




# THE UNIVERSITY MAGAZINE

VOLUME VI. 1907

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THE MACMILLAN COMPANY
OF CANADA

THE UNIVERSITY MAGAZINE is issued in February, April, October, and December, by a committee for McGill University, Montreal; Toronto University; and Dalhousie College.

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The purpose of the University Magazine is to express an educated opinion upon questions immediately concerning Canada; and to treat freely in a literary way all matters which have to do with politics, industry, philosophy, science, and art.

The Editorial management is gratuitous, and the proceeds of the publication are applied to the payment of contributors.

Communications may be sent to the Editor, and subscriptions to the Manager. The subscription price is one dollar a year. Copies are on sale by the publishers, and at all book stores for twenty-five cents each.

# CONTENTS OF VOLUME VI

## FEBRUARY.



## APRIL

# CONTENTS

## OCTOBER



## DECEMBER.

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## FEBRUARY 1907



THE MACMILLAN COMPANY
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216 Peel Street, Montreal.

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# WHAT WILL THE WEST DO WITH CANADA

THE West contains a million people. About one hundred thousand join them each year. Fecundity is extraordinary there. Soon there will be more Westerners than Easterners. What will the West then do with Canada?

This question, in some form, is often a puzzle to persons who seem to accept without examination the postulate which underlies it. That is, that the West is not essentially Canadian in the same sense as the East is. Before one attempts to show this erroneous, he may find it convenient to remark on another assumption which Canadians have been long ignoring in their political action. That is the assumption that Canadians are not distinctively Canadian, not differentiated, as other civilized communities are from one another, partly by natural conditions, and partly by reaction of the institutions devised in accommodating themselves to the natural. Any political system which persists effectively does so by assimilating, or moulding, those who use it, and so confirms them more and more in their separate course.

That Canadians are but dwellers in Canada, that they must be either British or Americans, or half and half, that they cannot be peculiar as the apricot, which is neither peach nor plum while resembling both—this notion is common to visiting scribes from abroad. We have lately served as text to several of this gentry for their familiar contrary discourses, one of which contends that we are not predestined to become American, since we remain so British, and the other, that we are to become American, because we do not remain so British. These wise men have regarded collec-

tive Canada as a sort of political estray, or foundling, who happens to have been bred under John Bull's roof, and must, if he forsake that, necessarily take shelter in Uncle Sam's. Assuredly nativist sense knows better, though it seldom says so distinctly, partly because nobody abroad would give attention, partly because it is little stimulated to utterance, or even self-realization, and partly because there is small need that it evince faith except by works. Moreover, Young Canada, if somewhat unreserved in boasting his domain and prospects, has been so much concerned with his internal rumblings, and growing-pains, as to be rather slow in appreciating his sound entity and defying the question by propounding another: "What will the Man do with the Boy he formerly was?"

The man is but the boy enlarged, matured, sophisticated, enriched, an organism moulded by the boy, to whose memory he remains ever staunch. This is to regard Canadians politically a people, with continuing tendencies that are rooted largely in their own decades of association, a period which, to men of the ancient countries, seems so brief, so trivial, so obscure, so quarrelsome that they cannot credit it with having created any instinct for its perpetuation. It is also to view Canada as an organism, one that subsists, and grows, by incorporating non-Canadian elements, as a boy by taking in beef, oatmeal, potatoes, French beans, and sauerkraut, though he sometimes experiences a touch of colic. In confirmation of these assumptions the native may vainly point the visitor to actual Canadian union, to its persistency and activity, to vast works which testify to a faith that the outlander was not born to comprehend, and to our perennial ingenuity in political compromises which the poor heretic conceives to signify only expedients for staving off inevitable dissolution. The stranger cannot focus enormous and varied Canada as the young man busily establishing the boy he was by adding in the West new furrows, new barns, new warehouses to the estate and the progeny of his inveterate self.

