summarily and without discussion. But it is well that they should know by the example, too little known, of Buddhism, what becomes of man if he depends upon himself alone, and if his meditations, misled by a pride of which he is hardly conscious, bring him to the precipice where Buddha was lost." Mr. Hodgson says that "the unfailling diagnostic of Buddhism is a belief in the infinite capacity of the human mind."

† The duration of a Kalpa is thus described in the language of Buddhism: "Take a rock forming a cube of about fourteen miles, touch it once in a hundred years with a piece of fine cloth, and the rock will sooner be reduced to dust than a kalpa will have attained its end." Few minds, perhaps, can rise to a larger conception than this, even of what they call "eternity."

now generally acknowledged, was, if not positively negated, at least not admitted into his scheme of things, even though there seems to run through it, in a vague, unformulated manner, the idea of a Divine intelligence, which took, from time to time, human shape and form in the successive Buddhas. But in this no personal Creator was recognised, not even as Brahmanism had taught, a supreme, self-existent intelligence from which all things ceaselessly flow, into which all things must at last be absorbed. Buddha taught the impermanency of *all* things—*all* beings. In all conceivable existence there was no enduring reality—all things were in a state of endless flow and change—existences ending and repeating themselves, through a dizzying round of birth and death. The illusory nature of life is represented by the following description of its five Skandhas, or constituents of life. "The first group (the bodily qualities) are like a mass of foam that gradually forms and then vanishes. The second (the sensations) are like a bubble dancing on the face of the water. The third (the ideas) are like the uncertain mirage that appears in the sunshine. The fourth (the tendencies) are like the piantain stalks, without firmness or solidity, and the fifth (the reason) is like a spectre or magical illusion." The twelve links in the chain of existence are explained as being—1, ignorance or delusion; 2, action; 3, consciousness; 4, substantiality; 5, bodily organs; 6, sensation; 7, perception; 8, desire or lust; 9, cleaving to existence; 10, individual existence; 11, birth; 12, death; which closes the round, to begin anew again. It is this perpetual round or cycle, in physics, in metaphysics, and in the moral order of the world through transmigration, which has given to Buddhism the symbol of a wheel, and called its doctrine "the wheel of the law."

But the wheel is not only of perpetual, but of spontaneous motion. It is said that when he was asked how the first universe was brought into being, and whence this eternal law of ceaseless reproduction came, Buddha remained silent, and at last explained that none but a Buddha could comprehend the solution of a problem which was absolutely beyond the comprehension of a finite mind. His rejection of the idea of an eternal Creator, was, doubtless, in part, a reaction against the broad assumptions of Brahmanism,

establishing a haughty, self-deified caste between the soul and God, and against the puerilities which more popular worship had grafted upon its abstract theology. Further, it probably arose from his sense of the "limits of religious thought," his having realised the difficulty of conceiving the unconditioned and the absolute, and the difficulty of connecting this conception with that of a personal God. He found it easier to suppose the existence, almost indefinitely prolonged, of certain superior or powerful Beings, while, in the place of the Supreme and Eternal, he left a blank, which, nevertheless, he seems to have involuntarily filled up with a "power that makes for righteousness." As a consequence, however, of this theoretical rejection, his system lacked that which, it has been truly said, is the true ground of religion—that which alone makes religion possible—the relation of the soul to God.

From this negation of an eternal Creator and Governor of all things seems to follow naturally his negative idea of a future state—the NIRVANA—the precise meaning of which has caused so much discussion, and is a point far from settled yet. When once men have lost the belief in an eternal Father, a Divine central heart of love underlying all the shifting face of outward things, a Perfection, communion with which can alone satisfy the ever-yearning aspirations of human nature, it is easy to see how—with no prospect of possible satisfaction in view—the longing for immortality would subside into a simple longing for *rest*, rest for ever from the perpetual unsatisfied craving of *desire*, which haunts men from the cradle to the grave. Even to Christians, in some moods, the idea of a personal immortality—*endless*—is sometimes oppressive. Moreover, Buddha accepted, unhesitatingly, the Brahman doctrine of transmigration, though he restricted its range to animal organic nature, or gave it a moral aspect by introducing the idea of the *Karma*—the merit or demerit of the individual which was to determine the character and status of his next birth and life. But how was this perpetual weary succession of birth and death to be closed? Only through the extinction of *desire* was the entrance into *rest* or the *Nirvāna*.

The Sanscrit word, Nirvāna, means "extinction," as of a light, and has been well explained by a recent writer on the subject, to be "the 'going out,' the disappearance of

that sinful, yearning, grasping condition of mind and heart, which would otherwise, according to the great mystery of Karma, be the cause of renewed individual existence," and this, too, by the growth of that opposite condition—"a pure, calm, clear state of mind"—almost the equivalent of holiness, a process which reminds us of the "dying to sin" and self, with which we are familiar in the writings of St. Paul. It is even possible that Buddha taught *negatively*, because, with those fine spiritual feelers of the soul, which can grasp what the mere intellectual faculties cannot, he aspired to the spiritual blessedness which is inconceivable to human thought, and inexpressible in human language. Some of his teaching—at least, so even Max Müller admits—points to this hypothesis, though he does not consider that, theoretically, it went further than "the entrance of the soul into rest, a subduing of all wishes and desires, indifference to joy and pain, to good and evil, an absorption of the soul in itself, and a freedom from the circle of existences from birth to death, and from death to a new birth." His four "sublime verities" were these:—

1. There is pain, sorrow in the world.
2. This comes of the desires, of lack, and of sin.
3. This pain may cease by Nirvâna.
4. There is a way that leads thither.

This "way" consists in eight things: right faith or belief, right judgment, right language, right purpose, right practice, right obedience, right memory, and right moderation; all which may be understood, as Max Müller says, "as part of a simply moral code, closing with a kind of mystic meditation on the highest object of thought, and with a yearning after deliverance from all worldly ties." In a word, he taught that true peace must lie, not in gratifying the desires and passions, but in subduing them, in rising above the things of sense to the freedom of the spirit. It was at least a glimmering of the truth which was afterwards taught by a greater than Buddha, with a fuller meaning: "*Whosoever will save his life shall lose it; and whosoever will lose his life for my sake shall find it.*"

It is impossible, indeed, to read many of his best authenticated sayings without feeling that he had attained at least to some dim apprehension of the profound truth—now occupying a much more prominent

place in Christian thoughts and teaching than in former times—which is thus beautifully expressed by Whittier:—

"So to the calmly gathered thought,  
The innermost of truth is taught,  
The mystery dimly understood,  
That love of God is love of good,  
And, chiefly, its divinest trace  
In Him of Nazareth's holy face;  
—That to be saved is only this,—  
Salvation from our selfishness,  
From more than elemental fire,  
The soul's unsanctified desire,  
*From sin itself, and not the pain  
That warns us of its chafing chain.*"

Some of Buddha's sayings themselves will best illustrate this:

"They who, by steadfast mind, have become exempt from evil desire, and well trained in the teachings of Gautama, they, having received the fruit of the fourth Path and immersed themselves in that ambrosia, have received without price and are in the enjoyment of Nirvâna."

"That mendicant does well who has conquered sin by means of holiness, from whose eyes the veil of errors has been removed, who is well trained in religion, who is free from that yearning thirst, who is skilled in the knowledge of and has attained unto Nirvâna."

"When a man can bear everything without uttering a sound he has attained Nirvâna."

"Hunger or desire is the worst ailment, the body the greatest of all evils; where this is properly known, there is Nirvâna, the greatest happiness."

"The sages who injure nobody, and who always control their body, they will go to the unchangable place (Nirvâna), where, if they are gone, they will suffer no more."

And a conversation, between King Nagesena and the Buddhist, Milinda, a little before the Christian era, closes with the following striking sentence: "*Even so Nirvâna is; destroying the infinite sorrow of the world, and presenting itself as the chief happiness of the world; but its attributes cannot be declared.*"\* This is rather transcendental than

\* The language of some of the old mystics regarding spiritual blessedness has a certain general resemblance to parts of the teaching of Buddha regarding the Nirvana. Compare John Tauler (Twelfth Century) as follows:

"Secondly, their Heavenly Father drew them forth from the bonds of slavery to sense, so that they were delivered from this captivity never again to fall

nihilistic, and again it recalls well-known words, and again with a fuller meaning: "Eye hath not seen, neither hath ear heard, neither hath it entered into the heart of man to conceive, the things which God hath prepared for them that love him." Much, indeed, of the Christian teaching concerning a future state is negative: "No death, no pain, no sorrow nor crying;" and this is necessarily so where the affirmation is so far beyond human words to express; and the *one great* affirmation of Christianity—the blessedness of an unending communion with the source of love and life—Buddhism, of course, could never reach.\*

Among the successors of Buddha, however, the subject of Nirvâna was treated in a hard, metaphysical manner, like that of the old schoolmen; the continued existence of the soul being denied in every conceivable form in which it could be expressed. In their hands, Nirvâna was either nihilistic or utterly unintelligible. The doctrine of Dhyâna—something akin to the "ecstasy" of the mystics—was also associated with it. Buddha, in his last moments, is said to have passed through its four stages: the first consisting in freedom from sin, a perfection

into it, but to stand ready in perfect acquiescence to receive His further leading. He who only considers the matter aright, will find that this drawing them up above the things of the body was very necessary, if they were to enter the school of the Eternal Light. For this school has four qualities. First, that it is raised far above all time, not only in the third heaven, physically speaking, but above all the movements of the heavenly bodies, and all else that is subject to time. In the second place, that whatever may be found still remaining of self-appropriation is not suffered to make itself a home and resting-place in the heart. In the third place, in this school is perfect rest, for no storms, nor rain, nor sin, nor aught that can bring change is there. Fourthly, there reigns perpetual light, clear and unbedimmed; for the sun and moon, which set from time to time, and leave the earth in darkness, do not shine there. God is their eternal sun, shining in His brightness. Now, seeing that all material created things are base, narrow, subject to change and alloy, it was needful that the disciples should be raised above the trammels of material things, for St. Jerome says "It is as impossible for God to bestow Himself under the limitations of time or temporal things, as it is for a stone to possess the wisdom of an angel."

\* How many Christians, after all, have a much more definite idea of Heaven than that it is a state where pain and death and sorrow are known no more, where "the wicked cease from troubling and the weary are at rest?" Christian poetry on the whole expresses it more by negatives than affirmatives.

of knowledge, and a single desire for Nirvâna; the second being the same desire combined with satisfaction, the discriminating and reassuring powers being suspended; the third, indifference, with some remnant of physical pleasure; the fourth, entire loss of self-consciousness and entrance into Nirvâna. But this was too rare an atmosphere for average human thought to breathe in, and so Nirvâna, in course of time, was developed into a sensuous paradise, culminating in the childish absurdities of the "Paradise of the West."

As a code of morality Buddhism had its greatest power. Its Canon consisted of the Tripitâka or Three Baskets—referring to the way in which the leaves were kept together; three volumes, as we should say. Of these, the first in order, so in importance, was called the *Vinaya* or code of morality; the second comprised the *Sûtras*, or the discourses of Buddha, while the third was called the *Abhidharma* or by-law, containing the body of metaphysics. The five great commandments enjoined on all were—

1. Thou shalt not kill.
2. Thou shalt not steal.
3. Thou shalt not commit adultery.
4. Thou shalt not speak untruth.
5. Thou shalt take no intoxicating drink.

For the rest, charity, loving-kindness, purity, patience, long-suffering, peace-making, were enjoined in words that breathe the spirit of the sermon on the Mount, while cruelty to animals was forbidden with a horror of inhumanity which puts sportsmen and vivisectionists to shame.

The disciples of Buddha were enjoined,—

"Never to blend their *pleasure* or their *pride*  
With sorrow of the meanest thing that lives."

Indeed, repugnance to the causing of suffering to animals seems to have been one reason for the absence from the Buddhist ritual of all animal sacrifice. The *Dhammapada* or "Path of Virtue," a small manual of four hundred and twenty-four verses, which are supposed to contain the utterances of Buddha himself, has been translated and published in English by Max Müller. A few extracts are given to show its tenour and spirit.

"Reflection is the path of immortality, thoughtlessness the path of death. Those

who reflect do not die, those who are thoughtless are as if dead already.”\*

“Those wise people, meditative, steady, always possessed of strong power, attain to Nirvāna, *the highest happiness.*”

“Hatred does not cease by hatred at any time; hatred ceases by love; this is an old rule.”

“If one man conquer in battle a thousand times a thousand men, and if another conquer himself, he is the greatest of conquerors.”

“He who lives a hundred years, not seeing the highest law, a life of one day is better, if a man sees the highest law.”

“Let no man think lightly of evil, saying in his heart, it will not come near unto me. Even by the falling of water-drops a water-pot is filled; the fool becomes full of evil, even if he gathers it little by little.”

“Do not speak harshly to anybody; those who are spoken to will answer thee in that same way. Angry speech is painful, blows for blows will touch thee.”

“Self is the lord of self, who else could be the lord? With self well-subdued, a man finds a lord such as few can find.”

“His good works receive him who has done good, and has gone from this world to the other, as kinsmen receive a friend on his return.”

“If anything is to be done, let a man do it, let him attack it vigorously! A careless pilgrim only scatters the dust of his passions more widely.”

“Let each man make himself as he teaches others to be; he who is well subdued may subdue (others); one’s own self is difficult to subdue.”

“Let a man overcome anger by love, let him overcome evil by good, let him overcome the greedy by liberality, the liar by truth.”

“Speak the truth, do not yield to anger, give, if thou art asked, from the little thou hast; by those steps thou wilt go near the gods.”

“He from whom anger and hatred, pride and envy have dropped like a mustard seed from the point of an awl, him I call indeed a *Brāhmanā*.”

“He who calls nothing his own, whether it be before, behind, or between, who is poor,

\* Compare—“She that liveth in pleasure is dead while she liveth;” and similar texts.

and free from the love of the world, him I call indeed a *Brāhmanā*.”

But isolated passages hardly do justice to this remarkable production, which needs to be read as a whole in order to be understood. These will show, however, how many gleams of eternal truth break through the cloud of metaphysical Transcendentalism.

“As little children lisp and tell of Heaven,  
So thoughts beyond their thoughts to those high  
bards were given.”

From a translation of “A Sermon of Buddha,” published in the *Contemporary Review* for February, 1876, which is full of a practical morality, somewhat recalling the Proverbs of Solómon, the following passages are given:—

“The wise man who lives a virtuous life, gentle and prudent, lowly and teachable, such a one shall be exalted. Benevolent, friendly, grateful, liberal, a guide, instructor, and trainer of men, such a one shall attain honour.”

“Liberality, courtesy, benevolence, unselfishness, under all circumstances and towards all men,—these qualities are to the world what the linch-pin is to the rolling chariot. And when these qualities are wanting, neither father nor mother will receive honour and support from a son. And because wise men foster these qualities, therefore do they prosper and receive praise.”

It is certainly a striking example of the rule of exceptions to all rules that the purest practical morality which ever existed apart from what we specifically term “revelation,” “was taught by men with whom the gods had become mere phantoms, and who had no altars, not even an altar to the ‘Unknown God.’” Yet, viewed theoretically, and taking motives into consideration, the morality of the Buddhist system is far from being the highest. It teaches, “Do good *that you may be happy*,” not, “Do good *because it is right*,” or, “that ye may be the children of your Father which is in heaven.” Self-love—the desire of rest from pain—is made the motive for conquering self-love, which is a practical impossibility.† What wonder that the type

† This theoretical inconsistency does not in the least derogate from the devoted “enthusiasm of humanity” that possessed Buddha and some of his nobly unselfish followers. In the Chinese Fo-worship, the Liturgy, is recorded the following vow of the Bodhisatta Kavan Yiu—the great Compassionate Heart or Mercy: “Never will I seek or receive

of the Buddhist Brâhmana now should most frequently be, not the earnest, contemplative ascetic, striving by self-conquest for purification, but the ignorant, superstitious priest of China or Siam, who prostrates himself before the images of the Buddha and his successors, and drearily chants monotonous litanies in a language unintelligible to him, while he holds out a hand to receive an alms or examine the dress of a passer-by?

Yet, though Buddhism failed of its purpose because it sought to—

“Wind itself too high  
For sinful man beneath the sky;”

because ordinary men, not being philosophers, became idolaters, and being denied the personal God for whom the heart of man consciously and unconsciously cried out, deified mortals and made them the objects of dependence and prayer,—still it undoubtedly had a merciful mission to humanity. It broke down the barriers of *caste*, the net-work of puerile observance, the pervading despotism, of Brahmanism, against which it was a reaction, and which are to-day, in India, the strongest barriers against a purer faith. Its mission was to humanity as a whole, not to a particular class or nation; it taught the right of every soul to receive and recognise truth for itself, protesting emphatically against the idea of an hereditary caste of “twice-born” men, appointed to be the absolute guides and masters of the people. It taught, emphatically, that a man’s true “life consisteth *not* in the abundance of the things which he possesseth,” that the work of purification is an inward one, and that the path to peace lies not in self-indulgence, but in *self-denial*. It inculcated the duty of observing whatsoever things were “pure and lovely and of good report,” and so far followed close upon the footsteps of Christianity. It kept inviolate the rights of conscience, and never attempted to use the secular arm in support of its purely moral suasion, even though itself frequently suffering persecution.

But in some most important points it fell far short of our fuller and purer faith. It

individual salvation, never enter final peace above, but forever and everywhere will I live and strive for the universal redemption of every creature throughout all worlds. Until all are delivered, never will I leave the world of sin, sorrow, or struggle; but will remain where I am.”

knew nothing of a Father in Heaven and His infinite love for a world lying in wickedness. It could not tell that “*this* is life eternal—to know the only true God, and Jesus Christ whom He has sent.” It taught men that it was needful to “die unto sin and live unto righteousness;” but it could not teach that, if “we be dead with Christ we shall also *live* with Him.” It could bring no strong, tender power, like the “constraining love of Christ,” to touch the heart and raise man above the innate evil of his nature. Cultivating an even morbid disdain of this present world, it perverted God’s social order, and filled Northern Asia with crowds of idle mendicants under the guise of devotees, seeking a barren self-purification. It could hold out no bright hope of purity and eternal blessedness in the “Father’s House.” It taught that they are blessed who “hunger and thirst after righteousness;” but it could not tell how, “by the obedience of One, many are made righteous.” It taught that “he that doeth these things shall live by them,” but it could hold out no hope to the weak, helpless sinner who cannot do the things he would do, and who must die unless he can live “by faith.” Buddha seems scarcely to have conceived of sin as *guilt*, rather as simply the source of misery, and he had nothing to offer to the troubled conscience—no knowledge of the mystery of the Divine love and suffering, which, in the Atonement of Christ, raises the guilt-stricken sinner sunk in hopeless despair, and reconciles him to God. He saw that “the blood of bulls and goats cannot take away sin,” but to him was not revealed the knowledge of the perfect Sacrifice who was to put away sin by the sacrifice of Himself. And for this very reason the vitality of Buddhism was soon exhausted, and it exists now only as a superstitious idolatry, fast becoming effete. It offered morality without religion, as Brahmanism had offered religion without morality. Christianity embraces the essential ideas of both, and more than fulfils the highest spiritual aspiration of Buddha. He had his mission to fulfil in preparing the way for a greater than he, and we can be thankful for the light shed in darkness by this “Star in the East,” even while we feel that not from the mountains of Nepal, but from the hill country of Judæa shone that “true light which lighteth every man that cometh into the world.”

FIDELIS.



## HARRIET MARTINEAU.

THIS remarkable woman was born at Norwich, June 12th, 1802, and died at Ambleside, June 27th, 1876. She therefore filled more than man's allotted span of life. There is nothing strange in that. But what is very curious is this—that she survived for twenty-two years sentence of death passed upon her by her physicians, which might be looked for at any moment. She made her will, arranged all her affairs, wrote her autobiography, and remained, as her "memorialist" phrases it, "waiting for death." And she awaited it with perfect equanimity. Thence it happens that her history of herself comes no further down than 1855, a great loss to the world. The gap is filled indeed, but very insufficiently filled, by certain "Memorials."

From a bird's-eye view of the life of Harriet Martineau, it will be found to divide itself very distinctly into five periods—from her birth to the age of thirty; from that to thirty-seven; thence to forty-three; thence to fifty-three; and from that time till her death. There is indeed a certain symmetry in this partition. There is, first, a long, toilsome up-hill road; then there is a level of overflowing success and enjoyment, including foreign travel; next comes the middle period of almost total rest and seclusion, enforced, it is true, followed by one almost exactly corresponding with that which preceded it; and then, to match the first period, the long down-hill course to the grave, only not toilsome but tranquil.

The first period need not detain us long. There is indeed a great deal that is very curious and interesting, as related in the autobiography, concerning the early yearnings and struggles of an intellect which was to obtain so wide a range, but they can only be looked upon as preparatory. There followed "metal more attractive."

At the age of thirty, Harriet Martineau removed from Norwich to London, and made but one leap into popularity and fame. A young single woman (but, a hundred chances to one, all the better for that); writing for

bread, "up two pair of stairs," in Conduit street; already incurably deaf, and not attractive in person; of provincial birth and breeding (take that for what it is worth, but Miss Martineau gives weight to it herself); she made her own open-sesame to all that was most agreeable in London society, and she thoroughly entered into it and enjoyed it. Somebody's carriage was generally sent for her, and she dined out every day but Sundays. She might find herself at table between the Lord Chancellor on one hand and Sir Edwin Landseer on the other. A list of all the celebrated people whom she met at other houses, and who paid her visits at her own, would be almost without end. Of all these she speaks in her autobiography with the untrammelled freedom of a voice which was only to be heard from beyond the grave. Of some of them good things are told. Here is one: "When Mr. and Mrs. — travelled in Italy, they were attacked by banditti, who meant to carry Mr. — into the mountains for ransom. Mrs. — was bent on going with him; and rather than have her the banditti let him go. Rogers says he did not believe it till he saw her; when he no longer doubted. How like him!" Of Rogers she says: "Mr. Rogers was my neighbour from the time when I went to live in Fludyer street; and many were the parties to which he took me in his carriage. Many also were the breakfasts to which he invited me; those breakfasts, the fame of which has spread over the literary world. I could not often go—indeed scarcely ever—so indispensable to my work were my morning hours and strength; and, when Mr. Rogers perceived this, he asked me to dinner, or in the evening. But I did occasionally go to breakfast, and he made it easy by saving me the street passage. He desired his gardener to leave the garden gate unlocked, and I merely crossed the park and stepped in through the breakfast room window." This is pleasant, but it is more than that; it is significant of the estimation in which Harriet Martineau was held by the choicest

society of that day in London. Sidney Smith, hearing that Rogers had written nothing lately but a couplet, "Nothing but a couplet!" he exclaimed; "why, what would you have? When Rogers produces a couplet, he goes to bed :

And the caudle is made ;  
And the knocker is tied ;  
And straw is laid down ;

and when his friends send to inquire,—Mr. Rogers is as well as can be expected." This story is on Miss Martineau's authority, and here is another on the same : "What do you think he said to me?" cried the complainant (a friend of Captain Ross, the Arctic explorer, speaking of Jeffrey) "Why, he damned the North Pole!" "Well, never mind, never mind," said Sidney Smith, soothingly. "Never mind his damning the North Pole; I have heard him speak disrespectfully of the Equator."

Among the celebrities of the day there were a few to whom Miss Martineau refused to be introduced, on account of "ribald" language and ridicule used against her, and of these were Lockhart of the *Quarterly* and Moore. The story of the *Quarterly* is worth telling. Among the political economy series of Tales, the starting-point from which the authoress strode into fame, was one on population, dealt with in the Malthusian spirit, and, no doubt, a very ticklish subject for a young unmarried woman to touch. Miss Martineau says : "When the course of my exposition brought me to the Population subject, I, with my youthful and provincial mode of thought and feeling—brought up too amidst the prudery which is found in its greatest force in our middle class—could not but be sensible that I risked much in writing and publishing on a subject which was not universally treated in the pure, benevolent, and scientific spirit of Malthus himself. I felt that the subject was one of science, and therefore perfectly easy to treat in itself; but I was aware that some evil associations had gathered about it,—though I did not know what they were. While writing 'Weal and Woe in Garnloch,' the perspiration many a time streamed down my face, though I knew there was not a line in it which might not be read aloud in any family. The misery arose from my seeing how the simplest statements and reasonings might and probably would be

perversed. I said nothing to anybody, and, when the number was finished, I read it aloud to my mother and aunt. If there had been any opening whatever for doubt or dread, I was sure that these two ladies would have given me abundant warning and exhortation—both from their very keen sense of propriety and their affection for me. But they were as complacent and easy as they had been interested and attentive." And in reply to a lady who wrote her an impertinent letter on the subject : "As for the question you put about the principles of my Series,—if you believe the Population question to be, as you say, the most serious now agitating society, you can hardly suppose that I shall omit it, or that I can have been heedless of it in forming my plan. I consider it, as treated by Malthus, a strictly philosophical question. So treating it, I find no difficulty in it; and there can be no difficulty in it for those who approach it with a single mind. To such I address myself. If any others should come whispering to me that I need not listen to, I shall shift my trumpet and take up my knitting." Nevertheless a storm was brewing. "While all this was going on," writes Miss Martineau, "without my knowledge, warnings came to me from two quarters that something prodigious was about to happen." "On the same day, another friend called to tell me that my printers (who also printed the *Quarterly*) thought I ought to know that 'the filthiest thing that had passed through the press for a quarter of a century' was coming out against me in the *Quarterly*. I could not conceive what all this meant; and I do not half understand it now; but it was enough to perceive that the design was to discredit me with some sort of evil imputation." Farther on : "I heard, some years after, that one or two literary ladies had said that they, in my place, would have gone into the mountains or to the antipodes, and never shown their faces again, and that there were inquiries in abundance of my friends how I stood it. But I gave no sign. The reply always was that I looked very well and happy—just as usual." This was Miss Martineau all over. Throughout all her life she was fearlessly truthful, even audacious, when she had the truth to tell. She says herself : "On five occasions of my life I have found myself obliged to write and publish what I entirely believed would be ruinous to my reputation and prosperity. In no one of

the five cases has the result been what I anticipated. I find myself at the close of my life prosperous in name and fame, in my friendships and in my affairs. But it may be considered to have been a narrow escape in the first instance; for everything was done that low-minded recklessness and malice could do to destroy my credit and influence by gross appeals to the prudery, timidity, and ignorance of the middle classes of England." This is strong language, but who has not had occasion to see, or to hear of, the disgraceful lengths to which reviewers, behind their shield of impersonality, permit themselves to go? Here is another peep behind the scenes of reviewing, this time of the *Edinburgh*: "We were savage," replied Sidney Smith to Miss Martineau; "I remember (and it was plain he could not help enjoying the remembrance) how Brougham and I sat trying one night how we could exasperate our cruelty to the utmost. We had got hold of a poor nervous little vegetarian, who had put out a poor silly little book; and, when we had done our review of it, we sat trying (and here he joined his finger and thumb, as if dropping from a phial) to find one more chink, one more crevice, through which we might drop in one more drop of verjuice, to eat into his bones." There is many a true word said in jest. Sidney Smith was naturally a good-natured man, but when he took in his hand the pen of the reviewer, venom—the venom of irony and ridicule—flowed from it.

It must not be supposed that Miss Martineau submitted to be lionised. At least she thought—as all persons think in her situation—that she did not. She writes: "I could never sympathize fully with his" (Hallam's) "reverence for people of rank, and he could not understand my principles and methods of self-defence against the dangers and disgusts of 'lionism.' For one instance: I never would go to Lansdowne House, because I knew that I was invited there as an authoress, to undergo, as people did at that house, the most delicate and refined process of being lionised—but still the process. The Marquis and Marchioness of Lansdowne, and a son and daughter, caused me to be introduced to them at Sir Augustus Calcott's; and their not being introduced to my mother, who was with me, showed the footing on which I stood. I was then just departing for America. On my return I was invited

to every kind of party at Lansdowne House—a concert, a state dinner, a friendly dinner party, a small evening party, and a ball—and I declined them all. I went nowhere but where my acquaintance was sought, as a lady, by ladies. Mr. Hallam told me—what was true enough—that Lady Lansdowne, being one of the Queen's ladies, and Lord Lansdowne, being a Cabinet Minister, could not make calls. If so, it made no difference in my disinclination to go, in a blue-stocking way, to a house where I was not really acquainted with anybody. Mr. Hallam, I saw, thought me conceited and saucy; but I felt I must take my own methods of preserving my social independence." This is amusing enough, in face of the fact that the sole introduction and passport of this daughter of a Norwich manufacturer into the best society of London was her literary fame, and that at Mr. Rogers's for instance, there was no "lady" to invite her, for he was unmarried. We smile, but we must admit that there are few hobbies that are not made to caracole rather ridiculously at times.

The unexampled feat of producing thirty-six monthly tales as illustrations of political economy, with the strain of their immense success and the associated fear of falling below their mark, and probably the dissipations of life and society, told upon Miss Martineau's health, and necessitated the relaxation of foreign travel. Her course was bent in the direction of the United States, to which country she went with an evident bias in favor of some of its institutions. The people, susceptible as they are to the opinion of foreign travellers, and of the British especially, received her with open arms, and loaded her with flattering attentions. In company with a lady-companion, engaged for the occasion, she made a lengthened tour of two years, throughout all the then existing States. She did not altogether escape ridicule (that wicked wag, Sam Slick, among others, amused himself with her and her proceedings), and there are who say that she was "fooled to the top of her bent."

She made one great mistake. She identified herself with the abolitionists of Boston, and made a speech at one of their public meetings. It was fearless, as it always was with her; for the people of the States, northern as well as southern, held the abolitionists in such bad odour, that Lloyd Garrison wrote at Boston with pistols on his desk,

and they were subjected not only to tarring and feathering, riding on a rail, &c., but even to murder. Miss Martineau herself was credibly informed that her own personal safety could not be insured on a certain line of route, which she had chosen for her subsequent travel, including Cincinnati and the Ohio, and very reluctantly she consented to change it. No doubt the impulses of the abolitionists were good, but, as it is with all enthusiasts, they were carried away by them. Miss Martineau might have been expected to know better. It was not her place publicly to attack the institutions of the country whose hospitality she was enjoying. In the Southern States, more particularly, she had already enjoyed all the warm hospitality that could be shown to her. While there, she seems to have been fully sensible that the abolitionists were doing, not only more harm than good, but unmixed mischief. The Boston people had even less right than a foreigner. When it suited their purpose they had entered into a pact with the slaveholders by which they had guaranteed the institution of slavery, and had actually endowed it with representative rights under the constitution. If a body of abolitionists had attempted by violence to force the abolition of slavery (the means were ludicrously inadequate to the end), they would have been treated as pirates, and the laws of their country would not have protected them. If any foreign power had levied war against the Southern States for the same purpose, the whole power of the United States, including that of Massachusetts (and the abolitionists themselves would have joined in it, must have joined in it), would have been used to repel the invasion and to uphold slavery. We all know what the slavery of the Southern States was. You may call it by all the hard names you will. Exaggeration is possible, even on that theme, but it went far to deserve them all. It was not, however, for a handful of people in Boston to break the faith which the whole Northern people had pledged for their own purposes, and of which they had reaped the advantages. The end, you will say, has been gained. The slaves have been emancipated. It is well. But it was simply a war measure. The North began the war with a distinct declaration that slavery should not be interfered with. This, Miss Martineau says, greatly puzzled the British people, and herself among them. The

object was to prevent, if possible, the whole body of the Southern States from joining the Confederacy in a mass. When that failed, and victory for the North was sufficiently insured (two or three years afterward), then came the Emancipation Proclamation, as a penalty inflicted on the conquered South, just as the cession of Alsace and Lorraine, and the payment of four hundred millions of pounds sterling, was inflicted by Germany upon conquered France. It would be difficult to say, perhaps, which was the more huge confiscation.

The truth seems to have been that the abolitionists of Boston were chiefly ladies—or that at least their influence was predominant—and we can perfectly well understand why certain points about slavery should be peculiarly hateful, and righteously hateful, to women, and to Miss Martineau, as a woman. But upon this point women lose their heads, as we most of us lose our heads on some point or other. When Mrs. Stowe, after writing "Uncle Tom's Cabin"—an indisputably clever book, but *packed* to the last degree—was enthroned, and held her court, in one of the saloons of the Duchess of Sutherland (if memory can be trusted), the Women of England got up some sort of public address to the Women of the Southern States, dwelling upon this hateful point. What happened? Did the Southern ladies cordially join hands with their Eastern sisters? Not a bit of it! The Women of England had reckoned without their host. Said, in effect, the mothers, wives, sisters of slaveholding men: "Mind your own business. Cleanse your own cities from their pollution. Come to us with clean hands."

At the house of the present writer was, a few days ago, a Canadian gentleman, at present residing in New York, whose professional avocations had lately called him to the Southern States. Conversing about the manumitted coloured people, and their present and former condition, the writer said, "There were great abominations under slavery." "True," said he, "*but there are greater abominations now.*"

The foregoing subject assumed such prominence with Miss Martineau, that no more than its fair share of consideration has been given to it.

It may be supposed that the subject of what are called "Women's Rights," came up in connection with Miss Martineau's tour in

the United States. She was an adherent of the cause, as might be expected, but, as might be made very sure of, a very moderate one. She could not, indeed, for very shame, have been otherwise, for, if ever there was an example which showed that a career is open to women if they can only make it for themselves, and that they lie under no disabilities whatever, unless it be their own incompetency, it was the case of Harriet Martineau. A gentleman in the States (it is said that the men there would only too gladly retrace their steps, were that now in their power), asked her whether she really thought that women had the same privileges and rights as men. "That," she replied, "depends upon their powers." Precisely so. Harriet Martineau had powers, and she had achieved for herself the rights and privileges of a man. But, if you take the great bulk of mankind, and the great bulk of womankind; if you measure the powers of the one against the powers of the other; if you weigh man's work in the world against woman's work; the difference is so vast, so immeasurable, indeed, that any comparison becomes an absurdity. Strike man's work out of the world, and what remains? From all the benefits that women enjoy, strike off those for which they are indebted to man, and what remains? It is very much to be feared that for "rights" we must read "obligations," and that repayment for these obligations—even were the possibility of that to be dreamed of—must precede rights. We need not therefore be surprised that we find Harriet Martineau—for, with her keen intelligence, she could not have been blind to all this—a very mild and modest advocate of "Women's Rights." There were other causes into which she threw herself, heart and soul; this one comes up incidentally only.

Here is a significant scrap worth quoting from her autobiography (the italics are this writer's): "*It is an awful choice before me! Such facilities for usefulness and activity of knowledge; such certain toil and bondage; such risk of failure and descent from my position! The realities of life press upon me now. If I do this, I must brace myself up to do and suffer like a man. No more waywardness, precipitation, and reliance on allowance from others! Undertaking a man's duty, I must brave a man's fate.*" You may safely defy words to put the case stronger than that.

The woman must be put off and the man taken on. How does it look, put in that shape? How many women could do it? How many women would wish to do it? Pshaw! It is mere waste of words. You might as well say that an apple might become an onion. Both capital things. Of which should we mourn the loss most?

One smiles, too, with a little, perhaps, pardonable malice, when he finds a strong-minded woman like Miss Martineau, writing a trifle (for her) called "A Month at Sea," describing her own homeward voyage (all real except the proper names), of which the burden is the misbehaviour of members of her own sex. One lady passenger throws her breakfast in the face of the stewardess; another, in a rage, flings her plate all down the length of the table; "the last act on board" of a third, was "ordering the steward to throw overboard Miss Saunders's geranium, brought from Dr. Channing's garden in Rhode Island, and kept alive through the voyage with great care." All three, having given the stewardess more trouble than any others of the passengers—but *cela va sans dire*—combine to cheat the "poor girl" out of her fees, "her only wages." Were it not that Miss Martineau is invulnerable in her truthfulness—erring on that side, if that be possible—one would really look on such things as these with some incredulity. But there they are, and it is Harriet Martineau who tells them. She must have been in luck's way. The present writer has crossed the Atlantic too, more than once or twice; he has not penetrated, it is true, the sanctities of the ladies' cabin, except now and then, under authorized circumstances, but he has not been fortunate enough to witness such freaks as those described.

Miss Martineau had hardly set foot in London again when there began a scramble between rival publishers for any work on America that she might be induced to write. There were three of them in her house at once, in different rooms, and, as each of them was on bad terms with the other two, it required some diplomacy to prevent a collision on the staircase. Miss Martineau had under consideration an offer of nine hundred pounds for a work in three volumes, when she received another offer of two thousand pounds for the same. This she declined in favour of the former—it is rather difficult to say why, as, though it appeared to her an

extravagant proposal, a thing is worth what it will fetch, and the offer was made by Mr. Colburn, a publisher of first-class standing in his business. Each of these publishers made her an offer of a thousand pounds for the first novel she should write. These facts will serve to show by an unerring test the rank which Miss Martineau had already taken as an authoress. The result was two works on America—the later one being of a lighter and more personal kind than the other—each of them in three volumes. When these were finished, Miss Martineau wrote her first and only novel. It had a very satisfactory success. But, without reading "Deerbrook," it is easy to see that her talents did not lay in the direction of the novel. She had great, very great, talents, but little genius; she would not herself allow that she had any. She was no Charlotte Brontë or George Eliot. Her tone of mind and thought were too didactic; she invariably wrote for a purpose; thoroughly mastered her subject—or rather it might be said that it thoroughly mastered her—and went straight to her point and kept to it. Viewed by that light, her manner and style were perfection. It would be difficult to imagine anything more lucid, plain, and simple. And to this may be added her unvarying excellence of purpose. So far as anything she wrote could be called a work of imagination, it was only that fiction should give force to fact. Such was the scheme of her political economy tales, which laid the foundation of her great success as a writer. Of the greatness of that success there can be no question. To mention one single department only, where shall we look for another woman who could write more than sixteen hundred leading articles for a London paper of the highest class (sometimes as many as six in a week), an order of literature which is ephemeral, if you will, and leaves little or no fame behind it, but which demands almost unlimited resources, and is paid at a high rate accordingly. Other women may have been as great, but in different ways; Harriet Martineau stands alone.

But again her health gave way, and again she sought recreation in foreign travel. At Venice the symptoms became very serious, and she was brought home on a couch contrived for her in a carriage.

And here ends the second period of

Harriet Martineau's life, a period of feverish excitement and enjoyment, of social and literary success, and of comparatively great gain. But only comparative. Most writers, at the outset of their career, fall into the clutches of some publisher, who, if he does not suck their blood, sucks their brains. Do not blame him. Brains are his natural diet, what he was made to live on. Neither he nor his client foresees the success that is to ensue. As a tradesman, he has to take all the advantages of his capital and his judgment. If young authors cannot live with him, they certainly could not live without him.

Miss Martineau herself says: "Here closed the anxious period during which my reputation, and my industry, and my social intercourses were at their height of prosperity; but which was so charged with troubles that when I lay down on my couch of pain in my Tynemouth lodging, for a confinement of nearly six years, I felt myself comparatively happy in my release from responsibility, anxiety, and suspense. The worst sufferings of my life were over now; and its best enjoyments and privileges were to come—though I little knew it, and they were yet a good way off." What a remarkable declaration is this! What could show more strikingly how little the world knows what lies beneath the surface—all that it can see! The autobiography leaves no doubt that Miss Martineau alludes, in at least a great degree, to the wearing effects of her mother's irritability and jealousy of her daughter's fame and social standing, and her dominant spirit, which insisted on inflicting on her daughter very burdensome and harmful restrictions. These are very painful traits of character to read of, and it might have been better if Miss Martineau had not bared them to the public view. All that can be said is that she was one who could not keep back the truth nor tell it by halves. That she endured it all, while she was perfectly at liberty to free herself from it at any moment had she chosen, until she broke down under it, is sufficient proof that she was not wanting in filial piety. The present writer may perhaps be permitted to say that he would not have written what Miss Martineau has written, but he thinks he can understand how she came to write it. And there he leaves the matter to the judgment of the reader. It may be added, however,

that so completely has Harriet Martineau established a character for openness and candour, that, when she thought proper, for reasons personal and peculiar to herself, to publish one of her smaller works anonymously, her nearest intimates "confidently denied" that the book could be hers, because she had not imparted the authorship to them.

It has been said that the middle period of Miss Martineau's life was one of enforced rest and seclusion. It could not be expressed in stronger language than that used by herself, which we have just seen. No more need be said about this period till it draws toward a close, except that it was a curious proof of how completely what she wrote was under the dominion of her experiences and convictions, that she now produced two works called "Life in a Sick Room" and "Essays from a Sick Room." These at once enlisted the sympathies of the public, and are, by some persons, preferred to all her other books. In after years she came to look upon the state of mind and feelings which dictated them as "morbid," but this was the fruit of the transcendental and sublimated philosophy to which she had then attained, and into which we do not propose to attempt to follow her, from despair of doing it justice, however great the temptation may be. But human nature is made up of sympathies and antipathies, and that elevation which raises us above them must be but a dreary height after all. With Miss Martineau it was but in imagination. Her whole life does, in reality, exhibit warm sympathies with her kind.

Mention, however, must by no means be omitted of the fact that, at this period, Miss Martineau for the second time (a third was yet to come) declined the offer of a pension from Government, pressed upon her acceptance. And this, too, when her means were extremely limited, in consequence of her having invested the greater part of her savings, small at best, in a deferred annuity, not yet come into fruition, and when her power to do literary work was very much curtailed.

We will then take a leap over five years and alight on the spot which immediately preceded her complete recovery. The story of that recovery is so extremely curious that we shall do well if we escape spoiling it in the telling. Her condition was this: Every

thing that medical skill, including a consultation with Sir Charles Clark, could do had been tried in vain. She could not move from her sofa. A journey to London could not be attempted. Her state was declared to be hopelessly incurable. She might linger, but recovery there could not be. She was obliged to have constant recourse to opiates. Under such circumstances should not we ourselves have caught at any treatment, whether empirical or not, that held out a spark of hope? Should we not think that blame for doing so was refinement of cruelty? Miss Martineau says: "For my part, if any friend of mine had been lying in a suffering and hopeless state for nearly six years, and if she had fancied she might get well by standing on her head instead of her heels, or exciting charms, or bestriding a broomstick, I should have helped her to try." To be sure. Will it be believed then that a storm of incredulity and insult burst upon her (it shows how large a space she filled in the public eye), led by the doctors, and culminating in family dissensions—wounds that were never to be healed! The writer can well remember what a turmoil of excitement it produced. It is only thirty-three years ago.

Sir Edward Bulwer Lytton had written to Miss Martineau, recommending her to try mesmerism, in which she was already a believer. Now, mesmerism was still in the days of its nonage. Dr. Elliotson had shortly before exhibited some experiments upon three young girls, epileptic patients in University College Hospital, which this writer witnessed, and extremely curious they were, and convincing as far as they went. But the storm had broken upon him too. His practice fell away in consequence of his excursions beyond the bounds of lawful medical practice, and his swarthy visage, so familiar an object, in his open carriage, in London streets, was for a while under an eclipse. For a while only.

Miss Martineau had recourse to mesmerism, and what is certain is, that her complete recovery was simultaneous with the change in her treatment. It seemed little short of a miracle. In about six months, she was climbing the wintry hills of Westmoreland, "in a snow storm," and, in less than two years afterwards, she was—and let any one who wants to know what that is try it—riding a camel through the desert of Sinai,

in permanently established health and strength.

But, not to anticipate, she had fire and water to go through first. Foremost in the crusade against her were the doctors, and they were banded as one man. It was irritating. It is necessary to allude to the nature of the disease, because what rendered the cure still more extraordinary is, that it could be relieved by a surgical operation only—the removal of a tumour—and, as that was not tried, it may be supposed to have been not practicable. But, at this point, there steps in an empirical practice, which laughs surgery and surgeons to scorn. Nevertheless Miss Martineau was pestered with “disagreeable applications from medical men, requesting to know the facts of the case.” But the worst of all was, that her own previously constant medical attendant, her own brother-in-law, “published the case—not in a Medical Journal where nobody but the profession would ever have seen it, and where I should never have heard of it—but in a shilling pamphlet—not even written in Latin, but open to all the world! When, in addition to such an act as this, he declared that it was done under my sanction, I had much ado to keep my calmness at all. But the sympathy of all the world—even of the medical profession—was by this act secured to me; and the whole affair presently passed from my mind.” Before this happy state was reached, however, Miss Martineau had been compelled in self-defence, with her usual fearlessness in facing any accusation or injustice, however repulsive (a noble instance of which occurred in her last days, not on her own behalf, but on the behalf of others), to place the whole simple truth before the public in a series of letters to the *Athenæum* (afterwards reprinted), which brought treatment upon her from the editor of that journal, after he had made his own large profits out of them (not having paid anything for them, by express condition of Miss Martineau), which was little, if at all, less shameful than that already recorded. Miss Martineau’s own words are: “Appended to the last was a string of comments by the editor insulting and slanderous to the last degree.”

When all is said, however, we must pause. It can hardly be supposed that any woman, subjected to such disagreeable and painful conflicts as Miss Martineau was engaged in

more than once or twice, can have been altogether without blame. She was very firm in her convictions, perhaps dogmatic, and perhaps combative, but her autobiography exhibits no such spirit. It is composed in a singularly even and moderate tone, never dwelling upon enmities, never once breaking out into invectives. It would perhaps not be possible to find a second example of language as strong as that just quoted. That she had a burning indignation against wrong is certain—and who that is worth a thought has not a burning indignation against wrong? But she met it with argument, not with violence. That she was perfectly sincere in her convictions cannot be questioned. Upon her veracity there can be no doubt thrown. After all abatement made, there is no resisting the conclusion that she was subjected to disgraceful and, in at least a great degree, unmerited persecutions. For the undaunted yet quiet spirit in which she met them, no admiration could be too great.

Nevertheless, other considerations irresistibly arise. With regard to the cure by mesmerism, there was no hocus pocus about it, no rising from her couch by magic. It was gradual, extending over four or five months. Gradually the case progressed, gradually the opiates were disused, and all drugs abandoned. Miss Martineau’s own words are: “A tumour was forming.” She uses the imperfect tense. Was it arrested in its formation by the mesmerism? Did the mesmerism act by removing the predisposing causes? But, according to what we have already seen, the predisposing causes were “unquestionably the result of excessive anxiety of mind,” and those causes had been removed from the time of her going to Tyne-mouth, and yet no improvement had taken place. There seems to be but one explanation: the mesmerism must have gradually built up a healthful habit of body, by which all morbid conditions were thrown off.

But we can not yet stop there. It has been said that it was thirty-three years ago. Ample time. Of how many wonderful cures by mesmerism have we heard in that time? Have we heard of *any*? Has mesmerism superseded legitimate medical practice?

Ten years after this cure, Miss Martineau was again struck down by disease. What course does she take? Does she again have recourse to mesmerism? There is not a hint of it. On the contrary, she resorts to



physicians. They tell her that the disease is mortal—organic disease of the heart. Incurable, and productive of sudden death, to-day, to-morrow, years hence, it may be. (Which prediction, by the way, was not fulfilled.)

Well, if mesmerism could remove a tumour, could lift a sufferer from a five years' couch of pain, could it not cure disease of the heart? Why not? Why not try it again? Does it occur to the patient to try it? Apparently not. She quietly submits to the decree of the doctors, folds her mantle around her, and calmly awaits the result. Was her faith in it shaken? Nay, she was at that very moment describing all that has been now repeated, living over again, in her autobiography, the events of those ten years before. It is all impenetrable. It is to be feared that the matter remains in the same obscurity from which Miss Martineau in vain endeavoured to lift it up into light. It is much to be doubted whether the doctors have not the best of it, after all.

Miss Martineau was also a firm believer in clairvoyance, and she tells two stories, which, if they are to be taken *au pied de la lettre*, establish the fact absolutely. But it lies under much the same conditions as mesmerism, it has been discredited by much jugglery, and we cannot find space for it here.

The beginning of the fourth period of Miss Martineau's life was the turning-point in her career. She entered upon entirely new conditions. With her usual masculine decision and independence, she adopted a totally new mode of life. She severed all old ties. She abandoned, once and for ever, all the blandishments of city life, and that city, London, where she had reigned as one of its queens—albeit a lesser potentate—and went away into the wilds of Westmoreland, some three hundred miles away from everywhere and everybody, and there she built herself a house. Wordsworth came over to see her, planted a tree in her place in a workmanlike manner, washed his hands in the watering pot, took both hers in his, and wished her long life and happiness in her new abode. She exchanged the soot, the dirt, the smoke, the fog, the crush of human beings, the struggle and strain for life, the roar and turmoil of traffic, for tranquillity, silence, clear skies, the stars at night, the songs of birds, the perfume of flowers, the rustle of leaves. Instead of being lost as a

unit in a seething mass of men and women, not knowing nor caring whether her next-door neighbour lived or died, she had dependents within her boundary and without, who looked up to her with esteem and love (Charlotte Brontë tells us that): the postmaster, the driver of the stage-coach, the butcher and baker, the letter-carrier, the innkeeper, became her personal friends. She was familiar with the mothers and the children (perhaps with the probabilities of future babies). knew their names and their ages. When one might say, in her presence, that the blacksmith's eldest girl was six years old, "What!" she might say, "Selina! why she was running about when I first came here, and that will be seven years, come next November." Her domain no longer extended all along Pall Mall, Piccadilly, and Portland Place. It lay within the boundary of a humble two acres. But the mountains, the streams, the woods, the waterfalls, the lakes, the glorious scenery were hers, in common with the rest of the world. She even became a noted agriculturist. The wonders she did with her "farm" were noised far and wide, so that, as usual and of course, she gave her experiences to the world in printed form. Wordsworth came to see her "first calf." "Our superb meal-fed pig weighs nearly nineteen stone." "Let who may come, there are always hams and bacon and eggs in the house." Delicious!

In short she became a pattern country gentlewoman. She says that if she had died in her bed-room at Tynemouth, she would have thought that she had enjoyed an average happy life, but that, until now, she never knew what happiness meant.

This lady, who could write the "Thirty Years' Peace," "Eastern Life, Present and Past," an elaborate analysis of the *Philosophie Positive* of Comte, her share of the "Atkinson Letters" (all within this period), sixteen hundred leaders for the Daily News, and as many as fifty biographical sketches of the eminent men and women of the time, which, at their death, were published in that paper—her own among the number!—could so describe the duties of a maid-of-all-work that she was supposed to have been one herself, and condescended to write also a Visitor's Guide to the Lakes. And all done in the same painstaking, industrious manner. She was a nonsuch truly. The old comparison to an elephant's trunk, which can tear

up a stout oak sapling by the roots or pick up a pin; or to the steam hammer, which can crack a nut or crush an iron bolt, applies to her case too.

And yet Harriet Martineau was not inflexible. Who is? It was also during this period that she asked the question—and perhaps her interest in the Women's Rights agitation has been underrated—"Do you know that nineteen-twentieths of the women of England earn their bread?" What, then? If it be a merit—or a hardship—to earn your daily bread, how great must be the merit—or the hardship—of earning ten times as much? Did it never occur, one may well wonder, to this wise lady, to inquire who earns all that there is over and above daily bread—the comforts, luxuries, refinements that women and men enjoy in common? Suppose that, in a playful mood, men were to set up a society for the assertion of the Rights of Men—for the declaration that they would no longer be hewers of wood and drawers of water for women—were to go about parading themselves on platforms, with their clothes moulded on them, in the fashion of the day, so tight that all the fine, rigid, square lines of the masculine figure were brought out in high relief, and with which the difficulties of getting upon the platform were only exceeded by those of getting down again. The present writer, who has the great honour and pleasure of addressing the present agreeable and attractive reader, has been, metaphorically—like all other men whom he knows anything about—and literally—like a good many of them—a hewer of wood and drawer of water for women. He is well up in his sixties, and has been but a weakling at his best of times, but no longer ago than last winter, he might have been seen, when the storm raged too wildly and the snow-drifts were too deep for a tall, robust young servant girl of twenty, drawing water for her from—let us say—as far as one could throw a stone, and all up hill too, at that. And, as for sticks of stoye-wood—not hewers of wood and drawers of water! *Experto crede.*

Miss Martineau makes another little *faux pas*. She congratulates herself on her "farm," as providing her with the "comfort of a strong man on the premises for protection." What? You, a strong-minded woman, with rights and a masculine power of asserting them, to need the "comfort of a strong man on the premises for protection." For shame! And

a single lady too! Oh, fie, Miss Martineau! I have no doubt, if we could only have seen it, that she was that man's bondswoman; that she hung on his lips; that his decrees as to the potatoes and cabbages and celery, the cows and pigs, the mangolds, the grass and the hay, were to her as the statutes of the realm. Ah! fondle our whimsies as we may, human nature is too strong for us. Men and women have been men and women from the beginning, and will be to the end of the chapter, when "finis" shall be written at the bottom of the last page, and the pen shall shrivel up in the fire. We need not doubt that Adam was dictatorial—that he was out of temper when the roots which he had dug, with infinite labour, with a wooden spade, painfully fashioned with a flint, were spoiled in the cooking; and that Eve sulked and cherished her rights, but that, when night and darkness overtook her, she felt the "comfort of a strong man on the premises for protection." The changes are rung, but the octaves and the fifths are ever the same; the difference is but in the distribution.