This condition, though plainly manifested every year in

the Acts of Parliament and of our various legislatures, is so little made obvious by expatiation that it may have become clear to many a Canadian heart and brain only after ranging the West. There, if you travel with the right password of nativity, you shall learn how the wider new Canada contemplates the old Canada that was and is. Western Canadians experience no such sloughing of home ties as is undergone by emigrants to a foreign land in the course of subduing themselves to the new environment. In prairie or mountain shacks of sod, or logs, or frame, you shall hear women as fondly garrulous of Ontario, or Quebec, or "The Island," as ever was your grandmother concerning the Old Country she left. You shall find children who never saw an eastern county familiar with traditions, and old gossip, of Colchester, Sudbury, Niagara or Argenteuil. In new scenes these people still "belong" East. When first the traveller has come across the black furrows, or over the hilltop, into a circle of fond talk about Canadian places, and events, and persons—so humble, so obscure—away back home in the native township or village, he may flush with such surprise as if the tones of his boyhood's church bell came creeping on the western air. There is revelation in hearing the native voices as if merging with those of the unforgotten dead who turned backward thoughts to no Canadian ground. He had not previously dreamed of his migrant compatriots' yearning to their old countryside, and province, even while vaunting the wondrous fertility of their new acres. He had not ever before beheld children reverently touched by their parents' accents of reminiscence, except in reference to England's primroses, or the Dee by Aberdeen-awa, or the bells of Shandon by the pleasant waters of the river Lee. In the States he had found Canadian parents often moved by the foreign environment to a sense that duty required them to let the old Canadian home be forgotten, lest their children entertain, and be harmed by, an aloofness from the surrounding American sentiment. Hence there was in the West a species of new education from voices that

felt free there to dwell on the orchards of Welland, the Ottawa lumber town, or the happy redlands about Orwell Bay, with a fondness as of the old lament for "the lone shieling on the misty island."

One morning in Vancouver, rising early to visit the Great Trees before train-time, the traveller sought direction from a passing graybeard, who immediately challenged with: "I'm thinking you're from Nova Scotia by the looks of you:"—"Well, I've been there. What part are you from?" It was enough. As the two walked on together—O the Annapolis Valley, and O the Bluenoses prospering about Vancouver town! The Nova Scotian, under the word of sympathy, went discharging his native heart with a fervour as tenacious as the Ancient Mariner holding his auditor against the loud bassoon. Even Manitoba,—to us easterners so new, so western—one often hears mentioned in Saskatchewan, or Alberta, or on the coast, as the dear old home. "I was born East," said an Edmonton driver, "in Brandon." He contemplated Manitoba as The Old Country.

Such recollections are political bonds to migrant natives, as they cannot be to immigrants. Our own prairie people have but changed to another Canadian county. To my vision Canada moves westward as the banyan tree spreads—if one may be permitted to adapt that venerable symbol of the British Empire—sending out new branches that drop new perpendicular supports, that send down new roots that feed the uprights, that become new forthputting trees, and yet ever remain part of the same old banyan. Cut a group of trunks and branches loose from the first parent of all—there are two equally independent banyans, and a good chance that they may spread and act as if still merged. The proper business of those who value both is to take care that the parts shall have full liberty to evince their banyan nature. Try turning all the branches back to intertwining with the original trunk, and you risk providing evanescent firewood, instead of maintaining a boundless contiguity of shade.

It is not merely by fostering native sentiment in his

children that the eastern Canadian moulds the West. He is commonly in the majority there, usually well to the fore, keen, apt, and steadfast in working the only institutions he knows, hence largely the instructor of surrounding immigrants in operating his native system. If he supplies much of the positive Canadianism, the institutions supply the machinery which promotes that *ism* by almost mechanically transforming newcomers to Canadian purposes. Such is the incessant effect of providing readymade conveniences for communal association in respect of all such local needs as schools, roads, bridges, public halls, waterworks, lighting plant—association which merges the individual with the municipal, provincial, and federal lives, so confirming Canada, and perennially creating new factors for her widening growth. It is as when bees are unstinted of readymade comb; they accept it gladly, pack its cells with their wealth, and swarm against disturbance. An effect of the principles of freedom well applied is that they work in the West just as we have always seen them working in the East. When the native visitor has seen and considered these things on the prairies he knows exactly where he is. He is at Home. He sees the identity of the Man on the Plains with the Boy who came out of the Eastern woods into the clearance, facing toward the Pacific ocean. Thereafter he is disturbed by no doubt about what the West will do with Canada.