To be quite serious—and it is a very serious matter that we are now approaching—certain it is that in what appeared to be the most independent and daring act of Harriet Martineau's whole career, and at what was certainly the climax of her literary life and fame, she felt very much under the dominion of a masculine mind, and that of a man very much younger than herself. It was at this time—in 1850, when Miss Martineau was forty-eight years of age—that she published "Letters on Man's Nature and Development," which is a distinct declaration of disbelief in Christian theology and Revelation, and of which three-fourths or more was the work of one Mr. Atkinson, with whom she had become intimately acquainted about seventeen years before. It was done, of course, with his consent and connivance, but not at his instance; the responsibility of the publication rested with Miss Martineau. At the first glance, it seems an act of gratuitous audacity on her part; it was like flaunting a black flag in the face of all true believers. Whatever she might believe or disbelieve was not a matter of concern to the world at large. There was no necessity or excuse for subjecting the faith of all pious Christians to this shock. And that the shock was great the number of letters which she received on the subject from all persons, very clearly

proved. But to herself the matter presented itself in a different light. What she says—and on such an occasion we shall let her speak for herself and others speak for her, as far as possible—is this: “From the time when, in my youth, I uttered my notions and was listened to, I had no further choice. For a quarter of a century past, I had been answerable to an unknown number of persons for a declaration of my opinions, as my experience advanced, and I could not stop now. If I had desired it, any concealment would have been most imprudent. A life of hypocrisy was wholly impracticable to me, if it had been endurable in idea; and disclosure by bits, in mere conversation, could never have answered any other purpose than misleading my friends, and subjecting me to misconception. So much for the necessity and the prudence of a full avowal. A far more serious matter was the duty of it, in regard to integrity and humanity. My comrade and I were both pursuers of truth, and were bound to render our homage openly and devoutly. We both care for our kind; and we could not see them suffering as we had suffered without imparting to them our consolation and our joy. Having found, as we said, a spring in the desert, should we see the multitude wandering in desolation, and not show them our refreshment?”

And to this may be added what her memorialist says: “As to the general desertion of friends, on the occasion of this publication, which Charlotte Brontë supposes, it was not a fact, nor was Harriet Martineau one to grieve, if it had been so, over the sundering of false relations. It was the regard of those she really loved and honoured that she valued, and I am not aware of a single instance in which it was not ultimately increased by this renewed example of her fidelity to what she had ever esteemed the strongest moral obligation—the obligation of inquirers after truth to communicate what they obtain’ I had the opportunity to see numbers of the representative men and women of the great world of London meeting her with undiminished cordiality, when she came there immediately afterwards.”

Again, Miss Martineau says: “I anticipated excommunication from the world of literature, if not from society. This seems amusing enough now, when I have enjoyed more prosperity since the publication of that volume, realized more money, earned more

fame of a substantial kind, seen more of my books go out of print, and made more friendships and acquaintance with really congenial people, than in any preceding four years of my life.”

Miss Martineau was of course set down by the world in general as an atheist. Speaking of Charlotte Brontë, she says: “So was the readiness with which she admitted and accepted my explanation that I was an atheist in the vulgar sense—that of rejecting the popular theology—but not in the philosophical sense, of denying a First Cause.”

As might have been expected, she brought down upon her head a storm of criticism and condemnation from almost every periodical publication in England. But, with one exception, the storm passed over with little damage. She had become pretty well used to buffets by this time, and she was in a position of such perfect contentment and happiness in all her surrounding circumstances, that such blows fell upon her comparatively harmless.

That one exception, however, was very severe. It is called her “Life Sorrow.” Her own brother—and we rather think her favourite brother—the Rev. James Martineau, wrote as follows in an article called “Mesmeric Atheism,” in the *Prospective Review*:

“But enough of this hierophant of the new atheism. With grief we must say that we remember nothing in literary history more melancholy, than that Harriet Martineau should be prostrated at the feet of such a master, should lay down at his bidding her early faith in moral obligation, in the living God, in the immortal sanctities; should glory in the infection of his blind arrogance and scorn, mistaking them for wisdom and pity, and meekly undertake to teach him grammar in return. Surely this inversion of the natural order of nobleness cannot last. If this be a specimen of mesmeric victories, such a conquest is more damaging than a thousand defeats.”

After all that may be said for this brother—and more may be said than would perhaps appear on first impressions—it can scarcely be denied that he was superfluously cruel. A comparison forces its way between him and his sister. “When,” she said, in a broken voice, to her who was to be the writer of the Memorials—“when you speak of my brother James, be as gentle as you can.”

We may feel very sure that the sharpest sting in his criticism, was the tone in which he spoke of Mr. Atkinson. And yet that tone can hardly be wondered at. There was certainly something irregular—it is not beyond the bounds of possibility that there may have seemed to be something scandalous—in the close connection between Miss Martineau and Mr. Atkinson, and in the influence which he had over her, and which she chose thus to parade before the public. It may be safely assumed that he had superseded Mr. Martineau in that close communion which had previously existed between him and his sister. And, when to all this was added the peculiar shape which that influence had taken, it may be easily understood how the position was, to the last degree, galling to a brother, a minister of the gospel, and a man having, and having to maintain, a high standing in the literary and religious world. It assuredly was imperative upon him to disavow all participation in his sister's opinions: that was admitted. But it does not follow that he was justified in speaking in such bitter terms of Mr. Atkinson. On the authority of the Memorials, "Mr. Atkinson was a gentleman and a scholar, and a remarkably able, high-minded, and true-hearted man, esteemed by all who knew him, and spoken of with high respect as a devoted student of science, and also for his reverential tone of mind, by other reviews adverse to his opinions; and I learned, moreover, what all who saw for themselves knew of Miss Martineau, that, so far from denying, he affirmed man's moral obligation and the existence of a fundamental Cause, eternal and immutable—the last as incomprehensible to human nature, the first as the great business of life to ascertain and fulfil."

With respect to mesmeric influence, which Mr. Martineau ascribes to Mr. Atkinson, dates are against him. She never saw him until after her complete recovery, when mesmerism was no longer necessary, and, we may conclude, was not used. But it is nevertheless the fact that she heard of him from the first moment that mesmerism was proposed to her, and that, though not present, he, in a measure, prescribed and superintended its application. How far it may be possible for that to have constituted mesmeric influence will be left to students of mesmerism; more especially in the case of Miss Martineau, who, as has been said, was

a firm believer in clairvoyance—if that means mesmeric influence at a distance—which would seem to be closely allied to the subject.

That Miss Martineau was herself reverent and religious by nature, however contradictory it may appear, her whole lifelong story shows. The Bible had been her most familiar reading from childhood.

What a bomb-shell this public declaration of her infidelity must have been, flung into the midst of the contracted community in which she now moved, may readily be imagined, made up, as it was, of the mass of the people who believed what they were taught without giving themselves the trouble to think much about it—as is the case everywhere—of High Church and Evangelical rectors, vicars, and curates, and old tory squires and country gentlemen and ladies. The common talk would be: "Miss Martineau never goes to church or chapel; she has no family worship; she says no prayers:" and then, under the breath, "They say that she does not believe in God or Christ; that she is an atheist!" But then, against all that, was the patent fact, open to the observation and experience of all, that she was an estimable lady, a warm friend, a good neighbour, an upright citizen, a charitable woman, the indefatigable defender of the weak against the strong, which might be called the ruling passion of her life. Testimonies to all that abound. Copies of her yearly accounts are given in the Memorials at two different periods, with two different amounts of income, the larger anything but large, in both of which is the item, "given away." On calculating an average between the two, the result obtained is that she gave away considerably more than a fifth part of her annual expenditure. How many of the best nominal Christians can produce so good a record?

Luckily for the present writer, there rests upon him no obligation to reconcile these strange contrarieties. He gives the facts as he finds them. From a great abundance of testimonials, from which he might select more if necessary, he will content himself with extracts from letters written by Florence Nightingale, after Miss Martineau's death. The name of Florence Nightingale is enough, distinguished as it is for philanthropy, charity, and piety.

"The shock of your tidings to me, of course, was great; but, O, I feel how delight-

ful the surprise to her! How much she must know now, how much she must have enjoyed already. I do not know what your opinions are about this: I know what hers were, and for a long time I have thought how great will be the *surprise* to her—a glorious surprise.

"She served the Right, that is God, all her life. How few of those who cry 'Lord, Lord,' served the Lord *so well* and so wisely!—Joy to thee, happy soul! She served the truth and the good, and worshipped them!—now they bear her on to higher and better fields. So above all petty calculations, all paltry wranglings!—now she is gone on her way to infinite purity.

"We give *her* joy; it is our loss, not hers. She is gone to our Lord and her Lord. Made ripe for her and our Father's house; our tears are her joy. She bids us now give thanks for her. She is in another room of our Father's house.

"A noble woman. Our Father arranged her life and her death. Is it well with the child? It *is* well."

Again, "I think, contradictory as it may seem, she had the truest and deepest religious feeling I have ever known—what higher religious feeling (or one should rather say instinct) could there be? To the last, her religious feeling—in the sense of good working out of evil, into a supreme wisdom penetrating and moulding the whole universe;—into the natural subordination of intellect and of intellectual self to purposes of good, even were these merely the small purposes of social or domestic life.

"All this which supposes something *without* ourselves, higher and deeper and better than ourselves, and more permanent, that is, eternal, was so strong in her—so strong that one could scarcely explain her (apparently only) losing sight of that supreme Wisdom and Goodness in her later years.

"Was it not her chivalry which led her to say what she knew would bring obloquy, because she thought no one else would say it?

"O, how she must be unfolding now in the presence of that supreme Goodness and Wisdom, before which she is *not* ashamed, and who must welcome her as one of His truest servants!"

To this it would indeed be idle to add more.

Miss Martineau wrote a great deal for "Household Words," but she and Dickens

d'sagreed as to a certain point, and she sent him a spirited letter, declining ever to write another line for him, and she never did. The point was this: "Mr. Dickens said he would print nothing which could possibly dispose any mind whatever in favour of Romanism, even by the example of real good men. In vain I asked him whether he really meant to ignore all the good men who had lived from the Christian era to three centuries ago." In using this argument, Miss Martineau fell far below her own standard. It would have just as much force on the other side of the question, to speak of Romanism as personified in such women as Mary of England and Mary of Scotland. Says Thackeray—in a paper of admirable force and humour, in reply to Bishop Ullathorne, of Birmingham: "I suppose the most sceptic among us would take off his hat to Fenelon, or ask a blessing of Pascal. But these, O pious Father, are not the only figures in your wallet. Show us Alva, show us Tilly; show us the block and the faggot all over Europe, and by the side of every victim a priest applauding and abetting." So it would have been just as reasonable for Miss Martineau to have said, "I do not believe in Christian Revelation; I am a just and good woman; *ergo*, say not a word against that unbelief." Strange that a woman of so acute a discernment should have been blind to such a naked fallacy.

But my eye falls on the number of pages of my MSS. A wholesome fear of the editor takes possession of me. Fortunately, we have arrived at the end of the fourth period, and of the autobiography with it. So that there remains no more known of the last period of Miss Martineau's life than can be gleaned from the Memorials. The blow that fell upon her at this time has been already described. To a certain extent, she was from that moment dead to the world. It would seem that she never afterwards quitted her house, nor was left alone. She suffered sometimes more, sometimes less; not, we may believe, very acutely or for any great length of time. In these long twenty-one years, all this must have grown into second nature with her. She looked death in the face long enough to become perfectly familiar with his lineaments. Apart from this, she had all that she could desire—a beautiful home, high social and literary standing, easy circumstances, devoted com-

panions and servants, a succession of congenial visitors.

During the whole period she wrote more or less, and a great deal that was admirable and useful on almost infinite subjects, but no important work that added to her reputation. At what time she was obliged to relinquish her connection with the *Daily News*, to the great regret of the editor, who speaks in the strongest terms of her extraordinary capacity for the work, does not appear.

On the occasion of the passing of the Contagious Diseases Act, Miss Martineau came at once to the front, repulsive as the subject was, so that most women shrank from it with a stunning dismay, and dared not face it. "It was sickening," she says, "to think of such work; but who should do it, if not an old woman, dying and in seclusion, &c., &c. So I did it last week—wrote four letters, signed 'An Englishwoman,' and sent them to the *Daily News*. The editor was ill in bed, and his wife read the letters

to him. He says, 'At first she was horrified, but she ended by demanding the instant publication of every word of them.' Though done under impulse, they cost a dreadful effort. I *know* it was a right thing to do, and that it is the fault of the other side if modesty in others and myself is outraged; yet it turns me chill in the night to think what things I have written and put in print."

This it is to which Florence Nightingale alluded, and this it is to which the present writer has referred in a former part of this paper. It was Miss Martineau's last public act, when she was nearly seventy, and fast declining toward that grave which was already yawning for her. It seems to the writer, without attempting to enter into the merits of the question, to have been a noble and grand termination to a noble life, and that it must be a source of heartfelt satisfaction that this bright halo gilded the dying—or rather the undying—name of Harriet Martineau.

D. FOWLER.

### A MADRIGAL.

IN spring-time, when the birds go wooing,  
I lost my love to mine undoing;  
Ah, tuneful birds, cease carolling,  
My love is deaf, howe'er I sing.

In summer, when the flowers blow,  
I wept for love that did not go;—  
Ah, flowers, why so fair and sweet,  
When parted lovers may not meet?

In autumn, when the apples fell,  
I listened for a passing-bell,  
And sighed, "Ah, sunny fruits and red,  
Ye ripen, but my love is dead."

In winter, when all blossoming  
Was covered by the snow's white wing,  
I cried, "I give up all for lost!"  
Because my heart was cold with frost.

Then,—how it chanced I do not know,—  
But *some one* came across the snow;  
My truant love that winter's day  
Returned, and went no more away!

ALICE HORTON.

## THE FOUR FAT AND THE FOUR LEAN YEARS.

THE commerce of Canada during 1877, as exhibited by the official returns, proves the commercial features of the past fiscal year to have been very similar to those of 1876. The total value of our transactions (imports and exports added) during the latter year, was \$175,699,652. During 1877, the value of our exports was \$75,875,393, and of goods entered for consumption, \$96,300,483, making in all, \$172,175,876; or, if we take the exports and our total imports (some of which remained in bond on the

30th June), the total is shown to have been \$175,203,355. According to either mode of computation, the value of our commerce last year was slightly less than in 1876, or, indeed, any other of the six preceding years.

The following comparative statement shows the imports and exports of all countries with the Dominion for the year 1873—the period of our greatest commercial expansion—and 1876 and 1877, the latter of which may now be safely considered the extreme period of contraction:—

COUNTRIES.	GOODS ENTERED FOR CONSUMPTION.			EXPORTS.		
	1873.	1876.	1877.	1873.	1876.	1877.
	\$	\$	\$	\$	\$	\$
Great Britain.....	68,522,776	40,734,260	39,572,239	38,743,848	42,740,060	41,527,290
United States.....	47,735,678	46,070,033	51,309,479	42,072,526	29,916,876	25,084,845
France.....	2,023,288	1,840,877	1,410,732	31,907	553,935	319,330
Germany.....	1,099,925	482,587	370,594	76,553	125,768	34,324
Spain.....	477,886	436,034	278,098	25,080	9,417	62,659
Portugal.....	75,032	71,655	45,465	191,156	127,540	129,960
Italy.....	52,425	40,412	29,250	177,232	142,787	213,692
Holland.....	216,628	267,079	202,557	13,142	30,816	94,303
Belgium.....	346,702	361,055	251,812	17,754	13,825	66,912
British North American Provinces.....	1,808,997	774,586	641,642	2,800,555	1,900,891	2,112,106
British West Indies.....	964,005	868,846	640,716	1,969,543	2,148,491	2,194,649
Spanish do.....	1,143,241	631,140	563,451	1,624,191	1,146,129	1,284,375
French do.....	43,412	47,158	25,022	299,809	292,995	160,212
Other West India Islands.....	24,274	68,969	13,620	94,950	87,705	72,356
South America.....	416,199	287,553	4,971	1,285,434	688,209	651,625
China and Japan.....	1,663,390	918,239	418,606	46,466	23,075	37,149
Switzerland.....	120,514	56,168	69,066	41,822	79,643	185,610
Australia.....	388,352	50	.....	4,978	23,964	910,257
South Africa.....	97,999	290,359	.....	272,976	914,309	733,739
Other Countries.....	293,871	456,158	453,163	.....	.....	.....
Totals.....	127,514,594	94,733,218	96,300,483	89,789,922	80,966,435	75,875,393

These statistics bring out very clearly the course of Dominion trade with other countries during the years mentioned, more particularly Great Britain and the United States, as well as the great decline in our importations of foreign goods since 1873. We shall advert to the latter fact further on, but we may point out that, since the commercial depression began, whilst our transactions both with Great Britain and the United

States have declined, the falling off has been nearly double as large with the former as with the latter. There was a difference of \$26,167,095 between the value of our trade with the mother-country last year and in 1873, but only \$13,413,880 in our transactions with our neighbours across the lines.

The trade of Canada during 1877 having been so similar in volume to that of the preceding year, does not call for much com-

ment. There are, however, a few circumstances worth noting, and one of special significance. During the twelve months, it will be observed by the foregoing returns, our importations of foreign goods once more began to revive. The advance in "goods entered for consumption" was not large, amounting in the aggregate only to a little over \$1,500,000; there were, however, \$3,000,000 worth additional imported, but which had not passed the customs on the 30th June, and consequently do not appear in the returns. This circumstance is important, as it indicates that our wholesale importing trade had not only touched the inmost circle of contraction, but had begun to recover its elasticity before the close of the year.

Our importations having increased, it fol-

lows that the decline of \$3,523,777, in the value of the year's commerce, must have been wholly in our exports to other countries. This is the fact, and an examination of the exports of the various Provinces clearly proves that it was solely attributable to the poor harvest gathered in Ontario in 1876. Whilst the exports of all the other Provinces remained about the same or slightly improved, those of Ontario—which are chiefly agricultural products—fell off over \$5,000,000, which more than covers the deficiency on the year's transactions, as above given.

For purposes of comparison, attention is invited to the following exhibit of the Imports, Exports, and total commerce of the Dominion during each year since Confederation took place:—

	Total Exports.	Entered for Consumption.	Total Trade.	Duty.
1868.....	\$57,567,888	\$71,985,306	\$129,553,194	\$8,819,431 63
1869.....	60,474,781	67,402,170	127,876,951	8,298,909 71
1870.....	73,573,490	71,237,603	144,811,093	9,462,940 44
1871.....	74,173,618	86,947,482	161,121,100	11,843,655 75
1872.....	82,639,663	107,709,116	190,348,779	13,045,493 50
1873.....	89,789,922	127,514,694	217,304,616	13,017,730 17
1874.....	89,351,928	127,404,169	216,756,097	14,421,882 67
1875.....	77,886,979	119,618,657	197,505,636	15,361,382 12
1876.....	80,965,435	94,733,218	175,699,653	12,883,114 48
1877.....	75,875,393	96,300,483	172,175,876	12,548,451 09
Total ten years.....	\$762,300,097	\$970,852,798	\$1,733,152,895	\$119,702,991 56

The fluctuations of our commerce during each of the past ten years are distinctly traceable by the foregoing table, which strengthens the opinion that as 1873-4 was the period of the greatest inflation, so 1876-7 was that of the greatest contraction. The fact already adverted to, that the rapid decline which took place in our importations for several successive years was arrested, and gave place to an increase in 1877, is strong evidence on the latter point. Our imports first began to decline in 1874. The amount was only \$110,425 during that year—the scale, so to speak, having then only begun to descend; in the following twelve months (1875) there was a further decline of \$7,785,512, and in 1876, bottom was touched with the immense reduction of \$24,885,439: During 1877, to continue the simile, the scale again turned and began to move up-

wards. Our imports increased from \$94,733,218 to the value of \$96,300,483 if we take "goods entered for consumption," or \$99,327,962 if we count in the total importations of the year.

Those persons who hold that the trade of nations experiences more or less of a regular ebb and flow will find confirmation of their views, as well as evidence that Canada has now rounded the point towards some improvement in business, by the fact that the four years of expansion which closed in 1873 have now been balanced by four years of contraction, ending last fall. The extent of the expansion, as might naturally be expected in a young and thriving country like Canada, has been much the greater; but, curiously enough, the Dominion has experienced what may be called four consecutive fat, and four consecutive lean years.



The following figures illustrate the extent of the expansion and contraction in our commerce during the years mentioned:—

## FOUR YEARS OF EXPANSION.

In 1870, there was an Expansion of	\$16,934,142
In 1871, " "	16,310,007
In 1872, " "	29,227,779
In 1873, " "	26,955,737
Total Expansion	\$89,427,665

## FOUR YEARS OF CONTRACTION.

In 1874, there was a Contraction of	\$ 548,419
In 1875, " "	19,250,461
In 1876, " "	21,805,983
In 1877, " "	3,699,653
Total Contraction	\$45,304,516

However severely the recent commercial depression has been felt, it will be observed by these figures that the commerce of the Dominion contracted far less during the last four years than it expanded during the previous corresponding period. The rebound was very little more than one-half the previous expansion—an assuring fact, and one which clearly indicates that, notwithstanding the hard times and trying business discouragements, the productive power and material wealth of Canada continue to advance.

The four lean years have not been felt to the same extent in some Provinces as in others—although severely enough by all—and for the information of the curious in such matters, we submit, without comment, the returns of the imports and exports of each Province during the three important years we have had more especially under review:—

	EXPORTS.			GOODS ENTERED FOR CONSUMPTION.		
	1873.	1876.	1877.	1873.	1876.	1877.
	\$	\$	\$	\$	\$	\$
Ontario .....	29,483,158	24,782,744	19,320,203	48,245,440	37,687,738	40,302,052
Quebec .....	44,408,033	37,876,815	37,782,284	54,281,158	36,156,665	34,889,343
Nova Scotia .....	7,372,086	7,164,558	7,812,041	11,032,717	8,711,966	8,919,508
New Brunswick.....	6,487,315	5,950,824	5,992,775	10,849,673	6,113,768	6,927,077
Manitoba.....	246,983	770,188	653,816	1,029,130	1,735,427	1,214,826
P. E. Island .....		1,665,519	2,393,057		1,382,679	2,166,799
Columbia.....	1,792,347	2,755,787	1,921,217	2,076,476	2,944,975	1,380,878
Total.....	89,789,922	80,966,435	75,875,393	127,514,594	94,733,218	96,300,483

Turning to the current fiscal year (1878), there now remains little doubt that our commerce both in exports and imports will show considerable increase on the 30th of June next. The Minister of Finance, the Hon. Mr. Cartwright, announced some months ago that the public revenue was increasing. This means enlarged importations; and the unusually abundant harvest reaped in most parts of the Dominion last fall, renders it highly probable that our exports of agricultural productions will be greater than for at least three years past. Were the prospects of our Lumber trade equally hopeful—which is unfortunately not the case—the commercial outlook for 1878 would be brighter than at any period since the crash of Jay Cook & Co., in the fall of 1873.

How far the general business of Canada will be favourably affected by the circumstan-

ces adverted to in this article, but which we are unable to do more than glance at, is a question upon which opinions will doubtless differ. The considerations which enter into its solution are many and complicated, and, consequently, no forecast of the commercial future, however probable and carefully made, is likely to meet with general acceptance. The few general observations bearing on this point, which follow, are advanced with much diffidence.

That the wave of depression has now passed its farthest limit, is a view which may be confidently accepted. But that there will be anything like a rapid revival of business, as some sanguine persons appear to think, may be dismissed with equal confidence, more particularly after the disappointing experience in many lines of goods during the early winter months. That a too

roseate view is unwarranted by the circumstances finds confirmation in the return of failures throughout the Dominion last year,

which was recently issued by Dun, Wyman & Co. Their figures for the past two years are as follows:—

PROVINCES.	1876.		1877.	
	No. of Failures.	Amount of Liabilities.	No. of Failures.	Amount of Liabilities.
Ontario .....	873	\$9,488,053	968	\$11,573,551
Quebec .....	600	13,678,646	637	11,014,787
Nova Scotia .....	150	1,419,921	116	1,186,403
New Brunswick .....	78	740,854	139	1,384,634
Prince Edward Island .....	23	149,684	29	240,975
Newfoundland .....	4	40,833	1	44,000
Manitoba .....	....	.....	....	65,797
Total.....	1,728	\$25,517,991	1,890	\$25,510,147

Whilst quoting this record of insolvency as a curb to expectations too hopeful to be realized, it does not alter the general conclusions at which we have arrived, regarding the existing commercial position, inasmuch as the failures during the latter part of 1877 are shown by the same returns to have declined in an unusually marked and striking manner.

The average number of failures, for each quarter, during the first nine months of the year, was 548, and the average liabilities, \$7,634,992; but during the last three months the number declined to 244, and the amount of liabilities to \$4,606,000. This fact is quite significant, and strengthens the opinion that the worst has been passed, and that the business of the country, though not much improved in buoyancy, is in a sounder and

better position than it was twelve months ago.

The ill effects of too easy compositions and discharges, and too long credits, and overcrowding in nearly all departments of trade, doubtless, still affect perniciously the fabric of business, and will continue to hinder the process of recuperation. But progress, however sluggish, is now certainly being made in the right direction, and on review of the statistics and circumstances which have been advanced, more especially the abundant harvest last fall, we feel warranted in predicting a moderate revival in our own foreign commerce and internal business during 1878, to be followed in due time—slowly, but surely—by a fuller flow of the wave of advancement and prosperity.

JAMES YOUNG.

## LAW AND THE STUDY OF LAW.

“ . . . the lawless science of our law,  
That codeless myriad of precedent,  
That wilderness of single instances.”  
TENNYSON—*Aylmer's Field.*

THE month before last, “Round the Table,” I ventured to put my head into the lion’s mouth, and to say a few words in depreciation of the study of the law, when pursued, as I believe it to be by the majority of our lawyers, empirically and narrowly. Last month two legal gentlemen (presumably) took me in hand with a good deal of pitying condescension, and disposed of me and my legal heresies to their entire satisfaction. As wildness of assertion and ignorance of the subject whereof I spoke are the gravest charges they lay against me, and as the Table is a gathering place for informal *causeries* in literary undress, rather than for arguments in full logical and statistical armour, I have craved space here to answer their criticisms in some detail. Perhaps, I should rather say the second; for, as my first critic disposes of me in two or three lines, and then passes on to touch a nobler shield, he shall have a return of the compliment. He accuses me bluntly of ignorance. It is consoling that in my darkness I had stumbled on views in which even his superior erudition can discern “much truth.”

Before proceeding it will be well to clear up a misapprehension into which both my critics have fallen, and which it is, therefore, possible that other readers may share with them. They have mistaken what was intended as a glance at the tendency of *the study of our law in its present form*, for a thrust at the moral character of the legal profession, and a tilt against the principles upon which is reared our cumbrous legal superstructure; and over this imaginary offence they are sadly perturbed. The head and front of my offending here was the remark, that, *in many conspicuous instances*, the narrowing tendency of law study is realized, and that the profession generally is chargeable with a not disinterested conservatism; in support of which propositions some evidence

will be presently adduced. Still, I must say, as to the practice of law, that in proportion to its noble potentialities on the side of right and peace, a very sorry, inadequate, and self-considerate realization of them is made by the rank and file of the profession. But this merely in passing. It is equally a mistake to construe, as directed against the principles of our law, words written concerning the study of it in its present form. The distinction will be made manifest by echoing the opinion of Sir James F. Stephen. He says: “No one would, upon a proper occasion, uphold more strenuously than I the substantial merits of the law of England; but *I suppose I may assume that its form is in the highest degree cumbrous and intricate*, and that consolidation and codification are the proper remedies for those defects.”\* Again, “When law is divested of all technicalities, stated in simple and natural language, and so arranged as to show the natural relation of different parts of the subject, it becomes not merely intelligible, but deeply interesting to educated men practically conversant with the subject matter to which it relates.”† Bentham, speaking of the law as it was in his day, in his Papers on Codification, addressed to the President of the United States, says that, “confused, indeterminate, inadequate, ill-adapted, and inconsistent as, to a vast extent,” it was in form, “nothing could be much further from the truth than if, in speaking of *the matter* of which English law is composed, a man were to represent it as being of no use.” So far from having attacked legal first principles, reference to my note will show that a study of them—that is, of scientific jurisprudence—was indicated as the proper though sadly neglected antidote for legal formalism and empiricism. It may obviate further misconception to premise that, in using the word “law,” I do not mean lawyers, nor scientific jurisprudence; but simply the Common, Statute, and Judge-made law of

\* “Codification in India and England,” *Fortnightly Review*, Nov., 1872, p. 644.

† *Ibid.*, p. 656.

England and her Colonies ; and by "the study of the law," the study of this chaotic mass, as the great body of the "profession" is now pursuing it.

Much of the argument of my second critic is founded upon an *ignoratio elenchi*, as proving what was not denied, and denying what was not asserted. My assertion was, that the study of the law is "narrowing, deadening, and inductive of, at least, these mental vices: the tendencies to exalt the letter and word over the spirit and very thing; to join hands with precedent and tradition against even moderate and rational progress; and to accept in all matters the *dicta* of authority without verification." My critic meets this by saying that numbers of men who have studied the law have been of elevated character; that the study of law is not narrowing if it be not studied exclusively; and that law is an essential branch of a liberal education. These are all truisms quite beside the question, as irrelevant as they are self-evident. I spoke of a *tendency*, not of an absolute fatalism. Everybody knows that strong characters will resist more or less successfully influences, mental or moral, which might swamp average ones. But is it not allowable to criticise the tendency of any one study by itself? And is it not a strange way of meeting such criticism to say that this tendency may be kept in restraint by other studies? Whatever may be their readjusting effects, if they be entered into, the tendency of the one in question remains the same. The fact that walking tends to strengthen the legs is in no wise impugned by the facts that rowing strengthens the arms, and that walking is a necessary part of proper exercise. My friend admits that the tendency of legal study exclusively pursued is narrowing; *i. e.*, that the tendency of legal study, considered alone, is narrowing. As I was considering the tendency of legal study alone, I fail to see why he should have put his adhesion to my view in the form of a refutation of it. To retort the charge on several other studies, is on a par logically with meeting a personal accusation with, "You're another." And this would be true, even were the assumption allowable, that botany and pure mathematics, for example—methodized, orderly, demonstrable, and *logically codified* sciences—are parallel in their influence on the mind to that disorderly, incoherent, and "codeless myriad of precedent, that wilder-

ness of single instances," which make up "the lawless science of our law,"—to what the late Charles Sumner spoke of as "the niceties of real law, with its dependencies of descents, re-ainders, and executory devises—also the ancient hair-splitting technicalities of special pleading, both creatures of an illiterate age, gloomy with black-letter and verbal subtleties." But the dogmatic assumption of an analogy between a chaotic mass like this, and any of the natural or exact sciences, will hardly be considered to hold water. While my friend's argument is irrelevant on the one issue, it is simply a begging of the question on the other. The influence of legal study being narrowing, as he admits, when pursued exclusively, it was asserted (and he has failed to contravene the assertion) that it *is*, and necessarily *must be* pursued almost exclusively, in order to attain that thorough working knowledge requisite for the successful practitioner. I further emphasized the very important consideration that this practically exclusive devotion to the study was commonly made by the student "at the important stage of his life, generally covered by his studentship, when his mind is still malleable, but taking its final 'set.'"

I pointed out that the one remedy which would not require him to desert his legal studies, but would, on the contrary, facilitate them and enhance a hundred-fold their interest, while it made them broadening, elevating, and, in every sense, valuable, was "the gladsome light of jurisprudence," though of a kind very different from that which Coke meant in using those words,—that is, the history, science, and even the philosophy of law. These, I said, are neglected among us; they find "no place in the regular Canadian course," and have little or no attention paid to them by the majority of our lawyers. My friend hopes that I do not "assume that the few text-books prescribed for students" are the only ones of the "regular Canadian course." Why not? By the "regular Canadian course," the course laid down for students was referred to as plainly as might be. What a barrister or attorney may read after passing through it—after this exclusive devotion to an admittedly narrowing study, at a most critical mental period—is scarcely relevant to a criticism of that curriculum itself. But, even allowing that it is so, is my friend's case any stronger? He claims that "our successful lawyers pur-

sue a course which embraces *a good deal more* than these very necessary primers." Possibly. The *quantity* of their reading, however, was not in question, but its *quality*. Does this "more" embrace the science of law and philosophical jurisprudence? That it does not in the great majority of cases—in any but very exceptional cases—has probably been his experience, as it certainly has been mine. If not—if the "more" be merely more text-books, more reports, more statutes, bearing on practice, special legal questions, and technical matters generally—so far from giving greater breadth to our lawyers' minds, it will plunge them deeper and deeper into the mid-stream of the narrowing tendency which the exclusive study of law is admitted to have.

As this admission may have been an unwary one, and as my case does not stand in need of my pressing it too hard, it will be as well to glance briefly at some of the grounds on which the study of the law may be considered narrowing, intellectually almost valueless, and not morally elevating. My friend says that he had "just such gloomy views once about chemistry." It seemed to him "a farrago of barbarous names and symbols, quite unprofitable mentally or morally, and unworthy of any reverence." It is a matter for rejoicing that experience convinced him that he was wrong, for most grievously wrong he was; unless, indeed, he confined his attention to book-chemistry, and knew ammonia only as  $NH_3$ —the symbol without the reality—much as one might claim a large circle of acquaintance by reading names in a directory. This would be, in fact, a characteristic example of the legal method of study, and of the tendency "to exalt the letter and word over the spirit and very thing." But, supposing my friend to mean that it was of chemistry proper that his gloomy views were made bright, the analogous correction from experience, which he hints to be in store for me, cannot be expected unless the parallel between the two studies holds good; which it does not. Although chemistry is not the most advanced branch of natural science, yet its facts are not undigested facts, not lifeless facts, not facts almost valueless in any broader connection than their mere professional use. They are facts established by experiment, not upon "judgments," or upon principles—like many of those of our Com-

mon Law—in *nubibus* or *in gremio legis*, that is, undemonstrable. They are facts open to first-hand investigation, not accepted on authority and precedent; facts arranged systematically, logically, in the order of their mutual relations and dependency, clearly, compendiously; in a word, they are *codified* scientifically. It will appear incidentally, on authority which even my friend will be inclined to respect, how far this can be said of law. The thorough knowledge of a law of chemistry is intellectually and morally worth a thousandfold more than the minutest intimacy with, say, the doctrine of Uses, or the whole cluster of its corollaries—all alike thin abortions of mediæval scholasticism.\* A law of chemistry is but one of an infinite series, leading on to higher, broader, mightier laws, and to closer, more reverent, and more appreciative communication with nature and her glorious and awful lessons. On the other hand, any one of the arbitrary technicalities connected with the doctrine of Uses is an intellectual *cul de sac*, wherein, after groping your way step by step further and further from the light of nature, deeper and deeper into the gloom of the dark ages, in reverent communion with man's hair-splitting folly, grown wisdom because it has been doing harm for a long while, as "things bad begun make strong themselves by ill," you arrive at the end; and the end thereof is vanity and vexation of spirit; notwithstanding that generation after generation of lawyers are caught young and taught to consider it "the perfection of reason." By this process they have been persuaded, and found it politic to persuade outsiders, of the existence of an awful, incalculable, semi-mysterious dignity and value in half-civilized puerilities which to touch is, in their eyes, almost sacrilege; † yet which, when boldly assailed, one

\* Mr. Watkins, in the Introduction to his "Principles of Conveyancing," says that the doctrine of Uses must have "surprised every one, who was not sufficiently learned to have lost his common-sense." Mr. Williams, in his "Real Property," p. 156, speaks of it as having "much of the subtlety of the scholastic logic which was then prevalent."

† "Or les loix se maintiennent en credit, non parcequ'elles sont justes, mais parcequ'elles sont loix; c'est le fondement mystique de leur auctorité, elles n'en ont point d'autre qui bien leur sert. Elles sont souvent faictes par des sots; plus souvent par des gens qui, en haine d'egalité, ont faute d'equité; mais tousiours par des hommes, aucteurs vains et irresolus. Il n'est rien si lourdement et largement faultier, que

after another crumble away into unsubstantial air, or become lumber for the antiquary.

Unfortunately, when they are dead they are not buried. The student has still the benefit of meeting on the threshold of Real Property Law antiquated rubbish such as the old doctrine of Bracton and Coke that land could not descend to a lineal ancestor, because it was analogous to a falling body, which could gravitate only downward!—such as the doctrine that “a possibility upon a possibility” could not support a contingent remainder—such as the complicated mode of barring entail, in use until 1833, by the fictitious proceedings of Fines and Recoveries, which Mr. Williams well designates pieces of “solemn jugglery;” and many another of the tortuous fictions for which he may thank the old logic which Coke loved so dearly that he eulogizes Littleton as having been “learned in that art, which is so necessary to a complete lawyer.” I again assert that the close attention to such puerilities, living and dead, which the student is called upon to give, is “calculated to narrow the compass of the mind, to direct it to the consideration of mere technicalities, to entangle it in the meshes of minute verbal distinctions.” Bentham pours unmerciful ridicule on legal fictions, ridicule which Sir H. Maine rebukes, on the ground that they have played an important part in the progress of law, as compromises between timid conservatism and reform. Yet he says: “I cannot admit any anomaly to be innocent, which makes the law either more difficult to understand or harder to arrange in harmonious order. Now, among other disadvantages, legal fictions are the greatest of obstacles to symmetrical classification. The rule of law remains sticking in the system, but it is a mere shell.

If the English law is ever to assume an orderly distribution, it will be necessary to prune away the legal fictions, which, in spite of some recent legislative improvements, are still abundant in it.”\* If the student approached these fictions in the light of such considerations, and were thus made to understand their past necessity and present undesirability—if he were tender to them out of gratitude for their former services, instead

of worshipful of them in their superannuation—very different would be the effect of their study from what it now is. If our rising generation of law-students would find time to study the history and science of law; if our Law Society would give those subjects a place in their regular course, our future lawyers would be less open to charges of narrowness, empiricism, and over-conservatism. †

This brings us to the question whether the asserted tendencies of legal studies are seen in the actual results. My friend, in order to show that these tendencies have not been realized in lawyers as a body, is driven to the weak expedient of seeking to disprove a

† The following passage from Hallam covers the whole case made out in my original note and the leading points in the present article. It is applicable, with some very slight modifications, to the existing state of affairs both in England and here:

“Something, too, of that excessive subtlety, and that preference of technical to rational principles, which runs through our system, may be imputed to the scholastic philosophy, which was in vogue during the same period, and is marked by the same features.

Those who are moderately conversant with the history of our law, will easily trace other circumstances that have co-operated in producing that technical and subtle system which regulates the course of real property. For as that formed almost the whole of our ancient jurisprudence, it is there that we must seek its original character. But much of the same spirit pervades every part of the law. No tribunals of a civilized people ever borrowed so little, even of illustration, from the writings of philosophers, or from the institutions of other countries. Hence law has been studied, in general, rather as an art than a science, with more solicitude to know its rules and distinctions than to perceive their application to that for which all rules of law ought to have been established, the maintenance of public and private rights. Nor is there any reading more jejune and unprofitable to a philosophical mind than that of our ancient law-books. Later times have introduced other inconveniences, till the vast extent and multiplicity of our laws have become a practical evil of serious importance, and an evil which, between the timidity of the legislature on the one hand, and the selfish *vices of practitioners* on the other, is likely to reach, in no long period, an intolerable excess. Deterred by an interested clamor against innovation from abrogating what is useless, simplifying what is complex, or determining what is doubtful, and always more inclined to stave off an immediate difficulty by some patch-work scheme of modifications and suspensions, than to consult for posterity in the comprehensive spirit of legal philosophy, we accumulate statute upon statute and precedent upon precedent, till no industry can acquire, nor any intellect digest the mass of learning that grows upon the panting student; and our jurisprudence seems not unlikely to be simplified in the worst and least honourable manner, a tacit agreement of ignorance among its professors.” Middle Ages, Vol. II., Chap. 8, Part 2.

les loix, ny si ordinairement.” Montaigne. “Essais,” Livre III., chap. xiii.

\* Ancient Law, pp. 26-27.

broad rule by a few exceptional counter-instances. Reminding him of the well-worn adage which he thus disregards, I would condole with him that he is apparently so hard-pressed for even his exceptions, as to cite Lord Coke as an example of the catholicity and nobility of the legal mind. Had I been casting about for instances on my side, his name would in all probability have been the first noted for use. Hallam says of him: "He was a man of strong, though narrow intellect, confessedly the greatest master of English law that had ever appeared, but proud and overbearing, a flatterer and tool of the court till he had obtained his ends, and odious to the nation for the brutal manner in which, as Attorney-General, he had behaved towards Sir Walter Raleigh on his trial."\* Mr. Green similarly depicts him as "a narrow-minded and bitter-tempered man, but of the highest eminence as a lawyer, and with a reverence for the law that overrode every other instinct."† The placing in juxtaposition his narrow-mindedness and his legal eminence, of which both these historians are guilty, is suggestive, to say the least.

But this endeavouring to stretch the mantles of one or two illustrious men over the whole class to which they happened to belong, is not of much worth as an argument. A glance at the attitude of the profession at various times and places, and by the light of the opinions of eminent men in various lines, will be more conclusive. My friend considers that "any one who asserts that the profession generally is opposed to law-reform, if he speaks honestly, speaks ignorantly," and that the charge of conservatism, grounded on class interest, is a "vulgar cry." Language such as this shows that Professor Blackie is not alone in "down-rightness." His "ignorance" he shares with a whole host of eminent men, including some tolerably well-known lawyers, whom it may interest and perhaps surprise my friend to see transfixed by his rebuke, together with "outside fools." In truth, many very rude things have been said about lawyers, not only by wits and satirists, but by men who weighed well their words. Milton

speaks of those of his day as "grounding their purposes, not on the prudent and heavenly contemplation of justice and equity, which was never taught them, but on the promising and pleasing thoughts of litigious terms, fat contentions, and flowing fees." Swift calls them "a society of men bred up from their youth in the art of proving, by words multiplied for the purpose, that white is black and black is white, according as they are paid." Wesley, the founder of Methodism, in a discourse on Original Sin (grim satire!), quotes Swift's words and adds worse of his own. Wordsworth, in the "Poet's Epitaph," dismisses a lawyer with very brusque reflections on his calling.

But let us get to facts. Referring to Coke's time, Mr. Green says: "The lawyers had been subservient beyond all other classes to the Crown. In the narrow pedantry with which they bent before precedents, without admitting any distinction between precedents drawn from a time of freedom, and precedents drawn from the worst times of tyranny, the Judges had supported James in his claims to impose Customs Duties. . . . But beyond precedents even the Judges refused to go."‡ In a summary of the sweeping law-reforms which took place during the early half of this century, Sir T. Erskine May says: "Lawyers, ever following precedents, were blind to principles. Legal fictions, technicalities, obsolete forms, intricate rules of procedure, accumulated. Fine intellects were wasted on the narrow subtleties of special pleading. . . . Justice was dilatory, expensive, uncertain, and remote. . . . The class who profited most by its dark mysteries were the lawyers themselves. . . . *If complaints were made, they were repelled as the promptings of ignorance*; if amendments of the law were proposed, they were resisted as innovations. To question the perfection of English jurisprudence was to doubt the wisdom of our ancestors,—a political heresy, which could expect no toleration."§ The humane labours of Sir Samuel Romilly to obtain remission of capital punishment for a host of petty offences, as "innovations on the sacred code, were sternly resisted by Lord Eldon, Lord Ellenborough, and the

\* Constitutional History of England, Vol. 1., Chap. 6.

† Short History of the English People, Amer. Ed., p. 479.

‡ Short History of the English People, Amer. Ed., p. 479.

§ Constitutional History of England, Vol. II., p. 549.

first lawyers of his time."\* Again, "Who so allied to the court, so staunch to arbitrary principles of government, so hostile to popular rights and remedial laws; as Lord Mansfield" (one of my friend's examples of legal liberality, by the way), "Lord Thurlow, Lord Loughborough, Lord Eldon, and Lord Ellenborough?"† In his terrible letter to Lord Mansfield, Junius says: "I see through your whole life one uniform plan to enlarge the power of the Crown, at the expense of the liberty of the subject."‡ Lord Mansfield's encroachments on the rights of juries in trials for libel,§ which occasioned this letter, and resulted eventually in Fox's Libel Act, are sufficiently notorious.

Lord Westbury, when introducing a bill to facilitate the transfer of land in England, remarked that, "In the English law nothing had been more fertile of results to be regretted, than the attachment of our lawyers to the mediæval logic,—the pedantries and puerile metaphysical disquisitions which distinguished what was called the learning of that time." The family solicitor he designated, in celebration of his prejudices and hatred of reform, "the old man of the sea." Sir John Romilly called the judicial system of England as it stood in his day, "a technical system invented for the creation of costs." Sheldon Amos, the Professor of Jurisprudence in University College, London, and the writer of authoritative works on that subject and on Codification, is guilty of such allusions as these: "It remained for Bentham to use the battering-ram of the pure reason against what remained of the ancient system, and to compel every portion of it to justify itself by something better than its antiquity, its uncertainty, or its serviceableness to the lower interests of an inert legal profession."|| "A technical and traditional system, wholly out of all living connection with the people and their requirements, is handed down from one generation of Judges to another, and is servilely acquiesced in, and even lauded by a narrow-minded legal profession. Such was the condition of the Common Law in England, at the time when Bentham was so

loud in his demands for codification."\* Herbert Spencer, in his essay on "Over-Legislation,"† says: "Until now that County Courts are taking away their practice, all officers of the law have doggedly opposed law-reform." "Dare any one assert that had constituencies been always canvassed on principles of law-reform versus law-conservatism, Ecclesiastical Courts would have continued for centuries fattening on the goods of widows and orphans?" "The complicated follies of our legal verbiage, which the uninitiated cannot understand, and which the initiated interpret in various senses, would be quickly put an end to . . .

Lawyers would no longer be suffered to maintain and to complicate the present absurd system of land titles" (a system still in force in England; but even if it were not, Spencer's words would be no less *à propos* of the general question of interested professional conservatism). In a recent work the same writer relates an anecdote of a solicitor who "complained bitterly of the injury which the then lately-established County Courts were doing his profession. He enlarged on the topic in a way implying that he expected me to agree with him in therefore condemning them, . . . oblivious of the fact that the more economical administration of justice of which his lamentation gave me proof, was to me, not being a lawyer, matter for rejoicing." ‡

A conspicuous instance of how the simplest and most obviously desirable reforms have been retarded by the legal spirit, and of how jealous the profession has been of opening its *arcana* to the eyes of the "profane vulgar," is to be found in the resistance shown from first to last by lawyers to the use of English in the law-courts, reports, and pleadings. It was enacted in the 36 Edw. III., that all pleas—which from the conquest till then had been in Norman-French—should thenceforth be in English. But the lawyers persisted up to the time of George II. in using the "hybrid jargon for reports and treatises; and seized every occasion to introduce scraps of Law-French into their speeches at the bars of the different courts."§ Coke makes a

\* *Ibid.*, p. 556.

† *Ibid.*, p. 552.

‡ Letter No. 41, Vol. II., Woodfall's Ed.

§ In the trial of the Printers of the "North Briton," and in Woodfall's case.

|| "The Science of Law," p. 7.

\* *Ibid.*, p. 395.

† "Essays," p. 48.

‡ "Study of Sociology," p. 241.

§ "A Book About Lawyers": By J. C. Jeaffreson, Barrister-at-Law, Vol. II., chap. lx, which see, for a detailed account and for a great deal of



semi-apology for writing his Commentaries in English. Chief Baron Comyn, in George II's reign, preferred "*chemin*," "*dismes*," and "*baron and feme*," to "highways," "tithes," and "husband and wife." All legal records had been kept in a barbarous Latin up to the days of the Commonwealth, when it was resolved to keep them in English. This reform was stigmatized as a dangerous innovation by the majority of the bar. "The legal literature of three generations following Charles I.'s execution abounds with contemptuous allusions to the 'English times' of Cromwell." At the Restoration Latin was quickly and gladly recalled to the records and writs. "The vexatious and indescribably absurd use of Law-Latin in records and writs and written pleadings was finally put an end to by Stat. 4 Geo. II., c. 26; but this bill did not become law without much opposition from some of the authorities of Westminster Hall." Lord Raymond, Chief Justice of the King's Bench, "expressed great disapproval of it." "Lord Campbell, in the 'Chancellors,' records that he 'heard the late Lord Ellenborough from the Bench regret the change.'"\* Do not these facts alone fully justify a writer in saying: "Like the priests of Isis, lawyers make a mystery of everything; and in describing the most ordinary legal incidents delight to use a technical jargon deficient alike in precision and elegance, and possessing no recommendation except that of unintelligibility to the uninitiated?"†

To what absurd lengths legal conservatism has been carried, the following incident will serve to indicate. The Court of Common Pleas in Charles II's reign, having long been near the great door of Westminster Hall, a very cold situation when the north wind was blowing, it was proposed to carry it back to a less exposed room called the Treasury. But the Chief Justice of the Court, Sir Orlando Bridgeman, "refused his consent to this suggestion, *because* Magna Charta required the Common Pleas to be held *in certo loco*, whereas, in case the Common Pleas shifted its ground by even so little as a few feet, its precise locality would become a matter of uncertainty,"‡ and all the pleas would be *coram non iudice*! May not the

curious information, and illustration of the legal character.

\* *Ibid.*

† *Quarterly Review*, Vol. 136, January, 1874.

‡ A Book About Lawyers," Vol. II., p. 362.

Commissioners of the New York Civil Code fairly say: "Nothing is more conspicuous in the history of jurisprudence than the tenacity with which judges of America and England, unlike those of continental Europe, have adhered to precedents, even though the reason for them has ceased, and their mischief become palpable?"\*

Let us take a very recent case, for the details of which I refer my readers to Mr. Holmested's forcible articles in this Magazine.† In 1859, Sir Robert A. Torrens, *not* a lawyer, devised, in South Australia, a system of conveyancing by registration of title, which does away with the whole of our cumbersome, uncertain, and costly mode of passing titles, dispenses with the necessity for any legal training—any ennobling acquaintance with the Statute of Uses—any verbose, bulky, and expensive documents in the transfer of land. It ensures indefeasibility of title, so making real estate investments and securities safe and free from the probability of Chancery suits; it saves, on the average, 90 per cent., or 18s. in the £ sterling, in the cost of transfers; and the whole business of a conveyance may be transacted by men of ordinary education in about fifteen minutes, over a counter. In reply to a circular letter addressed by Earl Granville, in 1870, to the Governors of the various Australian provinces which have adopted the system, it was reported to work satisfactorily in all respects; but the Attorney-General of Victoria said, that "for years it had to be worked against the opposition of practising conveyancers," who finally submitted with an ill grace. Mr. Holmested says: "These benefits have been secured in the Australian Colonies notwithstanding, in some cases, the strenuous opposition of the legal profession; an opposition which, in matters of this kind, is generally fatal."

The *rationale* of legal obstructiveness is thus given by Mr. Freeman, the historian: "There can be no kind of doubt that lawyers' interpretations and lawyers' ways of looking at things have done no small mischief, not only to the true understanding of our history, but to the actual course of our history itself. The lawyer's tendency is to carry to an unreasonable extent that English love of pre-

\* The Civil Code of the State of New York. Introduction.

† C. M., April 1876, and January, 1877.

cedent which, within reasonable bounds, is one of our most precious safeguards. His virtue is that of acute and logical inference from given premises; the premises themselves he is commonly satisfied to take without examination from those who have gone before him. It is often wonderful to see the amazing ingenuity with which lawyers have piled together inference upon inference, starting from some purely arbitrary assumption of their own. . . . Add to this, that the natural tendency of the legal mind is to conservatism and deference to authority. . . . We shall, therefore, find that the premises from which lawyers' arguments have started, but which historical study shows to be unsound, are commonly premises devised in favour of the prerogative of the Crown, not in favour of the rights of the people. . . . In later times, indeed, the evil has largely corrected itself; the growth of our unwritten Constitution, *under the hands of statesmen*, has done much practically to get rid of these slavish devices of lawyers.\*

Without exhausting the patience of the reader by the multiplication of quotations lying ready to my hand, sufficient have been already given to dispose, at any rate, of the charges of wild assertion, ignorance, and vulgarity.

The charge of professional obstructiveness is not inconsistent with the fact that a great deal of legal reform has been instituted by lawyers. In 1767, Hargreaves, a Lancashire weaver, invented the Spinning Jenny. The saving of labour terrified the workmen, and they rose in a body and went through the county destroying carding and spinning machines, wherever they could find them. Hargreaves invented the Jenny because he was a practical weaver, and yet a man who could rise above short-sighted class-interest; the workmen were practical weavers, but were *not* Hargreaves, and took their rough way of opposing reform. The analogy is patent. For reforms in special subjects we naturally need specialists: for a reform in weaving, a weaver; in law, a lawyer. It is quite consistent with this fact, that lawyers, *as a class*, are obstructionists where their class interests are touched. The body of weavers were not Hargreaves, but opposed Hargreaves; so, the body of lawyers are not Romillys, Mack-

intoshes, Westburys, and Stephens, but have opposed such reformers tooth and nail; often for the same powerful reason that prompted the workmen to smash the Jennies.

It must be manifest, I think, that if the law were reduced in bulk, simplified, logically arranged, and plainly stated, the gain on all sides would be enormous. Many advantages suggest themselves on a few minutes' reflection; others, though less apparent to those who have not had their attention specially directed to the subject, are none the less real and desirable. Passing over the increased facility, precision, and rapidity with which the legal machinery would be worked, let it be considered what the student would gain, both in economy of time and labour, and in the influence of his study upon his mind. Instead of chaos he would have cosmos. Instead of incoherent formalities, coherent and interdependent principles; instead of a confusion of authorities and precedents to be laboriously sifted out and blindly obeyed, a rationalized code, easy of reference and self-justifying to the reason, to be intelligently applied to any given set of circumstances. The study would no longer be *intrinsically* narrowing and bewildering. Again, its reduction within manageable and moderate compass, the comparative ease with which its principles could be grasped and its details referred to, would make it no longer necessary for the student to devote himself too exclusively to it. While in itself it would not be intellectually vicious, but profitable, it would leave time and energy for much else beside, now out of his reach.† As the students were influenced, so would the profession be which is recruited from them. That profession has not yet struck the balance

† "Not abolition, but transformation of text-books would be the result of a code. There would still be plenty of room for exposition, and some, I doubt not, for discussion. A good deal of space which is now perforce devoted to a laborious and often barren collection of authorities, would be left free for rational explanation, and especially—though this hope may seem too sanguine—for a comparative and historical treatment which might be a powerful instrument of training in exact thought, and might raise the study of the law to something like its former rank as part of a liberal education. We might even cease to regard 'jurisprudence' as a kind of mysterious knowledge, so hopelessly separated from the law of England as to require a distinct course of reading."—*Digest of the Law of Partnership*: By Frederick Pollock. Introduction.