The persistence of Canada as a separate political entity in North America is but partly explained by the sentiment for British connexion, by that of our French brethren for conservation of their racial distinction, and by that for continuance apart from the Republic. We continue by the momentum acquired from having proceeded in adaptation to our prime political circumstances, from treating them as fixed, making the best of them, gaining by habit the motive instinct on our own course. This instinct resembles that of the individual human creature for self preservation, which is manifested by eating, and drinking, and performing other bodily functions, somewhat as sedulous employment of their

institutions by a people indicates in them a love for their peculiar collective life. It does not matter that many Westerners are unaware of entertaining any affection for Canada. Enough for strong political continuance that they work and associate hopefully for their individual profit. But there is much more positive Canadianism in the West than would appear from mere consideration of its immigrant elements. The native sentiments of the English, Scotch, and Irish do not cross, but intermingle with, and strengthen, those which consciously make for conservation of Canada apart from the Republic. These people, and no less the Germans, Scandinavians, Hungarians, Russians, acquire a local patriotism as soon as they take land, since every westerner falls in love with his own tract, boast its superiority, plants a fixed foot, and is speedily urged into municipal, provincial, and even federal politics, by desire to improve the value of the farm, through voting the visible and invisible Canadian community into spending public money where it will do the farm most good. Thus the household lamp lights the whole way to Edmonton, Regina, Winnipeg, Ottawa.

Sometimes the immigrants are conscious of, and voice, their Canadianism. For instance, the one Sclavonic poet of our prairies has sung in his own language that his people, having received land, and welcome, and freedom from ocean to ocean, feel unworthy to call Canada their own dear country, since they have not made sacrifices, nor shed their blood on her behalf. But our children, he continues, born native to the blessings for which their parents can return but gratitude, shall be entitled to call Canada their own beloved country, and proud to stand with her other children for her defence. When the Galicians—one of the most industrious and promising elements of our new population—are, as one of them lately told Professor Osborne, raising not Galicians but Canadians, we may be fairly sure that our closer congeners are breeding their young similarly.

As for the Americans, their instinct is primarily for that ordered liberty which they privately and publicly declare to

be maintained throughout our plains far better than in the regions they left. None are more inclined to aid in working the local institutions. Even did not this mark them as effectively Canadian, even did their sentiments remain wholly American, there would be no menace in their presence on ground where their numbers are inconsequential. These have been exaggerated absurdly by reports of the Dominion immigration service, which, as if to further American immigration by a pretence that it has already been very large, group under the head of "from the United States" all the Europeans, and Canadians, who lingered for a while in the Republic. This has caused many unwittingly false press assertions that the West has been receiving American citizens at the rate of from fifty to eighty thousand a year. Yet, between 1896 and 1905, both years included, only 62,717 American citizens—men, women, and children—were estimated officially to have come in. No doubt this estimate was swollen by immigration service zeal. Were the service figures and the Government estimates of natural increase in the West alike correct, there would have been more than a million inhabitants of Manitoba Saskatchewan, and Alberta, in June 1906. Yet the Government census then found there only 808,000 persons. Applying the same scale of reduction to the previously alleged immigration of real Americans would indicate less than 50,000 "citizens" from the United States, of both sexes and all ages, in the three provinces. Probably there are not 20,000 mature male Americans in Canada west of Lake Superior Most of them are believed to have become subjects of the king.

It seems invidious, if not ridiculous, to doubt that the institutions which Canadianized the heterogeneous elements that colonized our East will operate similarly in due time on the American as on every other element of our West. Certainly, our system will not make Britishers of the non-British, since Canada gradually makes not Britishers but Canadians of the children of English, Irish, and Scotch, just as fixed residence in Sussex would make Britishers of Canadian progeny. However, not to labour the point, it matters no rap to Canada's

separate political existence in America, whether the children of immigrant Americans become British or Canadian in sentiment. All efficiently serve the Dominion who produce wealth from her soil, and quietly assist in operating the political system.