\* Growth of the English Constitution, p. 121 *et seq.*

between these certain advantages and the possible, though not necessary, disadvantages that might result to its pocket.

But the movement is afoot. Mr. Goldwin Smith, as far back as 1859, although he considered English law to be "as yet, in form, barbarous and undigested," even then spoke hopefully of "that code of the laws of free England which is now beginning to be framed, and which will go forth, instinct with the spirit English justice, to contend for the allegiance of Europe with the Imperial code of France."\* To quote from the *Edinburgh Review*, "The tardy recognition by the nation of these practical mischiefs" (consequent on the present condition of the law) "has fortunately synchronised with the growth of a small class of theoretical jurists, who have, however, been obliged for some time to contend with the narrow-mindedness of the profession and the apathy of the public—to wait till the patient was sufficiently aware of his illness to be ready to welcome the physician."† This was said eleven years ago; and here is my legal friend declaring "all this talk about codifying the law" to be "really very idle talk"—a summary way of ignoring the *pros* and sticking by the *cons* in regard to a reform strenuously advocated by some of the ablest minds of our day! Were it not that the *argumentum ad hominem* is apt to be irritating, it would be tempting to point to him as an illustration of those very tendencies of legal study the existence of which he denies. There can, at any rate, be no harm in expressing the hope that this *dictum* of his may not meet the eyes of such deluded men as Sir J. F. Stephen, Sir H. Maine, Frederick Pollock, Sheldon Amos, and others, who might be discouraged to find that their matured and weightiest utterances are, after all, mere "idle talk." It is to be deplored that this authoritative conclusion was not promulgated in time to prevent a number of misled nations from going so far beyond "idle talk" as to carry it out into what my friend, no doubt, condemns as idle practice. France, Prussia, Austria, most of the German States, Norway, Sweden, Denmark, the Netherlands, Switzerland, the Italian States, Spain, Portugal, and even Russia have, at one time or another,

wholly or partially codified their laws. Greece, on the recovery of her independence, proceeded at once to promulgate a code founded upon the Basilica of the Emperor Leo, which was based on that of Justinian. Hayti, Bolivia, New York, Louisiana, and Maryland have codes. The difficulties in the way of the celebrated Code Napoleon, which occupied ten years in completion, were overcome by a commission of the ablest jurists in France, all of whom fall under the disapproval of my friend. It is, also, melancholy to contemplate, by the light of his *dictum*, the amount of labour and learning misdirected upon the Indian Code. Not having the advantage of his warning, an Indian Commission, consisting of Lord Macaulay, Sir J. McLeod, and Mr. Millet began the work in 1834. In 1853 and 1861, two other Indian Law Commissions, sitting in London, continued it; in India it was carried on from time to time by Sir B. Peacock, Sir H. Harrington, Sir Henry Maine, Mr. Ritchie, Mr. W. Stokes, Mr. Cockerell, Mr. Cunningham, Lord Lawrence, Mr. (now Sir) James F. Stephen, and others of like calibre. The result of these labours I shall glance at briefly before closing. After the enumeration of all these nations and colonies which have gone astray after the will-o'-the-wisp of codification, it will be a solace to my friend to consider that England, with the whole of Canada (except Quebec) by her side, stands firm and conspicuous in all the glory of insular conservatism, without a code. She reserves for her lawyers the ennobling pursuit of extracting the principles of her law (when not *in nubibus* or *in gremio legis*) from out the judgments for which my friend expresses so strong a preference, scattered—obsolete and operative, good and bad, relevant and irrelevant—higgledy-piggledy through some 1,700 volumes of reports, covering a period of about six centuries, and containing over 100,000 reported decisions. The only concession which England has yet made to the spirit of method and order is the revision of a portion of her Statute Law, and the gathering of it—in chronological order merely—into some 15 volumes. Additional opportunities of mental and moral culture await her lawyers in the innumerable text-books extant, and pouring regularly from the press.

My friend questions whether codification would have any advantages lacking to this

\* "Lectures on the Study of History;" pp. 30-31.  
† *Edinburgh Review*, Oct. 1867, Art. II., "Codification."

state of affairs; not being aware, as he admits, that his queries can be answered,—that is, being ignorant of the whole mass of opinion on one side of a question which he decides with a sweep of the pen. As to the present condition of things, Sir J. F. Stephen, in the preface to his recent "Digest of the Law of Evidence," says: "I do not think the law can be in a less creditable condition than that of an enormous mass of isolated decisions and statutes, assuming unstated principles: cases and statutes alike being accessible only by elaborate indexes. I insist upon this, because I am well aware of the prejudice which exists against all attempts to state the law simply."

My friend, for instance, resents the idea that law should be made "so plain and simple that every *yokel* may read, and read rightly." Besides being a very impatient exaggeration of my words, is not this a fair example of "keeping jealous watch and ward" over the *arcana* of the profession? He challenges any one who "has a plan for making the law so simple that the ingenious layman may understand it without special training, and may be able to ascertain his rights without reference" to lawyers, to produce it for his approval. We have already seen in the South Australian system of land transfer, that it is not utterly impossible for the "ingenuous layman" and perhaps even the "yokel" to dispense with legal training or advice in very many instances. That they should ever do so altogether is neither expected nor desired.

As to codification, I regret that I must content myself with referring, without citations, to Mr. Sheldon Amos's lucid and convincing discussion of the need for an English code, the obstacles in the way of its attainment, and the possibility of overcoming them, in the 13th chapter of his "Science of Law." He has also written a book entering fully into the subject; and there are several able articles, worthy of a reference, in the great English quarterly Reviews.\* But, for

\* See particularly:—*Westminster Review*, October, 1864, "Modern Phases of Jurisprudence in England;" *Ibid.*, April, 1865, "The State of the English Law: Codification;" *Ibid.*, October, 1868, "Reform of our Civil Procedure"; *Edinburgh Review*, October, 1867, "Codification;" and *Quarterly Review*, January, 1874, "The Simp. tion of the Law." See also the Introduction to the New York

the purpose of answering my friend's almost plaintive questions, nothing could be better than a few citations from an article on "Codification in India and England,"† by Sir James F. Stephen, originally delivered as an address at the opening of the session of the Social Science Association for 1872-3. After giving a detailed account of the labours of the several Indian Commissions, to which I have already referred, and of the difficulties in their way, he enters into illustrations of what has been effected by the completion of the different codes. The first, known as the Code of Civil Procedure, of 1859, "swept away 147 Regulations and Acts, and it laid down a distinct, precise system of civil procedure, applicable to all courts (with exceptions which I need not mention), and all descriptions of causes, and capable of being fully mastered by any one who will take the pains to study the Act, without any reference to authority. One of the enormous advantages of the Act is, that it has, I will not say abolished, but prevented by anticipation the growth of the distinction between law and equity." The Penal Code, enacted in 1860, contains virtually "the whole criminal law of the whole Indian Empire. It consists of 511 sections. It has been in constant use for eleven years by a large number of *unprofessional* judges, who understand it with perfect ease, and administer it with conspicuous success. . . . To compare the Indian Penal Code with English Criminal Law is like comparing cosmos with chaos. Any intelligent person interested in the subject could get a very distinct and correct notion of Indian Criminal Law in a few hours from the Penal Code. I appeal to you to imagine the state of mind of a man who should try to read straight through the very best of English books on criminal law, say, for instance, Mr. Greaves's edition of 'Russell on Crimes.'" The Code of Criminal Procedure "represents 270 separate enactments." The Succession Act of 1865 "provides a body of territorial law for British India, regulating the great subjects of inheritance, the civil effects of marriage, and testamentary power.

I would recommend any one who doubts the

Civil Code, and the Ninth and Final Report of the Commissioners of the Code.

† *Fortnightly Review*, November, 1872.

possibility or advantage of codification to compare the 332 sections of this Act with a whole library of English law-books, of which Jarman on Wills may be taken as a type." "The knowledge which every civilian you meet in India has of the Penal Code and the Procedure Codes, is perfectly surprising to an English lawyer." Many know them by heart; native students at the universities delight in the study of the law above all subjects. "It is a new experience to an English lawyer to see how easy these matters are when they are stripped of mystery. I once had occasion to consult a military officer upon certain matters connected with habitual criminals. . . Upon some remark I made he pulled out of his pocket a little Code of Criminal Procedure, bound like a memorandum book, turned up the precise section which related to the matter in hand, and pointed out the way in which it worked with perfect precision. The only thing which prevents English people from seeing that law is really one of the most interesting and instructive studies in the world, is that English lawyers have thrown it into a shape which can only be described as studiously repulsive."

As an experiment, Sir J. F. Stephen, shortly after his return to England, codified the whole law of homicide in 24 sections, which contain matter which in "Russell on Crimes," occupies 232 royal 8vo. pages. His digests of the Law of Evidence and of English Criminal Law, recently published and very favourably reviewed by all competent critics, are two small volumes of some 200 pages each; and answer practically the objection that the codification of English law is rendered impossible by its shapeless enormity.

Mr. Frederick Pollock last year published a digest of the Law of Partnership, occupying 125 pages. In the Introduction to it he enters into a careful discussion of codification; and agrees with Sir J. F. Stephen that the Indian Codes form a desirable model for England to follow. He says: "If English people were once brought to perceive that this work is of national interest and importance, and its omission discreditable to our national intelligence, I believe it would be a quite practicable undertaking, and that within no unreasonable compass of time, to make the laws of England, or so much of them as concerns men's common affairs and duties,

as good in form as they now are in substance, and as conspicuous an example of order and clearness as they now are of the contrary."\*

What has been accomplished in India—what has been accomplished in England by private enterprise alone—demonstrates that nothing but obstinacy can pronounce the task beyond the determined application of English learning, industry, and skill. Herbert Spencer says: "Lawyers perpetually tell us that codification is impossible; and there are many simple enough to believe them. Merely remarking in passing that what Government and all its employes cannot do for the Acts of Parliament in general, was done for the 1,500 Customs Acts, in 1825, by the energy of one man—Mr. Deacon Hume—let us see how the absence of a digested system of law is made good. In preparing themselves for the bar, and finally the bench, law-students, by years of research, have to gain an acquaintance with this vast mass of unorganized legislation; and that organization which it is held impossible for the State to effect, it is held possible (sly sarcasm on the State!) for each student to effect for himself. Every judge can privately codify, though 'united wisdom' cannot."†

If England could accomplish this task, if so many other countries *have* accomplished it, my legal friend pays his profession here in Canada a poor compliment in scouting the idea that it could be carried out by them, if they are as public-spirited, disinterested, and progressive as he would have us believe. "If it were done, when 'tis done, then 'twere well it were done quickly." It is a task that will grow yearly more arduous and more lengthy. In Ontario the iron is hot. Our Common Law presents the same difficulties as that of England; the Administration of Justice owes something to Mr. Mowat's Acts; and now we have our Revised Statutes, giving in some order (anything but logical, but still order) and stripped of obsolete matter, our own Statute Law, which the *Canada Law Journal* well describes as having been hitherto "a tatterdemalion garb of shreds and patches."‡ The iron is hot;

\* Digest of the Law of Partnership. Introduction, p. xii.

† "Over-Legislation," p. 79.

‡ January, 1878, Part I., p. 6.

but if our legal profession illustrates its enlightened progressiveness and disinterested love of reform by joining with my friend in

holding all talk about a code "very idle talk," there seems indeed small prospect of its being struck.

LESTER LELAN

### AN INDIAN LEGEND.

**A**ROUND the wigwam fires the chiefs and braves tell their war stories, fathers relate fables intended to impress upon their children the sagacity of animals. The medicine men have their tales of magic and mystery, and grandmothers their homely parables in which the right and wrong known by Indians are distinguished. However powerless for good may seem to us the little polity which bound the Indian to the world wherein he was placed, his life was not all ruthless warfare. Within the activities of tribal life, and making their force, was the possession of a language wonderfully constituted, and a system of customs regulating war, the arts of the chase, marriage, and funereal rites. The Indian, at his birth, was not merely the member of a tribe; he was the member of a family. Ages after the system of polyandry had passed away, the terms of relationship drawn from that system prevailed to style him the son of his uncle, the brother of his mother's sister's children, and thus to forbid the marriage of cousins. The distinction of family groups was maintained by symbols under which various clans of the tribe were known, and the *totem* was at once a family coat-of-arms and a tutelary spirit. The following story from the manuscript of Mr. Silas T. Rand, a missionary among the Micmacs of Nova Scotia, illustrates the way in which a legend grew around a clan name:—

"My friend Benjamin Brooks, a Micmac, tells me there is a family of Bears in his tribe, and that his grandfather's second wife was one of them. He remembers having asked her how the name came to be given to them, when she told him the following story:—

"A long time before French or English

people were heard of, there was in a certain village a little boy who was an orphan. He sometimes staid in one wigwam, at times in another, having no home of his own.

"When fall was growing towards winter, one season, this little boy went one day into the woods to pick berries. Wandering on and on he at length lost his way. When night came down he was still rambling. By and by he saw a light and made for it. He reached a wigwam within which he heard people talking. Entering, he saw a woman seated there, and further on two small boys. The woman told him to come in, and the boys seemed glad to see him. The woman gave him some food, and he staid there all night, and was so well pleased that he staid there altogether.

"As he had no home in particular, the people in the village did not miss him for several days. But they missed him at last, and made careful search for him, but finding him not, they gave him up as hopelessly lost.

"Now it so happened that the boy had entered a bear's den. In his bewilderment he had mistaken the old bear for a woman, and the two cubs for boys.

"All winter he staid there. The bear had a store of dried meat laid up, and plenty of berries. These berries were kept in a vessel of birch bark. They were brought out and given them when they were hungry, along with the dried meat.

"Spring came. The ice broke up, and the smelts began to ascend to the fresh water to spawn. The Indians went out in the season to catch smelts, and as usual the bears did the same.

"The bears walked into the brook and sat down. Then they spread out their paws,

and when they had grabbed a fish they tossed it on to the bank. The Indians knew it was a good time to hunt bears while they were feeding on smelts. So one day a man looking for bears' tracks found those of an old one and two cubs, and along with them what seemed to be the track of a child's naked foot.

" 'This is a queer-looking bear's track,' he said to himself. 'I must find out what it is.' So going the next day about sundown, when smelts are most abundant, and bears at work fishing, he hid near the brook and watched.

" 'Presently he heard some coming that way and talking busily. Soon an old she-bear came in sight, followed by two cubs and a small naked boy. The boy and the cubs were talking together, and the man could hear and understand what the boy said. The boy could understand the cubs, but their talk sounded to the man just like the murmur of young bears.

" 'When they reached the brook, the old bear walked into the water and sat down on her haunches, and seizing the smelts as they passed, commenced tossing them on to the bank. The boy walked into the brook below, and drove the smelts on, shouting *pejedajik* (they are coming), and the old bear would throw them out in heaps as fast as a man would with a scoop net.

" 'The man returned home and told what he had seen. He said the boy must be the one of their tribe who had been lost. He was about five years old. All the village was in commotion. They determined to rescue the child, and planned how to do it. It was resolved that all the men should go the next night to the fishing-place and seize the boy and bring him home. They set out, led by the man who made the discovery. They took care not to cross the bear's course, and avoided the direction she took, so that she should not get scent of them. When they reached the brook, they concealed themselves, and waited and watched. Presently along came the bear, her cubs, and the boy. They let them get busy at their work, as the noise of the running brook, and their business with the smelts, would prevent them from hearing the approach of the men. Then they closed quietly around them, making the circle narrower, and at last made a dash for the boy and held him fast. He yelled, and he bit and scratched just like a little bear, while the old bear growled fierce-

ly and went off slowly. They allowed her to pass unmolested and took the boy home. He was wild and fierce for a time, but at length was quieted and tamed. Little black hairs had begun to grow on his naked body. He was called Moonin, and became the father of the Bear family.' "

An appendix adds, that another Indian story-teller related to Mr. Rand, that before the boy left the den of Moominaskw (the she-bear) she asked him to intercede with his friends, the Indian hunters, not to kill her. " 'But how will they know you from the rest?' " he asked. She told him they should climb high trees, and look round, and they would see smoke rising here and there as from solitary wigwams. From some of these they would see a larger cloud of smoke than from others. These would show the dens of the female bears, who having families to nourish, would be obliged to do a larger amount of cooking, and therefore to build larger fires.

The appendix is more suggestive than the main childish story. It is the germ of that faith in a "familiar spirit" which prompted the Indian to make a "medicine bag" or amulet of the skin of some *totemic* animal whose name and form were linked with his trivial family history, but so linked as to be associated with his dreams and hopes of success in the chase and in war. The clan symbol was not always that chosen by the Indian for his medicine bag, but some part of it was pretty sure to be. Was the clan symbol a Turtle, some part of the animal would be among the amulets which were to defend him from the adverse influence of magicians and bad manitous. To the possession of some such amulet would he ascribe, in the stories of his adventures at the family fire, his success in this or that expedition. In this way respect for the totem, of which the amulet might be whole or part, would grow. If the medicine bag of the warrior contained the bones of the right wing of a partridge, he would not eat the right wing of all the partridges killed by his arrow; his wife, imitative of her husband's superstition, would not eat; his daughters, though married into another tribe, would not eat; and the superstitious veneration which prompted a woman not to touch this or that part of an animal, sacred to household memories, might be communicated to distant tribes speaking a foreign tongue. Instead of the reverence for the

spirits of ancestors, so deeply imbedded in the religion of the Chinese, we find among all the North American tribes, taking its place, reverence for the amulets or charms of ancestors, but less durable than the Chinese superstition from the multiplicity of objects presented for veneration, the necessities of nomad life, and the never-ending friction of inter-tribal wars. The Chinaman who beats his great-grandfather's spirit for ill-luck, and feasts him on shadowy gilt-gingerbread for his success, is not far removed from the Indian who venerates the bones and tufts of hair and feathers which went to the making up of his father's "medicine." Into the latter's faith would come also some dispellant realism when the charms were powerless against an enemy's tomahawk, or the long-stalked deer caught the scent of man and eluded the archer.

The Goth, our father, built the bridge Bif-Raust from earth to an unknowable Future, filled with the life of the unknown Past, and his uncomprehended own. His Teutonic son, Faust, whose wings were strong enough for the longest flight across the unmeasured distances, rose no higher than the Red Indian's aspiration:—

"Two souls, alas! are lodged within my breast,  
Which struggle there for undivided reign.  
One to the world, with obstinate desire,  
And closely-cleaving organs, still adheres.  
Above the mist, the other doth aspire,  
With sacred vehemence, to purer spheres.  
Spirits, if ye indeed are hov'ring near,  
Wielding 'twixt heaven and earth potential sway,  
Stoop hither from your glorious atmosphere,  
And bear me to more varied life away!  
A magic mantle did I but possess,  
Abroad to waft me as on viewless wings,  
I'd prize it far beyond the costliest dress,  
Nor would I change it for the robe of kings."

In the child's play of his intellect, the Red Indian peopled the world with influences and spirits more powerful than the visible forces. The elder brother of every animal known to him resided in the spirit-land, and a claw or tuft of hair or feather was a symbol of its characteristic force or craft. The magic mantle Faust sighed for, the bridge from the seen to the unseen, built of the earliest dreams and hopes of our race, was not more worthy of trust for the heart-ease of forward-looking men, than the faith of the American Aborigines. Evolution has been more kindly to us than to them. The star that followed our ships from the East was malign to them.

Ignorant of what good was in them, the genius of their national life was strangled in the rush of the western exodus. The human sympathy that could weave a legend of nursing bears for the gratification of family pride was strong enough to grow, like the gospel corn on the mountain tops, into a goodly tree. At Rome the national pride in the she-wolf's cubs founded an empire whose foes met no less honourable death than the Roman broadsword or javelin gave, for rum and the trader's greed followed not the shadow of the haughty eagles. The Druid might burn his holocaust of living victims, the Cael might rejoice in his clan-fights, so long as the Roman sway knew no check, and the easy tribute was paid. Rome left behind her, when her rule was withdrawn, peoples whose national heart still throbbed with a nation's hope, but taught the worth of order and law, rule and peace. Whether good or bad, the faith of the conquered underwent no inquisitorial visitation, and no philanthropic fervours for the spiritual safety of her conquered subjects robbed them of their national gods. The village life of the Indian, his simple council meeting, his reverence for tribal customs, his clan organizations, were institutions powerful enough to support the graft of discipline, and a simple police system imposed upon the tribal councils would have sufficed to secure cohesion among the clans. The only evolution upwards and onwards open to the Indian was through the phases of those forms by which other races have progressed. No nomad race ever settled down from the condition of hunters into that of tillers of the soil. The intermediate condition of herdsmen was that through which they passed, and many peoples remain in that condition still. If we would deal wisely with the Dakotas we must make them what they long to become, herdsmen of horses and cattle, and likewise with the Blackfeet. A civil missionary, gifted with the capacity to induce them to legislate for their municipal affairs, and to organize their own executive, might lay the foundation of institutions whose growth would carry them from year to year to higher attainments. The Indian legend, the memory of the exploits of braves, the pride of ancestry, would thus hold that place in their education which it has in the education of more gifted races.

J. B.



## ROUND THE TABLE.

"SCIENCE," says my friend the clergyman, heaving a sigh, as he sips his traditionally clerical port, "has obtruded itself into the domain of Revelation." "Confound these scientific fellows with their theories of defective brain power and overmastering hereditary proclivities," chimes in the hastier lawyer of the old style, "there'll soon be no hanging a man at all, if they have their way!" We have often heard these stock complaints, but what if a new actor takes up the cry, and the inveterate novel-reader protests against the man of science for invading the temple of *his* belief, the three-volume fiction?

We all know the primitive type of novel. Erratic individuals, very strong-willed and impulsive, tender-hearted children of brutal parents, degraded offspring of a noble stock, figure in its chequered pages, all acting on wires without the least semblance of spontaneity. It was a step in advance on this when the educational novel, as we may style it, came into fashion. According to the writers of this school, the future life was framed in accordance with the degree of care bestowed upon the subject in youth; that useful simile about the bending of a twig when you cannot break an oak, being the key-note of the system. Unluckily, they forgot that no amount of bending (even though you began as early as the acorn stage) will turn an oak into an apple tree. This, however, was what writers of the school I am mentioning always depicted. The child grew up in the likeness of its spiritual parent, or governess, rather than in that of its real and immediate progenitor, and the mind, following the example of the body, held till the last the formative impress of the peculiar moral backboard that had been employed.

But now that is all changed. The laws of psychology, like those of meteorology, have been but slowly discovered; yet they are slowly unveiling themselves, and our masters of modern fiction can laugh at the crude attempts of early narrative art, just as a Turner who has studied the sweep of the rising clouds and the angry flickering of the light-

ning in the coming storm, would smile scornfully at the sky effects of old backgrounds, where cirrus and cumulus lie down together like the lion and the lamb, with a (morning) sunset effect and a storm at sea by way of variety. A fictitious character is unfolded to us now (perhaps I have too much before my mind the transcendent success of one writer) as we see it unfold itself in life around us. The element of education is not of course neglected, but it no longer usurps a too prominent place to the exclusion of deeper and more abiding influences. Cultivation may teach us to master our passions, make us docile and long-suffering, but once in a while the bodily or mental frame is over-wrought, and in a sudden paroxysm of passion, of grief, of jealousy, or fear, we shall betray some subtle inheritance we have received from one of our parents. Perhaps it will be shown in a look, the frown of Redgauntlet, or a gesture; but, however manifested, it tells its own tale. For it has not sprung suddenly into existence; all the time we have been looked upon by our compeers as impassive, commonplace, or tedious, that burning thought, that driving impulse, has been working in us, hidden but not the less powerful. And when we get this clue and understand it, and allow for other contradictory or thwarting influences acquired from other sources,—and the number of these will depend upon the skill and power of the writer,—we are on the high road to that exalted Pisgah pinnacle, from which we can look forward into the future of the character and prophesy with fair certainty how he will act. And this is what the novelist does. The incidents the scenes among which he leads his hero, may be new, or may be but old skeletons revamped; it is not in this that his main skill should consist. It is in the steady adherence to his master-key, and in the naturalness and ease with which he makes the hero act and be acted on by these comparatively unimportant circumstances—doing that which such a character *would* do in real life, and nothing else—that his success will lie. To the true writer of this stamp his

characters are no longer puppets, pullable hither and thither with finger and wire. Started in life, they must work out their own salvation, or "dree their weird" as the penalty of failure, for no *deus ex machinâ* is allowed at the close of our typical modern novel. If thoroughly imbued with the spirit of his craft, the author will feel chary of interfering with the people of his brain; even the events that surround them seem shaped more by them than by him. Thus, Charlotte Brontë found that "Villette" ended for her in a way that her friends disapproved, and that probably she would have herself rejected had it been suggested to her at first, and before her own work had dominated her individual will.

Comparing two of the foremost in modern fiction, I think we must relegate Dickens to the transition period. True as his sketches of character were, he infringed the rule I have attempted to sketch out in a dozen instances. The dramatic spirit was too strong in him not to overcome his love of truth, so—hey presto!—in the last chapter, exit Mr. Dombey, the stern, the cold, the impassive, and enter Mr. Dombey, humble, relenting, and with the bump of acquisitiveness turned into philoprogenitiveness with a touch of harlequin-Dickens's magic sword of lath. It is so all through his tales; Mercy Pecksniff, Scrooge, one person in each story is sacrificed to the domestic virtues as the plot draws to its close. I have not given myself space to trace out the truer design and execution of George Eliot, who is, I take it, the master-spirit of the new style, but I will, in ending, point out the objections to which this new manner is open in feebler hands. It is rather liable to become hard and rather apt to foreshadow too much in the opening scenes the whole motive of the succeeding volumes. Very often weak writers relate in an account of opening childhood, an incident which almost caricatures some very prominent situation further on in the work. But with all its faults and weaknesses, the scientific novel, if I may name it such, has a glorious future before it.

—A guest at the Table talks lugubriously about the pains and penalties of self-cultivation, and appears, whether in irony, or in a fit of the blues, to advise others to cultivate that "ignorance" which he seems to think is "bliss," making it, of course, a "folly to

be wise." I should be afraid that our friend had cultivated over-fastidiousness rather than the really invigorating intellectual pursuits which teach us to find intense enjoyment in the right exercise of our intellectual as well as our physical powers. To take one of the very instances he gives, the man who has a true artist's eye for beauty may occasionally have his sense of harmony wounded by the half-finished condition of a new country which possesses in perfection neither the beauties of unspoiled nature, nor those of a mellow and picturesque civilization. But, *en revanche*, he will recognize with delight a thousand delicate evanescent beauties which totally escape the eye of his less cultivated companion. The roughness and want of finish which his keener sense may detect will often be forgotten in the mellow sunshine effects that gild a mossy log or a scraggy pine, in the picturesque tangle of creepers that twine over a dilapidated fence. For he who really loves beauty can find something to charm him wherever he can see the open face of nature. As Keble says:—

"Give true hearts but earth and sky,  
And some flowers to bloom and die."

And Wordsworth declared that the meanest flower that blows, could give him thoughts "too deep for tears." And as to pictures, the disgust which an ugly, viciously coloured picture will give to a trained eye—is it not far more than made up by the delight which that eye will take in even a photograph of a true work of art, in which a common sight will find "nothing particular?" And so in other things. If the rich store of enjoyment which intellectual culture opens to the mind; if that widening of the horizon which draws away the thoughts to something nobler than the little petty round of merely personal interests and desires, do not more than make up for any little disabilities which may accompany a culture higher than the surrounding average; then there is something wrong somewhere, and the individual in question has simply made a mistake in "tasting the Pierian spring." It is quite possible, however, to educate oneself into a hypochondriacal condition of mental fastidiousness instead of the real intellectual vigour which throws off slight discomforts with a good-humoured laugh at the comic side of them. A dialogue in the Contributors'

Club of the *Atlantic Monthly*, recently hit off very well the fastidious pedantry of some of our so-called cultivation. It follows up the question: "Because you are cultivated, are there to be no more cakes and ale?" and amusingly sketches the intolerance of those who make themselves unhappy because their neighbours have not all arrived at the same pitch of cultivation in taste with themselves. But this is not a necessary accompaniment of culture, nor a symptom of the highest and truest culture. With a little more "sweetness and light" there would be a larger toleration—a greater patience and sympathy with the chrysalis condition which must come before the butterfly. Our friend forgets, moreover, that people who are not naturally dull can't fall so easily into the delights of dullness. Of course, if one prefers to be an "oyster" let him be one; *de gustibus non est disputandum*; but the taste for oyster-ship would seem to indicate a tolerably moluscous constitution to begin with. It can be good for no creature to cramp and dwarf the aspirations which it naturally possesses. As for the "isolation" complaint, grant that there is something in it. But wouldn't it be as effectual a remedy to try to raise others to one's own level, as to lower oneself to the level of others? The higher gift is bestowed not for selfish exclusive possession, but for impartation to others. If cultivation kills out sympathy, and the "cultivated" hold themselves scornfully aloof from the "*ignobile vulgus*," no wonder they are left to the solitude they have made for themselves. But I would recommend to our friend the philosophy of the fox who lost his tail, by way of obviating the complaint of isolation.

—I heartily agree with the friend who made an onset on bazaars in the last number of the *Canadian Monthly*, though I think much more might be said in reference to the injurious tendency of the raffing and lotteries, which, under some form or other, are sure to creep in, and are curious things to be taken under the patronage of churches, whose office is supposed to be to lead men to act under higher motives, and to substitute for selfishness self-sacrifice. A singular rebuke has been administered in Scotland to that section of the religious world, which we may call the "*worldly-holy*." The Lord Advocate has forbidden raffles, lotteries, &c., at bazaars, as illegal, in common with any other

form of gambling. It is to be hoped that the larger and more earnest religious life which will have to pervade Christianity if it is to resist the inroads of scepticism, will drop bazaars, with all their frivolities and worldliness and humbug, and lead Christian men and women to act up to their professions by giving liberally for what they profess to regard as the most noble of objects, instead of for footstools, fire-screens, and other more or less ornamental squares of crotchet or wool-work. But there is another "development" which I think little less humiliating to our own modern religious life than the bazaar,—I mean the tea-meeting. This is another way of raising money for religious objects by ministering to the selfishness of man. "You will not, I know, give as you ought to give, your five dollars for this church object, but you will give a dollar or so for tickets for an *entertainment*, congratulate yourself that you are *encouraging a good object*." And ministers wonder that the liberality of their people does not grow; as if selfishness and liberality could be nourished by one and the same treatment. Tea-meetings appeal to the class of people who flock to entertainments of all kinds, and who thereby fritter away both their minds and their money, so that they have neither interest nor contributions to spare as free-will offerings for church or charity. In the country, indeed, where any kind of evening entertainment is usually rare, and where books are not often plentiful, tea-meetings may be of some use, as supplying in moderation a real need for some break in the monotony of life, and for social gathering and stimulus. But in towns, where there are usually too many social meetings instead of too few, these perpetual tea-meetings serve as a sort of mild dissipation for the people who eschew balls and theatres, and are, perhaps, quite as effectual as these for killing time and driving away everything like quiet or profitable reading and thought. For though there are always two or three clerical speeches sandwiched in among the songs and readings, everybody knows that people go to tea-meetings simply to be amused, to laugh and talk, to flirt, and by no means to forget the eating and drinking. The clerical speakers know that, above all things, they must be amusing, on pain of being considered slow, and they do not always magnify their office when they lay

themselves out to be funny. Now it is all very well that people should be amused, and there is a time to laugh as well as to do all other things; but is it not a little *infra dig* for our churches to take up the *role* of nigger minstrel troupes as caterers for public amusement, with a view to making money, and for ministers, who have not too much time and strength for the proper discharge of their highest duties, to lay aside those higher duties, even for the time, in order to pander to the popular but morbid appetite for being amused?

—A constant reader desires a corner at the Table to say how gladly he welcomes the development of a national movement in Canada; and how much he would deplore its taking a direction tending towards separation from the glorious old mother-country—the United Kingdom—the country which, according to Ralph Waldo Emerson, has “the proudest history in the world.”

I am with G. A. Mackenzie, in his article “Nationalism and Reaction,” December, 1877, and against Sir Francis Hincks. The present anomalous relations between the United Kingdom and the Colonies cannot stand the strain of such ticklish times as we now live in, and it is for the best interests of both that the ties of consanguinity should speedily be strengthened by well-devised commercial and political ones. As the poet has said: “Naught may endure but mutability.” Free-trade, beautiful in theory, needs combination and concert amongst nations for its successful out-working. A one-sided Free-trade ends in becoming a *reductio ad absurdum*.

Is the Home Rule agitation in the British Isles altogether or in part an absurdity? Does the British Parliament, as at present constituted, do its work, to the satisfaction of any one of the three united nations? The answer must be in the negative.

What weighty objections, other than those of prejudice and ignorance—formidable indeed until dissipated—exist against the tripartition of the still United Kingdom into numerically equal electoral and parliamentary districts, one to be called South Britain, the next West Britain, and the third North Britain? The first to have its legislative work done in some midland or southern town of England. For the second, of course, Dublin would be the city, and thus a deep-rooted

and quite natural Irish sentiment would be gratified. For the third, what other town would be chosen than “Auld Reekie,” “Edina, Scotia’s darling seat;” and although Scotland has long been “freens” with her “auld enemy,” still complaint may often be noticed of the neglect of Scottish business in Parliament. The sentiment, so keenly entertained by the Irish, being a most natural one, is by no means dormant in the *perfervidum ingenium* of Transtweedian people. How thoroughly for all practical purposes would the three nations thus be unified, justice and equity being the result, and the gratification of a sentiment which, being in accord with the eternal fitness of things, or, in another word, nature, is legitimate and proper. Conciliation and regard for that righteousness which has been said of old to exalt a nation, are ever so much better and more profitable than coercion and repression.

The very numerous men of Irish birth and descent in all the larger cities and towns of the more populous of the British Isles, would count against the necessary infusion of English and Scotch voters into the proposed parliamentary system of West Britain. North Britain would have its increment from northern Anglia, but here again there would be compensation, for the *gens du Nord* have been very successful invaders of the wealthy southern kingdom, ever since the happy day when they gave England a king, in the person of the modern Solomon, and such, indeed, he was compared with his successors of the Stuart line. How much stronger in the troublous times that may be close upon us, would not the United Kingdom be, with a thoroughly pacified Ireland, and with the warm-hearted Irish in the United States cordial instead of, as many are, hostile towards the Old Land. How much sooner thereafter would that come about, which Mr. W. E. Forster spoke of in his Edinburgh lecture on the Colonies and Federation of the Empire, as “making the two halves of the nation one again,” by the United States of America some day becoming “a part of the great confederation of English peoples.” Of this hope, Forster speaks as “not the least powerful of those beliefs which make one think politics worth pursuing.” See an article on “Our Colonial Empire,” in the *Westminster Review* for April, 1876, pp. 145-154.

How grand and righteously disposed an.

Imperial Parliament, meeting of course in London, could be formed out of the best-tried men in the United Kingdom and in the English-speaking Colonies.

—It is surprising that no old resident in Toronto, of musical tastes, has obliged his fellow citizens with recollections of the professional and amateur performers of former days. Very interesting reminiscences of the lighter side of our early society, in the metropolis of Ontario, ought to be accessible to some of our pioneers. One by one the old voices are being silenced, and the sensitive fingers that once moved the keys or played over the strings grow cold in death. Very few of the old Philharmonic Society or Quartette Club now survive, and the fund of pleasant anecdote which ought to be treasured up, is in danger of going to waste. The Rev. Dr. McCaul, whose name has been identified with musical taste and progress for many a long year, might be induced to undertake the duty I have indicated. This reflection occurred to me, when thinking upon the favourite faces we, in the body of concert halls, used to greet at every fresh appearance on the platform—faces which will appear no more save in the chambers of imagery within. Not long since, our standard tenor James Dodsley Humphreys, the peculiar pride of Toronto in other days, and J. P. Clarke, the music-teacher of so many long years, were removed without any kindly word from admirer or pupil. Towards the close of last year, Mr. John Ellis, one of the best known of our amateur instrumentalists, as well as one of the most ardent and earnest devotees of the musical art, expired at the ripe old age of nearly eighty-three years. Mr. Ellis's favourite instrument was the violoncello, upon which he had attained an accuracy of touch and a degree of finish seldom surpassed. Wherever stringed instruments were in requisition, the veteran musician with his bulky and self-assertive companion were to be seen or else were sorely missed. At every charitable or patriotic concert Mr. Ellis's services were always sought and never refused. A slight and necessarily thin sketch of his musical career may not be uninteresting. Born in the Norfolk of Old England in January 1795, he early removed to London, where he resided in Old Broad Street in the City, until he removed to Canada, exactly midway between his

birth and his death. He was a born musician, and played before a public audience when in his early teens. In 1824, he belonged to the Società Armonica, and then adopted the instrument to which he remained faithful until death. In 1836, he came to Canada, and at once entered into the ardent pursuit of the celestial art. In 1846, he became manager of the Toronto Philharmonic Society, under the conductorship of Mons. Bley. From that time forward he was a recognized leader in the select circle of Toronto's musical world. Before us are a few old concert programmes, on which appear the names of old Toronto's chief favourites, years gone by, amateur and professional. One of them contains the bill of fare for a concert of the Philharmonics "in the University Hall (Parliament Buildings), on St. George's Day, Friday, April 23, 1847, for the Benefit of the Irish and Scotch Relief Funds"—a happy evidence of a harmony of the nationalities never to be seen again perhaps. Those were not the days of ambitious oratorio performances, and the programme does not strike us as remarkably ambitious. But it was "the day of small things," and the soul of music in our pioneers was severely classical and cultured. Amongst the names not yet forgotten may be noted those of Mr. Humphreys, Mrs. Searle, Mr. Ambrose, and Mr. Barron (not the late Principal of U. C. College, who was also a musician), Mr. J. P. Clarke (as organist and composer), and Mr. Ellis as Instrumental Manager. The other two programmes are of a later date, and they bring into prominent notice the name of the best violinist who ever resided in Toronto, Herr Griebel. The one, for the 16th of June, 1856, was given by that musician, the other, in 1865, under Gen. Napier's patronage, for his widow. The latter comes too near our own times for notice, but the former contains, as the instrumental quartette, Messrs. Griebel, Childs, Noverre, and Ellis, James McCarroll (the Terry Finnigan of the press) and Henry Eccles, Q. C., both flute-players of singular ability. To these other names might be added, every one of which stood for an educated musician, Mr. Chas. Berczy, Mr. Perrin, and others not altogether forgotten in the cosy nooks and corners of the city. In all movements for the cultivation of music or the entertainment of his fellow-citizens, Mr. Ellis always took the deepest interest, and it is well that now, when,

under the guidance of Messrs. Carter and Torrington, classical music has established itself firmly in our midst, we should not forget those who sowed the seed without considering who should survive to reap the harvest.

—“At Hartford, Conn., Dec. 23rd, Professor George A. Gilbert, formerly of this city, aged 61 years.”

Such was the brief obituary which recently appeared in a Toronto journal of one who merits from Toronto and Torontonians the tribute of a more extended notice. From the school-boy and girl who, a few years ago, had the privilege of receiving their first instructions in drawing in his classes; from the more advanced pupil, who owed the development of a delightful and useful talent to his all but creative power as a teacher; up to the amateur and fellow-artist, who felt the influence of his generous sympathy in the art they jointly pursued and loved,—a common loss, a common regret, demands expression. To his quickening, fostering hand, Art in this Province largely owes its infant but promising existence; and, to lovers of art, the following brief tribute of affection and respect to its greatest master in this colony may not be unacceptable.

An Englishman by birth, and of good family connections, Mr. Gilbert's strong natural bent led him at the conclusion of a liberal general education, to devote himself to brush and pencil; and in pursuance of his aims he studied with great assiduity in London and on the Continent, particularly in Paris, the great school for anatomical drawing. His health, however, failing, obliged him to alter the course of life he had designed for himself, and shortly after the discovery of gold in Australia he went to that distant colony as one of the commissioners to the gold-fields. A long-cherished desire to see and, probably, find a home in the Southern States of America, at length brought him to these shores, but the civil war, then just breaking out, led him to remain with us instead—a happy chance which conferred on Canadians the inestimable benefit the writer of these lines gratefully desires to chronicle.

Many a noble study in heads and figures, many a gracefully executed landscape and design, adorning the homes of his former pupils remain as memorials of Mr. Gilbert's too brief residence in this city, and attest

his marvellous gift of drawing out his pupils powers. The dullest was never discouraged, nor the most talented flattered, yet were none ever allowed to mislead themselves by a false estimate of their ability, whilst his unvarying urbanity, patience, and *bonhomie* in imparting instruction in this most wearisome branch of teaching contributed much to his success. But a yet more enduring evidence of the master's impress is to be found in the improved class of teachers who have gone forth from his hand to shed abroad, some in far remote localities, more correct and artistic ideas than formerly prevailed; thus contributing each a mite towards that treasury of knowledge which is one day to make Canada great. Any one who remembers the “Art” displays at Provincial Exhibitions and the like fifteen or twenty years ago, and can compare them with those of our own day (however much these may leave to be desired), can bear witness to the marked improvement which is visible, though but few may know that it is chiefly due to this cause. To such students as these, Mr. Gilbert's extensive stores of art-lore, gathered from countless sources, and all thoroughly digested in his assimilating mind, and his ever ready and willing information, were of the greatest value. He was a sort of encyclopædia to them; bringing advantages, otherwise unattainable, within their reach. “It is an education only to know her,” said Steele of a lady of his day whom the remark has made famous, and the same might be said, in reference to art, of Mr. Gilbert. Many a pupil, many a friend, who may read these lines will recall in so doing the delightful half-hours—nay, hours—that would glide away as he made with them the tour of his attractive rooms, dilating on the merits of his many beautiful and valuable pictures, or riveting their admiration of some new or graceful *objet d'art*—the whole forming an instructive lecture as well as an agreeable interview, from which it must have been the listener's own fault if more than one valuable precept was not carried away.

Nor was his residence in this country less a boon to the scattered few in Canada who, here and there, in solitude and sympathy, and unknown even to each other, pursued the study of art with intelligent devotion, or to those who, like himself, made it a means of livelihood. While his hostility to false principles and wrong methods, to ignorance

and incompetency, was aggressive, unflinching, relentless, his *personal* feelings towards fellow-artists and teachers were of the kindest, and were manifested more frequently by deeds than words. No earnest student but who might, if he would, draw from the rich store of his professional knowledge, while, "as iron sharpeneth iron," the stimulating effect of mental friction with him on art subjects was not slow to show itself in honest and unmistakable work.

In the spring of 1871, seven years ago, Mr. Gilbert, to the unaffected regret of many, removed to New York, and from there to Hartford, where he died. About two years ago, his health becoming undermined—the result of the wear and tear of teaching, acting on a peculiarly excitable nervous organization—his professional career was brought to a close, and his death has now followed at

the comparatively early age of sixty-one. In it many will regret the loss of an unequalled master, and some sincerely mourn a kind and faithful friend, but all should unite to honour in some fitting manner the memory of the apostle of Art in Ontario, for, indeed, he "found it brick, and left it" at least *ready* for the "marble" in which worthy successors in his own field may yet erect temples of undying fame. A "Gilbert Medal," to be provided by small annual subscriptions among former pupils, personal friends, and friends of art in this Province, has suggested itself to the mind of the writer as a suitable form of perpetuating the remembrance of the good he did us, and one which, if the voice of earthly praise or blame could reach him who is gone, the writer feels assured would be the form most gratifying to his feelings.

#### CURRENT EVENTS.

THE Hon. Mr. Vail's defeat in Digby has fallen upon the Ministerial camp like a peal of thunder rolling through the azure. Whether this untoward casualty is destined to effect some such miraculous change upon our political Epicureans as the natural portent temporarily wrought on the Venusian bard, remains to be seen. The dominant party has, at all events, been brought face to face with its enemies at the polls and suffered defeat; the struggle for official existence has begun, and it is to the credit of leaders and organs that they have quietly eaten the leek and resolved to gather up their strength in silence. This reverse is not simply annoying or unfortunate—something disagreeable at which one might grimly smile with set teeth and knitted brow; it rather excites that undefinable premonition of impending disaster, which must be recognised, though it fails to command rational assent, or even to suggest passable excuses for its influence on the imagination. Naturally enough the Opposition papers are making the most of the *contretemps*, as, of course, they have the right to do. Sir John's Toronto organ

hoists the Union Jack at the head of its column, from an occult and inexplicable notion that the British Ensign has some mysterious relationship to a partizan contest and victory. The wits of the party have also set to work, and the funny brigade, under the immediate inspiration of Mr. Plumb, who has won apotheosis as the tenth Muse, have succeeded in turning several novel and ingenious puns on the name of the Ex-Minister of Militia. In some parts of the country—at Galt, for example, where no one would *a priori* have looked for a humorist—we are treated to such neat yet painful outcomes as "Digby un-Vailed."

On the whole, however, the Opposition has not been so funny as it can and perhaps ought to be. Jokes after all do not eject Ministries or secure Parliamentary dissolutions; besides, it is ill jesting on an empty stomach—a fact of which most of the journalists seem fully aware. Leaving, therefore, to the flying squadron, under the member for Niagara, the care of the facetiæ, the main body of the party is almost puritanically stern and serious; many editors venture "to put an

antic disposition on ;" and not a few go so far as to make howling dervishes of themselves. At this moment there is a greater number of Catos, Brutuses, Eliots, Pymys, and Hampdens, not to speak of Sir Harry Vanes, than there has ever before been in the Conservative party, or ever will be again, should the fates turn out to be propitious. In point of fact, they are too virtuous for this political world lying in wickedness, too serious, and also too exigent by half. Why try to usher in the millennium a year before its appointed date, and precipitate the halcyon reign of Sir John and Dr. Tupper before the people are fully schooled and disciplined for the full enjoyment of its ineffable blessings. It might occur to on-lookers, not hungering ravenously for the flesh-pots of Egypt, that the somewhat sinister expression of opinion in the East, where "there are no politics," and where interest takes precedence of principle, ought not to be hastily accepted as evidence of any wide-spread revolt against rulers. Still perhaps it is good policy on the part of the Opposition to portray Mr. Mackenzie and his colleagues as in the last stage of frantic desperation. Like Ralph, the Rover, they are supposed to have "torn their hair, and cursed themselves in their despair," until the floor of the Council Chamber must be strewn with matted and unkempt locks and fragments of rent apparel. So in the night season the terror of approaching destruction would appear to seize upon Ministers, as it did upon the Holland fleet in Dryden's *Annus Mirabilis* :

"In dreams they fearful precipices tread,  
Or, shipwrecked, labour to some distant shore ;  
Or in dark churches walk among the dead ;  
They wake with horror, and dare sleep no more."

The Conservative press, not content with depicting Ministers as the prey of such gloomy forebodings as haunt the stricken conscience, persists in an effort to raise factitious alarms from without. In true barbarian fashion the tom-tom is beaten, and all the other musical instruments of torture in vogue under Nebuchadnezzar are strummed and blown, supplemented by din and clamour from every quarter, to magnify the number of its following and terrify the Government into a premature surrender. Ministers are assured that the country is marshalled against them ; they are invited to look at the advancing hosts through Conservative field-glasses, and submit to the impending

*bouleversement* gracefully and at once. Why not dissolve Parliament and enjoy a placid euthanasia now, when the enemy is not too sorely exasperated, and might permit some of the more hungry Grits to enjoy an eleemosynary run in the pasture? One advantage would certainly accrue from an immediate dissolution of the Commons—the country would be spared the infliction of another pic-nic season. Still that is not likely to weigh much with Ministers who have just embalmed their *al fresco* eloquence in a carefully edited and indexed volume as a permanent addition to Canadian literature. More they could not do to signify their opinion of their own importance, unless they set Mr. Pattullo to work on a concordance or *index verborum*. Moreover, although with the conies, they are but a feeble "folk," having made "their houses in the rocks," Ministers are not likely to abandon their stronghold and descend into the plain, for a pitched battle, one hour sooner than they are compelled to do so.

At the same time it may be readily believed that the Nova Scotian struggle has embarrassed the dominant party considerably. The *Globe*, which is so admirably fertile in excuses that it would have no difficulty in accounting for or defending almost anything, even to the admission of the arch-enemy of man into the Cabinet, has been brought to bay. After rashly promising to give an adequate rationale of the Digby vote, it took counsel of wisdom, abandoned the idea, and lapsed into the embrace of the "eternal silences." One ghostly figure alone rises in hazy outline across our contemporary's field of vision, the apparition of the undaunted Thibault, like a spectre of the Brocken, imported from the Hartz mountains to awe the souls of timorous Reformers in Acadie. In spite of the musical exorcism, "*Pas de Thibault*," invented in Quebec, this bogey of an Alderman rose again in Digby and overawed the faithful in the county of Halifax. It is some consolation for nervous Reformers to know that this maleficent being can do no harm in Ontario, except perhaps amongst the French-speaking folk of Essex. This then is the sole explanation hitherto vouchsafed of the Digby *fiasco*, and we must be content to relegate the subject to the domain of the unknown and unknowable.

Something has been said about the scurvy



treatment of the Hon. Mr. Vail, and sooth to say, it was rather cavalier than chivalrous. It was certainly not exactly fair to demand immediate execution so soon after the verdict; and perhaps the lowest depth of political meanness was reached, when the Premier's Ottawa organ declared that the ex-Minister's disappearance would be "no serious loss." It was bad enough to abandon him to his fate; yet there was no need of adding insult to injury by crying after him "good riddance of bad rubbish." And this brings us to the most serious and indefensible feature in this entire business. Messrs. Vail and Jones both resigned their seats, because, in legal opinion, they had forfeited them by a violation, conscious or unwitting, of the Independence of Parliament Act. The former presented himself first to his constituents and was defeated. Instantly, he was made to resign his seat in the Cabinet, and although it may turn out that, like an American naval officer, he has "only got down to get up better," say as Lieut.-Governor, his treatment was shabby without question. Mr. Alfred Jones had already canvassed a large portion of his constituency, not as a Minister shouldering and supporting all the measures, as well as all the sins and shortcomings, of the Government, but as a private member who had inadvertently infringed a statute. It is not only possible, but probable in the highest degree, that many electors pledged their support to him in the latter capacity, because they loved fair play and were unwilling to take an unfair advantage of the hon. gentleman by unseating him during the last year of the Parliament. Suddenly, on the eve of the nomination, Mr. Jones poses himself before the electorate as a Minister of the Crown, and endeavours by that subterfuge to snap a verdict in an appeal to the selfish interests of the constituency. The *Globe*, and the eminently pure Administration whose exponent it is, at once set to work to repeat the dishonourable game played in Quebec East. Of set purpose, and disdaining even the flimsiest disguises, the organ boldly proclaimed the purpose of its party to bribe the entire constituency with the public money. The words deserve to be put on record and to be pondered well: "He (Mr. Jones) will be in a position to serve his own city, his Province, and the Dominion at large much more effectively than he has been able to do as a private

member," and a recognition of this fact by the Haligonians could "hardly fail to increase Mr. Jones's majority." And yet this barefaced appeal to selfish local interests was made by a party of purists, which only a few years ago was shocked because Sir John Macdonald increased the Nova Scotian subsidy, as under the circumstances, and without being necessarily urged to it by party needs, he was fully justified in doing. The allusion to the "Dominion at large" was of course a mere blind; what pray, can Mr. Jones do for Canada as Minister of Militia, except to degrade the service and impair the national defences, as he must do, or abandon his attitude of disloyalty and retract the blatant utterances of days not long gone by? Here then we have a party in power which scrambled in at the back window after the old tenants had been ejected, and which was permitted to remain there because it claimed to be as immaculate in practice and strong in principle, as it was pharisaical in profession; and this is the outcome of it all, after four years' battenning on the sweets of office. Nor are the Opposition leaders a whit more fastidious in the means they employ. In Quebec East the Local Government was equally unscrupulous with the Ottawa rulers in bidding for local support by wholesale bribery; and it was only because the latter offered the highest price for the bargain and sale of the constituency that the Hon. Mr. Laurier was returned. In Halifax, Dr. Trupper endeavoured to throw Mr. Jones's offers in the shade, and he also adroitly introduced an element of uncertainty into the contest by prophesying a speedy fall of the Government. The Conservative press has much to say against bribery by wholesale just now; but its protestations are hollow and insincere. Both parties have inherited the same taint; they are both destitute of sound political principle, and the only ambition either seems to have is the despicable and unworthy one of improving upon the base arts of the other. In Halifax during the canvass, there was no pretence of an appeal to principle on one side or the other; nothing but the same oft told scandalous chronicle of corruption, and the same systematic effort to deepen that corruption by debauching and infecting the entire electoral body by the meanest of all party appeals—the appeal to selfish local interests. It is safe to say that the Halifax election turned upon the question whether

the investment of political capital with the ins or the outs will pay the larger dividend.

That any constituency, and especially such important centres as Quebec and Halifax, have a right to demand from their representatives earnest attention to their local interests, no one will deny; but that is quite a different thing from purchasing election by the easy method of issuing unlimited promissory notes to secure benefits to come. And when a Government plainly informs a city, almost *totiâem verbis*, that they will expend so much public money there on works of general utility, if it elect their nominee, and will withhold it, if it reject him, they strike a treacherous and deadly blow, not only at freedom and purity of election, but at public morality from the highest social stratum to the lowest. To us it appears indisputable that the system now inaugurated and shamelessly avowed, of wholesale bribery out of the treasury, will, in the long run, prove far more demoralizing, and inflict a more fatal stab at representative institutions and free government, than fifty Pacific Scandals, supplemented by all the "Big Push" appeals for aid to work against "the immense sums employed by the Government," which the acuteness of Sir John Macdonald or the presiding genius of the *Globe* could ever bring to bear on a "public" contractor or a bank President. In the case of Halifax, either the boons proffered as the price of its citizens' support ought to be conferred upon it or they ought not. If the former, Mr. Jones has been an unfaithful servant in that they have not been secured before, and the Government ought to have conceded them, irrespective of the political views of the city's representatives. If they are not such benefits as Halifax has a fair right to claim, then, supposing Ministers to be able and willing to fulfil their promises, they will prove themselves guilty of bribery and corruption to a degree in comparison with which the paltry *douceur* of a five or ten dollar bill to the individual voter becomes almost a virtue by contrast.