If sentiment and the processes of political evolution in the West are favourable to healthy perpetuation of Canada, that is not because the sentiment is of an unchangeable nature, or the orderly processes beyond liability to disorder. To presume that all will go on well is to presume that the proper freedom of the West will continue to be respected by the majority throughout Canada. There was a time when the East blundered, rather by the novelty of having suddenly become a colonizing country than by evil will, into an attitude of regarding the West as a colony to be administered Spanish-fashion, for the benefit of eastern interests.

Let us ignore the two Metis rebellions, and consider only the Manitoba Farmers' Union of 1883-84. There was then loud, general, discontent in the only populated Canadian West, some inclination toward secession, an attempt to urge the provincial Government into a sort of provisional-revolutionary attitude, and a good deal of secret colloguing among impatient young men as to how armed rebellion against Ottawa might be effectively managed. The cause of all this bobbery was set out in an address, now before me, to the Manitoba House of Assembly. Its *whereases* declare that the federal Government had refused Manitoba the right to charter railways anywhere within the province, the right to control public lands within her borders, the right to compensation for all such lands as had already been sold for federal purposes, the right to free importation of agricultural implements and a general reduction of the tariff, and the right to representation in the Ottawa cabinet.

All these "rights" were literally, or virtually, conceded soon afterward, save that concerning the tariff. This has become less onerous by cheapening of Canadian manufactures, a general lowering of the prices of imported

necessaries, and the great reduction in transportation charges. The grievance the West then felt to be most wanton, and vexatious, was refusal of the provincial right to charter railways. So far as the trouble was not due to successive crop failures, and an exploded boom, it came of Ottawa making the East seem to stand to the West in an imperial attitude. Should this ever be resumed there would of course be more and greater trouble on the plains, probably with no worse effect than turning out a ministry at the next general elections, through the East speedily approving the course of the West. That would renew and strengthen the transcontinental Canadian bond.

It seems now safe from internal hurt so long as there be no federal procedure on a plausible national policy notion that traffic between West and East ought to be forced over Canadian lines, partly by a high tariff, and partly by excluding, or obstructing, American branch railways. It is nationally so very desirable to keep that traffic on Canadian routes that some eager Canadians think it might properly be compelled to follow them. The compulsion of a moderate tariff would not much annoy, because consumers undertand that they must somehow contribute to the federal treasury, and because they perceive that, if the tariff increase some prices, it leaves many others lower than in the neighboring Republic. There can be no temptation to exchange Ottawa's tariff for Washington's, so long as this is set by the combines. But interference against railway building is felt to be an intolerable outrage by every district, hamlet, and town which dreams, as they all do, of being served by more lines than already approach them. The West would never put up with exclusion or obstruction of American railways any more than Ontario, Quebec, and the Maritime provinces, would submit to being deprived of Grand Trunk, Intercolonial, and Canadian Pacific Railway connections with Portland, Boston, and New York.

It does not necessarily follow that the traffic cannot be kept mainly to Canadian lines. Obviously they might get

and hold it by putting rates low enough. There is no clear evidence that any of our great lines cannot profitably beat threatened American competition. Rather there seems to be evidence the other way. The engineers of the Grand Trunk Pacific allege that its grades and equipment will enable it to haul both ways cheaper than any rival. The Canadian Northern owners go on extending their track, as if sure that they can compete profitably. The Canadian Pacific Railway Company's common stock has risen sixty points in less than two years, and now stands at 194, though the company goes on expending millions yearly in improving and extending its lines. This may indicate a good deal of hurry to head off competition by Mr. J. J. Hill and others. But does it not signify great wealth and great energy confident in their ability to hold what they have and get much of what may be going hereafter? If it were politically possible to shut out American railways, would it be judicious to do so merely to deliver Canadian companies from expenditure, exertion, the bother of bettering and extending of their lines ? These are the very effects that both West and East desire to come of furthering American competition.