But the Government has not only been guilty of this flagrant attack upon the purity of election—the result of leading a party without principles—and of entirely changing the position of Mr. Jones within a week of the election; it has not hesitated to degrade the Royal prerogative. When, in 1858, the

Hon. Mr. Brown formed his short-lived Administration, the Cartier-Macdonald party ingeniously availed itself of a provision in the Independence of Parliament Act to avoid the unpalatable necessity of re-election by Ministers. A simple interchange of offices, within the terms of the law, and somewhat improperly termed the "double shuffle"—for there was but one shuffle after all—produced a terrible uproar in the camp of the immaculate, and a number of law-suits which only established the legality of the proceeding. The purists of that day have learned something from their opponents during their enforced sojourn in the wilderness. The *vox clamans in deserto* is now heard no more from the same quarter, and the honest Reformer, with "nothing to reform," finds himself at leisure to improve upon the lesson painfully impressed upon him ten years ago. Had His Excellency, the Governor-General, been at the time in Ottawa, it is impossible to believe that he would have sanctioned the step taken by the Premier; yet it is quite possible that, had he done so, the step might have been within the bounds of constitutional practice. But as matters stood, the Royal dignity was deliberately trailed in the mire for party convenience. Lord Dufferin is Her Majesty's representative, and during his absences from the seat of Government—and their frequency is the best evidence of his zeal and unwearied energy—he, of necessity, appoints an Administrator. The appointment of Sir William Richards as Deputy-Governor—although it is an office unknown to the constitution—was a wise one, not only because the learned Chief Justice is on the spot, but because he possesses practical as well as skilled knowledge of the politics of his country; and he is, in addition, a man in whose judgment and integrity the people can repose implicit confidence. Clearly, if Mr. Jones were to be sworn in of the Privy Council, every constitutional principle required that the oath should be administered at Ottawa by Sir William Richards. His Excellency, the Governor-General, had committed the administrative functions of his high office to the keeping of the Chief Justice, and he was authorized so to do by prescription and precedent, if not directly by the Royal instructions; but we deny altogether that any power to farm out the Royal prerogative has been, or could be, given to the Government, or that the representative of the representa-

tive of the Crown could delegate the Royal authority to a fourth person, and so on, of course, *ad infinitum*. The dignity and power of the Crown are not transmissible, like episcopal unction, through a succession of persons by the laying on of hands, still less by telegram. As it is exceedingly desirable that this shady transaction should be submitted to the severest scrutiny by Parliament and by public discussion, both here and in England, the facts may be concisely stated. The Hon. Mr. Vail, Minister of Militia, and Mr. Alfred Jones, members respectively for Digby and Halifax, N.S., resigned their seats because they had violated the Independence of Parliament Act, and appeared before their constituents to be rehabilitated. The Minister was defeated, and in a trice, Mr. Jones was appointed in his place, and a change of front was made face to face with the hon. gentleman's constituents. The new Minister might have gone to Ottawa to be sworn in as a Privy Councillor, because if it were right to spring a surprise such as this on the electors of Halifax just before the nomination, it would have been quite as legitimate to take office any time before the close of the poll, and without letting the Halifaxians know anything about it. As it was, Mr. Jones, never dreaming of the contemplated stratagem, was on his way to the seat of Government, when he was informed by telegraph that, for the sake of party, the Cabinet had resolved to make ducks and drakes of the royal prerogative. A commission was sent to Chief-Justice Young, which must be a curiosity in its way, authorizing him to swear in Gen. O'Grady Haly as Administrator of the Government. This trifling with oaths was actually enacted, and then the third representative of Royalty—for there were already one in Washington and one in Ottawa—this sub-deputy viceroy, swore in the Hon. Mr. Jones. Is it necessary to point out the unconstitutional and, as we are firmly convinced, illegal and unprecedented character of this new shuffle? There now remains no single institution, from the honour and dignity of the Crown to the free and conscientious exercise of the franchise, which has not been tampered with for the paltriest of party purposes. It is not likely that His Excellency himself, had Mr. Jones been at Washington, would have sworn him in, under the circumstances; but, however that may be, nothing appears more un-

warrantable than the use made of his absence to degrade the Crown for party exigencies, by putting the Royal prerogative into commission. Henceforth it may be taken for granted that the Sovereign's authority may be delegated *ad libitum* at the pleasure of the Minister; and that, as party men may purchase constituencies *en masse* by corrupt bids from the Public Works Department, so they may give Her Majesty as many representatives here as they may choose, or their own needs may demand, although Administrators become as plentiful as tide-waiters or officers of excise. It is hardly worth while to notice one plea that has been advanced for this new "double shuffle." It is urged that whilst the Deputy-Governor may act for the Crown during His Excellency's absence from Ottawa within the Dominion, Gen. Haly becomes Administrator so soon as the Governor crosses the frontier. The notion is palpably untenable and absurd. Lord Dufferin, had he entertained it, would have sworn the General in before his departure, and the latter would have been at Ottawa, where he could perform the duties of his office, not at Halifax where he could not. Who represented the Crown in the interval between His Excellency's passing the boundary line and the swearing in of Gen. Haly? Who performed them then? Perhaps Sir W. Richards was Deputy Administrator, and our objections still apply. This after-thought of the party journals is too ridiculous. That the Government had been brought into a corner in Nova Scotia may be readily admitted; but that is no sufficient excuse for the triple assault on pure and honest government which they undoubtedly committed: first, in entirely changing the issue before the electors of Halifax, on the eve of election, after a canvass in which Mr. Jones had sought and obtained pledges of support on very different grounds; secondly, in pressing the argument to selfishness upon the voters, and degrading the franchise irremediably perhaps by so doing; and finally, by abusing the dignity and authority of the Crown, and labouring, so far as possible, to make the Queen herself a mere convenience for the miserable exigencies of an ephemeral faction.

It is not surprising that the leader of the Opposition and his spokesmen have not said much in protest against this unsavoury business. A party out of office is always receptive, and the Conservatives are generally as

apt as other party politicians in seizing and improving upon any new device suggested by rulers sore bested. The Reform party attained power by exposing, most ungenerously, the secrets of the trade—a fact which, read in the light of the last four years, shows that although there may be honour amongst thieves, there is none in party polemics. It was mildly hinted the other day, by a Conservative journal, that the new “double-shuffle” between Ottawa and Halifax might prove to be unconstitutional, and there it stopped. As a matter of fact, the Opposition leaders have taken a new view of Mr. Mackenzie’s political ingenuity and fertility of device than they entertained before. He is, as it were, one of themselves, and although the responsibility for this utter degradation of our current politics must be borne by both parties, the Premier enjoys the bad distinction of placing the coping-stone upon the edifice. As his opponents began, in an old-fashioned way, with systematic individual corruption, by a master-stroke of genius, the Reform Premier has adopted a more comprehensive scheme of bribery, without straining the private means of rich individuals after the *effete* method of 1872, and, at the same time has trailed the robes of royalty in the dust at the chariot wheels of party.

Therefore, the party out of power are not at all fastidious about trifles like the recent Nova Scotia escapade. Steel-rail jobs, and all the other petty scandals which may crop up or be invented, and form the stock-in-trade of party, will soon have served their purpose and sink into oblivion. But the new method of using Queen, Senate, Commons, Bench, and electorate as the property of party, now that it has received its highest and latest development, seems to have commanded respect from the Opposition. It opens up a vista of possibilities in the future to be hidden and pondered in the heart, and it will go hard with them, when they attain power, if they cannot improve upon the lessons they have learned from party purism in office. The abashed and apologetic tone of the *Globe* at present is not an unpromising sign. Where most people had ceased to expect to find the lingering traces of a once active conscience, it is pleasing to find some tardy indication of scruple, if not of remorse. After all a death-bed repentance is better than none at all, and even the *Globe*, when it ceases to be an organ, may leave all

its ingrained depravity behind it. Digby has been left to itself, and even the barefaced appeals to Halifax interests were chastened and mellowed by an undertone of sadness. The Premier, it observes pensively, made Halifax a winter-port before there was any prospect of a general election—a miserable plea for electoral gratitude. Halifax was made a winter-port, not for its own sake, but to increase the business of the Intercolonial, and so to justify the Government management; and long before the period referred to the nemesis of a general election was as haunting and all-pervading a presence to Ministers as now. Mr. Jones, we are further told, is “a man of independent opinions,” and yet, in the fullness of an exuberant and all-embracing charity, and even “at the risk of his occasionally clashing with the prejudices and opinions of others,” he has been folded to the Ministerial bosom. How long will the Honourable Mr. Jones in office maintain sturdily and uncompromisingly the “independent” opinions of Mr. Alfred Jones out of office? Not an hour after the alternatives of principle and place are rudely presented for his selection. In point of fact, he never had an independent principle at heart. The pretence of holding such principles was the means by which he has at last attained his end. Even were the new Minister’s “independence” less disputable than his loyalty, he must leave it behind him when he dons the livery of party and enters the Council Chamber. Parties, as they now exist in Canada, possess so little vitality and internal cohesion that they cannot afford to tolerate the slightest freedom of opinion or action. To think and act for one’s self is to risk being cast out of the synagogue. What M. Guizot said of the Liberal Party is so applicable to both our factions that the temptation to quote his words is irresistible: “I recognise no greater danger to free institutions than that blind tyranny which the habitual fanaticism of partizanship, whether of a faction or a small segment, pretends to exercise in the name of Liberal ideas. Are you a staunch advocate for constitutional government and political guarantees? Do you wish to act in co-operation with the party which hoists this standard? Renounce at once your judgment and independence. In that party, you will find, on all questions and under all circumstances, opinions ready formed and settled beforehand, which assume

the right of your entire control. Self-evident facts are in open contradiction to these opinions; you are forbidden to see them. Powerful obstacles oppose these resolutions; you are not allowed to think of them. Equity and prudence suggest circumspection; you must cast them aside. You are in the presence of a superstitious *Credo* and a popular passion. Do not argue; you would no longer be a Liberal. Do not oppose; you would be looked on as a mutineer. Obey, advance, no matter at what pace you are urged or on what road. If you cease to be a slave, you instantly become a deserter. My clear judgment and natural pride revolt invincibly against such a yoke." This withering denunciation of partisanship applies *a fortiori* to both our Canadian parties, with the important qualification, which strengthens rather than invalidates it, that for opinions, principles, or resolutions which do not exist here, you must substitute a desperate and scrambling contest to secure or retain power, place, and pelf. Mr. Jones's "independence," whatever it may have been worth, disappeared simultaneously with Mr. Vail's qualifications as a Minister and a statesman. Mr. Mackenzie has the former under lock and key, and his journal, the *Ottawa Free Press*, has given the *coup de grâce* to the latter. We cannot affect any regret at the re-election of the hon. gentleman; so far as the interests of the country are concerned, his success or defeat was a matter of supreme indifference. The electors evidently preferred Mr. Jones's bird in hand rather than Dr. Tupper's brace in the bush. Promissory notes, drawn at twelve months after date, seldom pass current, especially when the payee cannot be sure of the drawer or endorser's solvency at the end of the term, and finds it impossible to realize by obtaining discounts. At the same time, it may not be amiss to remind the Haligonians that, having voted as they saw fit, they have no claim upon the Premier. Having failed to sell themselves to the Public Works Department, the deed of bargain and sale has not been consummated, and the Ministerial offer is withdrawn. Perhaps the winter-port would be withdrawn also, were it not for the approach of a general election and the alarming difference which would result in Intercolonial receipts.

Looking back upon recent events in Nova Scotia, the Government has little reason to

boast of its triumph; yet it would be too much to expect that, as a body, Ministers feel much remorse for the means by which that triumph has been secured. The Premier may, perhaps, have winced a little at the corruption of a constituency and the prostitution of the Royal authority; but there is only one of his colleagues who will be likely to have felt more than a passing pang. Mr. Blake certainly must feel deeply chagrined and humiliated; for he, at all events, possesses a sensitive conscience and a delicate regard for his honour and fair fame. During his tenure of office he has sacrificed health and ease in the public service; with a liberal and comprehensive intellect, cultured by study and reflection, and mellowed by a painful experience, in office and out of it, Edward Blake stands apart, the one statesman in whose splendid abilities, stern integrity, and almost feminine sense of honour and rectitude, the people repose the fullest confidence. It is surprising to hear a rumour of his retirement; and whether it prove to be well-founded or merely one of those prolific wishes which stand in paternal relationship to so many canards, it certainly has an air of verisimilitude about it. It must be inexpressibly galling to the President of the Council to see his name and reputation tarnished by association with the petty arts and stratagems of his party. The electoral struggles in Quebec and Nova Scotia, and the corrupt character of a Ministerial canvass by baits and bribes, may well have wounded his self-respect and filled his whole nature with unutterable disgust. Although continued ill-health compelled Mr. Blake to relinquish the Ministry of Justice, he left on the statute-book abundant proofs of his vigorous and intelligent activity in a series of law-reforms of permanent utility to the Dominion. Averse by temperament and through self-respect from the artifices of the demagogues, his work has been solid, rather than showy, serviceable and well-ordered, not glittering *ad captandum vulgus*. Except some vigorous outbursts of natural indignation in the Premier's addresses, Mr. Blake's Teeswater speech stands alone in the collection of pic-nic harangues—so creditably edited by Mr. Pattullo—as the manly deliverance of a high-principled, thoughtful, and independent mind. Statesmen are not so abundant in Canada that the people can afford to lose one whose sterling character and capacity have inspired them

with so much of confidence and hope. If, as the Opposition journals are so fond of boasting, the Minister has not fulfilled the entire measure of popular expectation, the fault must be laid at the door of the party system; and for that those who are out of office must share the responsibility with those that are in. It alone, and not any lack of ability, sincerity, earnestness, or zeal on his part, has crippled Mr. Blake's freedom of action, and overshadowed with its sinister shadow the brightness of early promise. Should a retirement from office free the hon. gentleman from the shackles which bind him, with restored health, and the experience of disappointments and vexations past, he may return to the arena under better auspices and with refreshed energies to assist in inaugurating a nobler policy, when the contending factions of the hour have passed for ever away. Certainly his definitive retirement from public life would cause poignant regret to all who love his and their common country. It may be that, for the present, Mr. Blake's honour and self-respect require an early resignation; to him, doubtless, it would mean emancipation from a thralldom almost intolerable, and, as he has kept his skirts clean of the party mire, the words which Francis I. did not, because he could not, utter after Pavia, may be his, "*Tout est perdu, fors l'honneur.*" Power, place, and all that the ordinary partisan values may have to be abandoned, yet Edward Blake, from whom so much may yet be anticipated, with the will as well as the power to serve his country honestly, efficiently, and with unshackled energy and intelligence, would not hesitate.\*

An article in the New York *Times* has formed the text for party articles in Canadian journals, touching a Reciprocity Treaty with the United States. With one position advanced by the American journal we need

\* Since these lines were penned, the Ottawa correspondent of the *Globe* has announced the resignation of Mr. Blake, because of the hon. gentleman's continued indisposition. Unhappily, there is too much reason to believe that the assigned reason has been one of the determining causes of the step taken; but that it is the sole reason we do not for a moment believe. The *Globe's* satisfaction that Mr. Blake does not differ with his late colleagues on the "policy of the Government," is vaguely expressed and may mean anything or nothing. It is safe to interpret it in a "non-natural" sense, when taken in connection with the perfunctory professions of regret in the same paragraph.

scarcely note our concurrence, since it has been strenuously maintained in these pages. The *Times* contends—and, as a party organ in a country where partyism has been exalted to the dignity of a fine-art, its authority is unexceptionable—that "little real progress will be made toward reciprocity" (or any fiscal policy on a national basis) "until the Canadians separate a strictly business question from partisanship." Its remarks on the folly and impolicy of a "threat of retaliation" are also judicious in the main, as uttered from an American standpoint. The Opposition never made a greater mistake than when it proclaimed, as its shibboleth, a reciprocity of trade or a reciprocity of tariffs—an insane jingle of words, meaning nothing in Sir John Macdonald's random rhetoric, but involving most fatal consequences if Parliament or the electorate ever ventured to take them *au sérieux*. The reciprocity which fair play and an equitable spirit of negotiation would secure from our neighbours we are not likely to get; first, because the Americans never conclude a bargain without striving to overreach the other party to the agreement; and secondly, because the necessities of their position since the war still press upon them, and they could not concede what this country desires, even if they would. There was a rumour some time since that our Government had been knocking at the door at Washington, for the privilege of being fleeced in some one-sided compact, and it was hinted that the success of this humiliating step was merely a chess-board move to checkmate the Opposition in its agitation for fiscal reform. It is quite possible that some hint of "Barkis being willin'" may have passed from Ottawa to the Washington Peggotty; still, when we remember the outrageous story that Lord Dufferin had held a secret meeting with Messrs. Hayes and Evarts to implore them to secure to England, the friendship of the United States during the trouble her Semitic ruler is doing his best to involve her in on Turkey's behalf, stories of this sort may be permitted to go for nothing, which is their full value. The party in power would no doubt be exceedingly pleased if our neighbours would be amenable to reason in trade matters, but they are not quite so fatuous as to bend the knee to Brother Jonathan, even to dispel the fiscal cloud which threatens them. It is quite

true, as the *Globe* affirms, that the wild rhetoric of Conservative leaders and journals has produced its natural results. It has, however, done little more harm than the Reform policy. The *New York Times* is very angry because the *Mail* threatens; yet, on the other hand, it is bound to be pleased with Messrs. Cartwright and Mills, and with their Toronto mouthpiece, for giving renewed assurances, that the Dominion is, for a brief period longer, to be left open to its commercial enemies. Unhappily the blatant ravings of one faction about "reciprocity of tariffs," and the mad cosmopolitanism of the doctrinaires are both heard across the border; whilst the temperate, defensive attitude Canada will eventually assume, in spite of both parties, seems not yet to have been so much as imagined.

Partly because of the fact that American politicians cannot understand a commercial policy which is not aggressive and retaliatory, and partly because politicians of both parties here wilfully misrepresent the needs, as well as the demands, of our Canadian interests, no one should be surprised at American ignorance as to our attitude touching reciprocity. Our neighbours see plainly enough that one of our parties is willing to sacrifice Canadian interests at the shrine of a faulty and transitory doctrinarism, and it is the party in power; whilst, on the other hand, there is a hungry faction, eager for office, and willing to promise anything, from a rise in wages to a Chinese wall, in order to secure it. So long as Messrs. Cartwright and Mills direct the fiscal policy of the Dominion, American politicians know that they have nothing to fear, and that if reciprocity is mooted at all, they will most certainly have the privilege of dictating to the provincial suppliants. No one can read the reported speeches of Ministers at pic-nics, or those of Sir John Macdonald and Dr. Tupper on the other side, without seeing that the wild talk both parties indulge in, is such palpable nonsense as no public man, at once sane and serious, would indulge in for a moment. The one set are the victims of theory run mad, and the other, with all the craze of hunger for office, are doing their best to misrepresent the ripening determination of the country by words of promise "full of sound and fury signifying nothing." Our neighbours may be at once assured that when the Parliament of Canada is set

earnestly to work to frame a national, fiscal policy, they will not hear further of a "Chinese wall," or "reciprocity of tariffs."

The people of the Dominion desire to live on terms of the closest amity with their American cousins, and to be as nearly connected with them as is consistent with relationship within the prohibited degrees. They see much to admire in the noble nation to the southward, much to imitate, and many valuable lessons to learn; but they do not at all like their Government either in theory or practice, because it is supremely selfish, irrational, as well as totally regardless of every moral obligation. It was an American who penned the most disgraceful eulogy upon that false hero Napoleon I., whom an impartial Frenchman portrays in unfading colours as at once the greatest liar, the most treacherous and blood-thirsty of mankind. The fact is not without significance that whilst France, with the conclusion of M. Lanfrey's history, has set before the world an example of what a Republic may be, the United States is rapidly degenerating in matters of international justice, good faith, and fair dealing to the level of old France under the hero of the redoubtable Abbott. It is unnecessary to refer to the bare-faced proposal—which will almost, if it be destined not altogether to command two-thirds of Congress—to rob the bondholders of ten per cent. of their property. The shamelessness with which the balance of money paid by Britain for a specific purpose, and for the right disposal of which, in the terms of the treaty, the national honour was bound, has been deliberately pocketed by the rulers of the United States, ought to cause a blush, even to a Congress devoted to the repudiators. And when, to come nearer home, an award much below what Canada had a right to anticipate is disputed, and will be resisted, we firmly believe *à l'outrance*. after a solemn arbitration, what opinion can we be expected to entertain of a nation, which has so strong a *penchant* for sharpness and roguery that no other people can enter into an engagement with it, either individually or *en masse*, without the certainty of being cheated?

There is a grim propriety in the agitation regarding eternal punishment across the border, when one considers the guilt that weighs upon the conscience, if there be any, of rings, returning boards, Indian agencies,

and all the detestable machinery of party, from the township caucus to the National Committee, not to speak of the Presidents they elect by fraud, and the Congresses which follow prospective Presidents, ready to sink their country into any slough of humiliation for place and patronage. No nation on earth has ever produced such a catalogue of unprincipled politicians as might be drawn from the lists of prominent men in American public life since the termination of the war. The Chandlers, Mortons, Butlers, Blaines,—but the catalogue would be interminable—are the ruling powers of the State, and have been during ten years or more. Party has had its millennium, with “party organization”—for which our own petty factions are always pleading—at its best, complete and symmetrical. One of the two great parties every politician must espouse, said the *Mail* the other day, as if that were a noble achievement in the discipline of parties, much as a trades’ union among banditti might prove triumphant over free-lances of the marauding type, in the defiles of the Abruzzi. It is true that Charles F. Adams, the last surviving spirit of a noble revolutionary type, has no following and no influence. That is certainly nothing new in American history. Partly from the faulty Constitution of the Union; partly from the ease with which trading politicians twisted that nose of wax; but mainly from partyism and its diabolical machinery, genius, integrity, and patriotism have seldom or never attained the highest seats in the Republican synagogue since the fathers of the country passed away. The men who regenerate the land to which they belong are not party men, as one evidently sees by the successful pertinacity in France of M. Dufaure, the preserver of free institutions, who, during his public career, has been temporarily attached to almost every party, without being the slave or victim of any. If his country now enjoys peace and prosperity, it owes those blessings to a great national movement before which the factions have been swept like chaff before the wind. In the United States, so perfect has the party machinery been, that the best elements of the nation’s character have never had a fair chance in its councils. The dishonest reputation of the American Government is unquestionably a libel upon the nation, which is as sound at heart and honourable in its moral instincts as it is cour-

teous, liberal, enterprising, and energetic. But the people, notwithstanding the free constitution enjoyed in theory, are practically powerless. Their choice of rulers is taken out of their hands and rests with one or other of two oligarchies, inspired and organized by the demons of party. An eminent American statesman once remarked that he “would rather be right than President”—a virtual admission that to be both was out of the question—and he died without attaining that exalted position, as all the most, able and most intelligent of American statesmen have done since the iron tyranny of the party organizers was riveted upon the neck of the nation. Already Mr. Hayes shows signs of a surrender to men of the baser sort, and he will, in all probability, leave the White House with his high resolves all abandoned, and his moral aspirations utterly emasculated. Although the circumstances of Mr. Hayes’s elections rent the parties asunder, such is the tenacity of life in the baneful system, and so great are its powers of recuperation, that already the Conklings, Blaines, Butlers, and Blands have succeeded in patching the rents and once more bidding defiance to every effort to establish a Government on the firm basis of justice, honour, and integrity.

Does any one suppose for a moment, that if the voice of the national conscience could have been heard in Congress, the flagrant breach of trust in pocketing the balance of the Alabama award, the threat to refuse the payment of the fishery compensation, and the nefarious scheme to defraud the national creditor by paying him in depreciated silver could have been possible? It is a painful, yet indisputable fact, that during the last decade, the American Government, in matters of pecuniary and international obligations and good faith, has been the most systematically and shamelessly dishonourable that ever ruled a civilized country. It has surpassed the South American Republics, Spain, Turkey, and Egypt, in turpitude; for they had, at least, poverty to plead, and their culpability chiefly consisted in borrowing what they knew they would be unable to pay. American rulers have no such excuse to plead, and they have been dishonest and perfidious by instinct and from choice. They have fastened upon the people they misrepresent and misrule the undeserved reproach of being a nation of sharpers, whose



favourite virtues are "smartness" and skill in overreaching all with whom they deal. They have alienated Canadians, and rendered morally impossible the dream of a closer political connection—though for that we thank them—and by a series of mean stratagems have systematically plundered and injured the Dominion with all the brazen self-complacency of a successful swindler, and the ineffable meanness of the vulgarest sharper. Of one thing the New York *Times* and the Government, whose mouthpiece it is reputed to be, may rest well assured, that they have overreached and outwitted Canada for the last time. Washington has been our Canossa long enough, and it will be some time before our Canadian public men will kneel in the cold as hungry suppliants on the steps of the White House. Our people desire the emancipation of trade from the fetters which bind it; but they were neither forged nor imposed by them, and, therefore, until American rulers express a desire to treat, and can give us some assurance of their good faith, there will be no more reciprocity negotiations.

Still, party exigencies here are, on a small scale, quite as strong, reckless, and imperious in their demands as there; and although we cannot believe that any set of men, even for party purposes, would venture to humiliate their country again, it may be well to keep a watchful eye upon Ministers. That there has been some attempt at a *rapprochement* between the Governments appears certain, and, from the tone of the New York *Times*, we are forced to the conclusion that something more than the harmless and non-committal resolution of the Dominion Board of Trade was in its mind when the article referred to was penned. We are on the eve of a general election, when, in all probability, the fiscal question will prove the making or marring of each party, and the people cannot be too wary. If there be any truth in the reported observation of Sir Edward Thornton, that the reciprocity question would be reopened, it will be the duty of the House of Commons to ascertain, by demanding the papers, who suggested the Quixotic movement, and how far the interests of Canada have been compromised, either with or without the concurrence of the Dominion Government. The *Globe*, which always grows valiant when all danger is past, talks

in a defiant tone to its American contemporary, and its language would be satisfactory enough if the party hoof were not so palpably exposed. It is all the *Mail's* fault, of course; and the organ has even the barefaced assurance to reproach its contemporary for preferring the interests of party to those of country. Pray when did the *Globe* do anything different during its long course of crooked and sinister twists and turnings? If the *Mail* pictures the prevailing depression in Rembrandt tints, what should we say of a Finance Minister who did likewise in Parliament, and then went home to England to borrow a loan with the other side of the story for the English capitalists? Partizans are the same, no matter by what names they are called, or what so-called principles they may avow; and there seems no sufficient reason why the pot should utter any disparaging reflections upon the hue of the kettle. What is now wanted is, first a clear declaration that the first advances in the direction of reciprocity must come from across the lines, and, next, a firm resolve on the part of the people that their necessities shall be considered, if not by this Parliament, at any rate by the next. They cannot trust parties, and must learn to work without them until reputable substitutes for existing factions can be found. As we can have no reciprocity treaty in which we are not foredoomed to be victims, it is the first duty of legislators to revise the tariff, not in a retaliatory, but in a purely defensive and self-regarding sense. Our tariff, like our militia, should be neither menacing nor retaliatory, but yet strong and serviceable enough for national purposes. "Defence, not defiance" ought to be the motto of the Canadian financier as well as of the Canadian soldier.

When Mr. Mowat, with the Public Works Mephistopheles at his elbow, spoke last Session of dealing with the question of tax exemptions this year, most people who had any knowledge of the Premier and his strong-willed colleague, thought they knew what they might expect from the Local Government. The knowing ones have been disappointed; for although they expected some sort of device for juggling with the question, they had no notion of the surprise Mr. Mowat had in store for them. The avowed purpose of last year to introduce a measure for the partial abolition of these inequitable exemp-

tions was early abandoned, chiefly, no doubt, from the pressure brought to bear by the priests and parsons ; and at length, three weeks after the short session of the House had commenced, the Premier moved for the appointment of a committee to inquire. Inquire into what, we should like to know? Inquire into a subject upon which the municipalities, rural and urban, so far as their views are before the Legislature, have pronounced a decided opinion! Inquire, when the Premier's own mind had been made up for him by the Hon. Mr. Fraser! The trick is far too transparent to impose upon any one ; the partizan committee appointed is not even a "burying committee," as the Hon. Mr. McDougall termed it ; it is rather a "burking committee," since you cannot bury even an inconvenient political question, until you have strangled it. Responsible Government in Ontario has become a farce, because where the Premier's conscience pulls one way his footsteps are guided in another, and the Cabinet is hopelessly discordant ; when the only just and justifiable course is so clear, the system thus becomes a transparent delusion. Our *soi-disant* Reform rulers are exceedingly fond of centralizing power in the heads of departments and reducing local self-government to a phantom ; but they have a natural horror of parliamentary responsibility. The committee appointed the other night has in fact no duty whatever to discharge ; its appointment was a fraudulent pretence ; all that Ministers demand of it is procrastination, and there can be little doubt that it will do nothing, with exemplary assiduity, until the curtain falls and the actors and directors retire to refresh themselves for the summer pic-nics. Meanwhile, what has become of Reform principles? The *Globe* has surrendered, as well as the Premier, and after volunteering arguments on the subject, for no investigation of facts is possible, accepts Mr. Mowat's plea for the exemptions, and views his burking of the question with the utmost satisfaction. Thus this party of pretence, as well as its opponent, "sacrifices the interests of country to those of party." Mention has been made of the wholesale bribery of constituencies ; in Ontario the attempt is made to bribe entire classes. The Premier was not ashamed, as he ought to have been if partizanship had left him the lingering traces of a conscience, to head a crusade against Toronto and the town constituencies

which are so foully wronged by the present inequitable system, Toronto cries out the loudest, because it suffers the most ; therefore you country gentlemen, whose constituents do not suffer, ought not to assist in redressing the grievance. So long as the boot does not pinch the farmer's foot, all is right. There was no question raised about the justice or injustice of the exemptions in the Premier's speech ; indeed he appears to have become so saturated with partyism, as to lose all sense of moral distinctions in political matters—*fas atque nefas exiguo fine discernit*. Because, forsooth, the cities, and especially Toronto, are the seats of Provincial Institutions, they are to be required to pay bonuses in shape of sidewalks, roads, light, sewers, fire and police protection. It is the practice of party governments to bribe constituencies by the erection of public works, why should not they return the compliment by purchasing the continued favour of the Government, as well by immunity from taxation as by votes? Mr. Mowat has evidently lost his memory, if not his mental balance. He asserted that the Province had made Toronto the seat of Government and established the University here ; neither of which assertions is correct. He went further and pleaded for the \$400-income exemptions, which he must have known, if he had been self-possessed enough to think, no one has spoken of attacking. In brief, such unadulterated nonsense as he and his friends from the country utter, passes understanding ; the secret is that he is bidding for support for his party, when he appeals to rural selfishness ; and some country members are quite satisfied that the towns and cities should be robbed by churches and governments, so long as their own taxes remain at a fraction of a mill on the dollar. The Premier has even ventured to go so far as to dictate to the city of Toronto what open spaces it should have for the good of its health, and pointed out the additional benefit to be derived from having them locked up in mortmain, untaxed. The upshot of the stratagem is that a committee has been appointed, not to gather facts, but to furnish arguments supplementary to the Premier's speech and pitch the matter over till next Session. Mr. Fraser had the good sense to remain concealed during the discussion and he was not put on the committee ; of course, one whose duty and delight it is *jouer les marionnettes* cannot well appear in the front of the show. No one

will blame that hon. gentleman for the position he occupies, no doubt from honest conviction; he is the only Minister who has the manliness to avow and maintain his principles and, therefore, he is entitled to due respect, especially when compared with those craven colleagues who dare not strike a blow for justice and fair play lest it might jeopardize the party.

It is from no spirit of mere hostility to the Ontario Government that these remarks are made; for a review of the attitude and course of the Opposition affords little ground for satisfaction or hope. If Mr. Mowat endeavoured to stir up rural hostility to the cities and towns on the exemption question, Messrs. Macdougall and Lauder, not to be outdone, are attempting to rival him by assailing the interests of superior education and making an appeal to the selfishness of the counties quite as absurd and unjustifiable as his. Mr. Lauder's assaults upon the University and Colleges are at least comprehensible; he represents a denominational rival of the Provincial institution, and no one who has the best and highest interest of the entire people at heart can wish to see Mr. Crooks, who has performed his duties intelligently, wisely, and impartially, supplanted as Minister of Education by the member for East Grey. The real purpose of this new crusade against the Provincial University will fully appear in the sequel. Under the pretence of checking extravagance, the denominationalists desire, if possible, to undo the work begun by Mr. Baldwin and completed by Mr. Sandfield Macdonald. Their object is not to reform, but to cripple, maim, and destroy. Like another band of plundering conspirators, they have as a war-cry, "This is the heir: come, let us kill him and the inheritance will be ours." No sooner had Mr. Sandfield Macdonald abolished grants to sectarian colleges, than the *mot de guerre* was passed along the line, and the results of many a year of earnest and patient struggling were put in jeopardy. The question at issue between Mr. Lauder, with the clients he represents, and the people of this Province is one of supreme importance, involving the very existence of superior education of a liberal, unsectarian, and thoroughly efficient type, and its control by the State for the whole people. The preservation of the University endowment in its integrity is not a matter of local concern in any degree;

it is, in the widest sense of the term, a Provincial interest, to be jealously guarded from treacherous attack by all classes of the community. It is a solemn trust committed to the legislature for the benefit, not of this generation merely, but of posterity in all time to come. Every class of the community, rich or poor, farmer, merchant, manufacturer, artisan, and professional man, are deeply interested in protecting the highest culture the country can provide from the hands of the spoiler. Its promise of future usefulness "is to them and to their children," and they will be faithless guardians of an educational system, reared under the most trying circumstances, and perfected by the most strenuous and persistent labour and difficulty, if they permitted its coping-stone to be shattered by reckless destructives. Mr. Macdougall; much to our astonishment, aided and abetted Mr. Lauder in his onslaught; he even went further, and repeated Mr. Mowat's inane cry about Toronto and its interests, and proposed a partition scheme for a portion of the endowment. On this occasion, Upper Canada College was made the *point d'appui*, and the necessary additions to the buildings a special excuse for the attack. Both were unfortunately chosen. Upper Canada College has, during its existence, filled an illustrious record of its achievements with names distinguished at the bar, on the bench, in Parliament, on the forum, in the pulpit, by the sick-bed, and in the battle-field, and has been distinctly and indisputably a Provincial Institution from first to last. It belongs to the people of no particular locality, and even the enlargement of the buildings, which was a pressing necessity, had for its chief object the extension of the boarding-house, and the widening of its sphere of usefulness throughout Ontario. The Opposition desire, on the contrary, to contract that sphere as closely as possible, and virtually to make it "a Toronto institution," to the exclusion of boys from the farm, the town, or village. This method of assault was, therefore, impolitic, as Mr. Macdougall evidently felt when he supplemented it by a bait to selfish local interests by his partition scheme. Mr. Cameron's speech was reassuring, but there is no guarantee that he will be the leader of the next Government, and therefore we believe the people of Ontario will not hastily substitute for their

present rulers men who are not to be trusted in so eminently important and vital a matter as education. The sectarian *animus* at the bottom of this onslaught, the appeals to local jealousy and the bids for local self-interest, are every whit as disreputable as the *ad captandum* rhetoric of Mr. Mowat on the exemption question. The present Government wants the courage inspired by principle and a sense of justice; it has, in brief, no backbone. If it were only possible to galvanize the moral vertebræ of the Premier, most people would be quite satisfied to keep him in office in default of a better and more trustworthy man. They have no desire to take a leap in the dark, especially when the darkness may be felt in advance. It is "better to bear the ills we have than fly to others that we know not of."

Mr. Bethune's concise but timely Bill to alter the Municipal Franchise was designed to strike a trenchant blow at a growing evil. Of course if, as Thomas Jefferson wrote in the Declaration of Independence, "all men are born free and equal," any measure like that introduced by the Hon. Member for Stormont is indefensible; but in a practical age and country like ours, phrases of the eighteenth century pass for very little. It is unquestionably inequitable that masses of men having nothing to lose should, by the exercise of the franchise, dispose of money contributed by those who have everything at stake, and pay the lion's share of the revenue. A low standard of the franchise inevitably produces reckless and wasteful expenditure, especially in municipal bodies, and this is always managed, in the long run, by "rings," under the management of clever and unscrupulous wire-pullers. Mr. Bethune attempted to give property the weight it is fairly entitled to, and to impart to municipal government that prudence, stability, and frugality property only can secure. Inasmuch as the measure has been withdrawn, we may venture to sum up its weak points for future consideration. As Mr. Mathews showed in the *Mail*, it did not "provide for cumulative voting" at all; indeed, it leaves it in doubt whether the additional votes can be applied cumulatively. In cities, for instance, every elector has a vote for three Aldermen; now, according to Mr. Bethune's Bill, the three votes are but one, from which it would follow that the freeholder assessed

for \$20,000 having eight votes would be entitled to cast altogether twenty-four. Now, under a cumulative system he would be entitled to cast these two dozen of votes for one man—which, we venture to say, would be utterly monstrous. Additional votes are only given to freeholders, and the result would be a "ring" of landlords which would govern the city in their own interests, and would take care to shift the burden of taxation as much as possible off their own shoulders. It is bad enough to be at the tender mercies of some house-owners in the matter of rent, where they are ruthless extortioners, without putting the financial affairs of cities into their hands.

Two important judgments were delivered during the month which deserve more careful consideration than can be given in these pages at present. In the Supreme Court, the Severn case has been decided in favour of the brewers, properly, as we concur with the *Globe* in thinking. It has been held by the Court, that the imposition of a tax upon any trade or manufacture already taxed by the Dominion is illegal, and that, generally, any local Act or imposition in restraint of "trade and commerce" is *ultra vires*, because trade legislation is purely a Dominion department. It is, of course, unfortunate that the learned Judges did not formally decide a number of other kindred points; yet, we fancy, it will be found to follow as necessary corollaries, that Local Legislatures have no right to pass measures of Prohibition, no right to extend the Criminal Law, no right to amend or supplement the Dunkin Act, and no right to issue licenses or charge for them for any purpose ulterior to that of raising a revenue. The case of *Dunnett v. Forneri*, decided by V. C. Proudfoot, is of so much importance, and has attracted so little attention, that we hope it will not be permitted to remain unchallenged. It is the first judgment, so far as we are aware, delivered in Ontario, in which sacerdotalism has received legal protection from the Bench. It has been solemnly declared that a Ritualistic clergyman can deprive a churchman of his civil rights as the member of an incorporated Synod, and the vestry of their right of representation where the disposition of their money is concerned, by an ecclesiastical freak.

## BOOK REVIEWS.

THE CAPTAIN'S CABIN: a Christmas Yarn. By Edward Jenkins, M.P. Montreal. Dawson Brothers. 1878.

When an author in his preface wishes his critics a merry Christmas, and assures them that, let them scalp him if they please, or praise him if they can, it is all one to him, for the public will still buy his book, one feels almost disarmed at such a display of ingenious ingenuousness. However, let us risk a winter's passage in the *Kamschatkan*, good ship and true, bound for Portland in a mid-December season, and freighted with a miscellaneous cargo of passengers. A short trip across the Atlantic is a good field for the story-teller. Attention is not much distracted by externals; people of different degrees of life are cast together pretty intimately, and yet have opportunities of retirement and solitude; and the space of time, though long enough to allow a short plot to develop itself, does not afford any temptation for undue prolixity.

Mr. Jenkins has turned all these advantages to account in producing a lively, readable tale. He has fallen into an error, however, to which writers of nautical stories are very prone—he is much too fond of going into details of seasickness. A few modern writers are a little apt to think that coarseness and strength are synonymous, and that, because Smollett and Fielding wrote down in black and white what the gentlemen of their age would not have scrupled to talk and laugh about out loud, we can now-a-days write what no one would venture to describe in a conversation. This is the more to be regretted in authors who, like Mr. Jenkins, can show strength in other ways than this. The characters on board are amusing. There is an exceptionally promising young peer; an Irish Master in Chancery, of the type we had almost feared had died out with Lever; his wife, from whom he has been divorced; Sir Benjamin Peakman, of Quebec, a Colonial Cabinet Minister, his wife and daughter; and a host of others. There is a mystery on board, for a telegram was handed on deck just as the ship left Queenstown, that one Kane, a murderer, had taken his passage under an assumed name. A large reward being offered for him, it follows that the stewards and petty officers are all on the watch for some one to answer the description of the escaped felon. The unfortunate Irishman, who has travelled under the name of

Fex, so as to escape the scoffs that have been showered on him, is suspected of being the culprit; and a most absurd interview takes place between him and the captain, in that worthy's own state cabin, which Mr. Fex had hired for the trip. As he confesses to the fact that Fex is not his real name, and cannot conceal a bruise on his left eye and a diamond ring that he wears, the identity is considered completely established, in spite of other discrepancies which he points out between his personal appearance and the description of the villain given by the telegram. But it will not do for us to tell how he is released from imprisonment, or how the real culprit is at last discovered, involving nearly all the *dramatis personæ* in almost inextricable confusion. Poetical justice is meted out all round. An elopement occurs at the end under circumstances which a newspaper reporter would surely describe as "almost unique;" and this lively band of wayfarers scatter in all directions over the American continent in search of their Christmas dinners.

It may appear a little rash of us to ask such a question of the late Agent-General, but is it usual for so many as 600 passengers to cross the Atlantic in a single vessel in the month of December? We may be wrong in thinking sixty nearer the mark, but we are certainly not wrong in objecting to Mr. Jenkins putting an absurd farrago of Yorkshire and Somersetshire dialects into the mouth of a steerage passenger, and calling it Norfolk.

## BOOKS RECEIVED.

PETITES CHRONIQUES POUR 1877. Par Arthur Buies. Quebec: C. Darveau.

SHE MIGHT HAVE DONE BETTER. A Novel. By W. H. Brown. St. Johns, P.Q.: The News Steam Printing House, 1877.

EVENINGS IN THE LIBRARY: Bits of Gossip about Books and Those who write them. By George Stewart, Jr., Author of "The Story of the Great Fire in St. John, N.B." Toronto: Belford Brothers. Boston: Lockwood, Brooks & Co. 1878.

THROUGH ROME ON: A Memoir of Christian and Extra-Christian Experience. By Nathaniel Ramsay Waters. New York: Chas. P. Somerby. 1877.

Arms had called several times at the house of Thomas Cary, editor of the *Quebec Mercury*, but had not found him at home." Whereupon it was ordered "that the Serjeant-at-Arms should use all diligence to take into custody and bring to the bar of the House the said Thomas Cary."

February 8th.—A general order was issued at Quebec stating that His Excellency having seen in the *Boston Gazette* of 28th January, a publication purporting to be a copy of a General Order issued by the United States Government relative to the exchange of prisoners therein named, considered himself called upon, in the most public manner, to protest against the pretended release of the officers named in the said general order from their parole of honour, given under their hands whilst prisoners of war, His Excellency having expressly refused to accede to the exchange of the officers mentioned, as proposed to him by Major-General Dearborn in his letters of 26th December and 2nd January, under authority of the United States Government, upon the identical terms contained in the order of 18th January above referred to; and that His Excellency felt himself compelled to declare that he still considered those officers as prisoners of war on their parole, and that should the fate of war again place any of them at the disposal of the British Government, before a regular and ratified exchange of them takes place, they will be deemed to have broken their parole, and to be thereby subject to all the consequences sanctioned by the established usages of war in like case.

February 15th.—The fourth session of the seventh Provincial Parliament of Lower Canada was closed by His Excellency Sir George Prevost, who, after giving his assent to ten Bills passed during the session, prorogued the Parlia-

ment. The attention of the House of Assembly during this session was mainly directed towards the necessity which existed for making provision for carrying on the war against the United States; for this purpose ample supplies were provided by the three Acts which were passed; the remaining Acts were, comparatively, unimportant. The session of Parliament having terminated, the Governor-General left Quebec for Montreal on the 17th of February, to determine upon the measures to be taken to resist the expected aggression in that part of the Province.

February 18th.—Major J. Thomas Taschereau succeeded, upon the death of Lieutenant-Colonel de Lanaudière, to the Adjutant-Generalship of Lower Canada.

March 11th.—The *Quebec Gazette* contains the announcement that His Royal Highness the Prince Regent had been pleased to confer the dignity of a Baronet of the United Kingdom, upon Roger Hale Sheaffe, Esq., Major-General of His Majesty's Forces, and Lieutenant-Colonel of the 49th Regiment of Foot.

April 14th.—Edward Brabazon Brenton appointed Secretary to the Governor-General, in place of Herman Wittsius Ryland, who retires from that office.

May 5th.—H. M. S. *Woolwich*, 44 guns, arrived at Quebec, having on board Sir James Yeo and several other naval officers, and 450 seamen for service on the Lakes.

May 12th.—Major-General Francis de Rottenburg issued a proclamation announcing his assumption, during the absence in Upper Canada of Sir George Prevost, of the administration of the Government of Lower Canada.

June 3rd.—Major Taylor, of the 100th Regiment, captured, near Isle aux Noix,

the United States armed vessels *Growler* and *Eagle*, each mounting eleven guns, and having four officers and forty-five men on board.

June 14th.—Major-General George Glasgow (Sir George Prevost being still absent in Upper Canada) announced by proclamation his assumption of the administration of the Government in Lower Canada, and by a second proclamation, of the same date, removed the embargo from all vessels in Lower Canada waters. Amongst the prisoners captured on the 6th of June, in the vicinity of Stoney Creek, were two men, James Gready, formerly a private in the 8th Regiment, and Terence Hunt, formerly a private in the 6th Regiment. These men, being deserters from His Majesty's service, and having been taken in arms fighting with the enemy against His Majesty's troops, were tried by court martial and sentenced to be shot.

An expedition, under command of Colonel Murray, having been sent against Lake Champlain, succeeded, on the 29th of July, in destroying the enemy's Arsenal, Block House, Commissary's Buildings, stores, and some boats at Plattsburg, together with the extensive barracks of Saranac, capable of containing 4,000 troops; the barracks and stores at Swanton and Mississquoi Bay, and the public buildings, barracks, block-houses, &c., at Champlain Town. Some naval stores, shot, and equipments for a number of bateaux were brought away. Seven small vessels were taken, one of which was destroyed. Colonel Murray was ably supported in his operations by Captain Everard, R.N., Lieutenant-Colonel Williams, of the 13th Regiment, and Captain Elliott, of the 103rd Foot. Sir George Prevost, Governor-General and Commander-in-Chief, issued a proclamation, dated the 4th of September, protesting in strong terms against the

practice of the United States Government in making prisoners of war of unarmed private citizens, and parolling them, with a view to preventing them from accepting any employment in their different callings as mechanics or otherwise, or from aiding the public service in any other way, under the apprehension of exposing themselves to the resentment of the enemy for having violated their parole.

Sir George Prevost threatened to retaliate with all the means in his power, if a practice so entirely opposed to all the usages of war was not at once discontinued.

September 20th.—General Hampton, with upwards of five thousand men, advanced from Cumberland Head and entered Lower Canada at Odelltown, where his advanced guard surprised a small picquet early in the morning. The road leading thence towards L'Acadie and the open country in the vicinity of Montreal, passed through a swampy wood, and had been cut up and rendered impracticable by Lieutenant-Colonel de Salaberry's Voltigeurs. This road was held by a detachment of Frontier Light Infantry and a few Indians, under Captain Mailoux, who were at once reinforced by the flank companies of the 4th battalion of Embodied Militia, under Major Perreault, and de Salaberry's Voltigeurs. General Hampton did not attempt to force a passage by this road, and evacuated Odelltown on the 22nd of September. Colonel de Salaberry followed the enemy to Chateaugay, and thence advanced to Four Corners, where General Hampton had encamped. After a skirmish with the enemy's advance, on the 1st of October, Colonel de Salaberry returned to his position at Chateaugay.

October 26th.—A smart action took place at the Chateaugay River between the United States army, under Major-

General Hampton, and the advanced picquets of the British, under Lieutenant-Colonel de Salaberry; the excellent disposition of his force, composed of the light company of the Canadian Fencibles and two companies of Canadian Voltigeurs, enabled Colonel de Salaberry to repulse with considerable loss the advance of the enemy's principal column, commanded by General Hampton in person. The light brigade of the United States army, under Colonel Purdy, was opposed by Lieutenant-Colonel Macdonnell, who, in like manner, checked its progress on the south side of the river by ordering the militia, under Captain Daly, supported by Captain Bruyere (who were both wounded), to advance across the ford and support the Beauharnois Militia, who had been stationed at the ford to guard it. The enemy rallied and returned repeatedly to the attack, which terminated only with the day in his complete disgrace and defeat, being foiled by a mere handful of men, who, by their determined bravery, held their position against more than twenty times their number. To Lieutenant-Colonel de Salaberry belongs the honour of this victory, which was entirely due to his soldier-like conduct, both in the judicious choice he made in the position and management of his forces, and in the gallant and steady manner in which the enemy's attacks were received and repelled. Besides the officers above mentioned, Captains Ferguson, de Bartzch, Levesque, Jean Baptiste Duchesnay, Juchereau Duchesnay, and Lamothe, and Adjutants Hebden and O'Sullivan, were specially mentioned as having been conspicuous for their gallantry on this occasion; and Colonel de Salaberry warmly acknowledged the valuable assistance he derived from their able support. The British loss at the Battle of Chateaugay was five rank

and file killed, two captains, one sergeant and thirteen rank and file wounded, and four men missing. The United States army left forty killed on the field, and had about 100 more *hors de combat*.

November 4th.—A general order was issued relieving the militia from further service; this order concludes as follows:

“His Excellency the Governor-in-Chief and Commander of the Forces, has the highest pride and satisfaction in declaring his acknowledgments to the loyal and brave militia of Lower Canada for the zeal and alacrity with which they flew to their posts, and for the patience and firmness with which they have endured, in this inclement season, the severe hardships and privations to which they have been exposed; the steadiness and discipline of the whole force have been conspicuous, and the undaunted gallantry displayed by six companies, almost to a man composed of Canadian Fencibles and Militia, under the immediate command of Lieutenant-Colonel De Salaberry, in repelling with disgrace, an American invading army twenty times their number, reflects unfading honour on the Canadian name.”

November 13th.—The *Montreal Herald* of this date contains the following notice:

“The Printer of the *Montreal Herald* has to apologize to his subscribers for not publishing this week, he and his apprentices having been called to a distance upon military duty, which he trusts will prove sufficient excuse.”

The order of the Prince Regent in Council, of 13th October, 1812, authorizing general reprisals against the ships, goods, and citizens of the United States, having reached Halifax, the Lieutenant-Governor, Sir John C. Sherbrooke, issued a proclamation calling upon all His Majesty's loyal subjects to do their utmost to capture the ships of the citizens



of the United States and destroy their commerce, for which purpose His Royal Highness had been pleased to direct letters of marque and commissions of privateers to be granted in the usual manner. On the 13th January no less than 21 United States' prizes were condemned in the Vice-Admiralty Court at Halifax.

February 11th.—The second session of the Tenth General Assembly of Nova Scotia was opened at Halifax by the Lieutenant-Governor Sir J. C. Sherbrooke, who, in his opening speech, expressed his admiration of the zeal, loyalty, and courage of the Canadians, who, supported by a small force of regular soldiers, had repelled repeated attacks of United States troops on their territory; and his firm reliance upon the same spirit of loyalty if Nova Scotia should be attacked.

The Nova Scotia Assembly was prorogued on the 3rd of April, having passed an additional militia law, and provided for the improvement of the roads, besides giving attention to a great number of minor matters of local interest.

June 6th.—The United States frigate *Chesapeake*, 49 guns, which had been so gallantly captured by H. M. S. *Shannon*, 38 guns, Captain Broke, off Boston Harbour, on the 1st June, arrived at Halifax.

June 8th.—Captain Lawrence, late of the *Chesapeake*, who had died of the wounds received in the action with the *Shannon*, was buried at Halifax. His remains were landed, under a discharge of minute guns, at the King's wharf, from whence they were followed to the grave by his own surviving officers, those of His Majesty's army and navy, and many of the people of Halifax. The coffin was covered with the United States flag, upon which was placed the sword of the deceased officer; the pall was supported by

six captains of the Royal Navy; 300 men of the 64th Regiment attended as a firing party, and fired three volleys over the grave.

August 10th.—The United States brig *Henry* arrived at Halifax with a flag of truce from Salem, and permission having been granted, the bodies of Captain Lawrence and Lieutenant Ludlow—who had also died of his wounds—late of the *Chesapeake*, were disinterred and placed on board the *Henry* for conveyance to the United States.

August 25th.—The merchants and underwriters of Halifax presented an address to Captain Broke, of the *Shannon*, accompanied by a handsome piece of plate.

November 12th.—Halifax was visited by a tremendous gale or hurricane which rushed up the harbour with terrific violence. Twenty-one men-of-war of various descriptions were in port; all suffered more or less; seven of them were driven ashore, and several seamen lost their lives. No less than forty-seven merchantmen were stranded, and twenty-four, although not driven ashore, were more or less injured. Three small vessels were totally lost, together with seven or eight men who were on board. Fortunately the storm raged with the greatest violence at dead low water, so that the wharves and stores suffered much less than they otherwise would; but the total loss was very heavy.

January 12th.—The General Assembly of New Brunswick met at Fredericton, but a sufficient number of members to proceed to business not attending, the House adjourned until the 13th, when the members proceeded to elect a Speaker, in the place of Amos Botsford, Esq., deceased. John Robinson having been elected and confirmed by the President, Major-General George Tracey Smyth, the regular opening of