It is, however, conceivable that large injury might arrive, not only to the Canadian Pacific Railway, but to the trade, finances and credit of the Dominion, if Ottawa induced so much competition in railways that the resources of Montreal's great company must be strained, and risked, in preparing to hold its own. There were successive years of crop failure in the West not very long ago, and there may be again. Hence a crash might come. It would be much worsened, if the managers of the Canadian Pacific Railway found themselves compelled to operate immense lengths of superfluous line in hard times. The competing American concerns have to risk comparatively short portions of perhaps prematurely built railway in Canada. In the conceivable crash they might arrive at possession of most of our traffic, and most of our railway system, too. Perhaps flush times have made our governing party unduly careless of the dangers insepa-

rable from immense promotions, in a new, thinly populated, and far north country.

Again, suppose the Canadian Pacific Railway Company was induced, a quarter of a century ago, to build and undertake the perpetual operation of large portions of difficult line that cannot be so improved as to hold traffic profitably against short, flat, American lines which the Canadian Pacific Railway Company of 1881 had reason to suppose would never be permitted to compete. If such were the situation, that might be no sufficient reason for creating dissension between West and East by exclusion of American railways. But it might be good reason, not merely for equitably compensating the Canadian Pacific Railway Company, but for undergoing new national expense with design to keep on its track traffic which the Company could not hold to its line, and to Canadian ports, without losses that might drain its resources and ultimately starve its service. If the Canadian Pacific Railway managers were aware of any such danger they might naturally be expected to ask Parliament for consideration, and investigation. They have not done so. On the contrary they ramify vigorously in Canada, and carry the war into Africa. This seems to promise more all-Canadian West-East traffic than would soon arrive, if Mr. Hill had not impelled his great rival to developments that would not otherwise have been speedily undertaken. If the American were seeking Canadian subsidies, instead of mere liberty to compete here at his own charges, then the situation would be new. Canada's fight against geography would never consist with subsidizing geography.

The fight has cost much money, but has it not paid commercially, as well as politically? Possibly there might be now more and wealthier people on Canadian ground, had Montgomery taken Quebec, or the annexationists of 1849 succeeded. Perhaps the boy might have become a bigger and wealthier man, had he been some other boy. But in spite of all temptations to belong to other nations, he continued as Canadian as when he was born. He never seriously thought

of delivering himself out of his own skin. Fated to start small and in privation, the exercise and cost of developing himself surely paid handsomely. He deserved the more to get on, since he laughed at, or damned, all prophecies of his death by isolation, inanition, or misdirection, during the length of his journey westward through the big woods, and over the sea of mountains. He is there and here alike at home. The words of the adverse prophets to scorn are scattered, and their mouths are for the most part stopped with dust. As the threatening kings, and queens, and knaves, and all their following of low degree vanished, when Alice in Wonderland cried, "Why, you're only a pack of cards," so all that seemed stacked against Canada have disappeared. Or, to continue changing metaphors, the Dominion is as the Dimbula, the tight little ship that found herself after a distressful voyage. She could, of course, be sunk by hostile batteries, but is most unlikely to be scuttled by her crew, or lost in consequence of her engineers crazily obstructing the free action of her machinery.

E. W. THOMSON

# JOHN KNOX IN THE CHURCH OF ENGLAND

A NATION which is really great does not forever neglect to do honour to the men who have served it greatly. But it must be aroused. Cromwell finally, though by the hand of an alien, came into his own in England; and Charles the Second has been rehabilitated by Professor Leacock.

To most men of complicated character this recognition comes late, and after many vicissitudes of fame. Cromwell in his very bodily remains was lifted up before a scorning populace; and his memory was but little better served, until the strong voice of Carlyle declared that this was one of the nation's heroes. Charles the Second only came into his own in the last issue of this Magazine. On the other hand, it has frequently happened that the name of a man whom his contemporaries delighted to honour has fallen into an oblivion from which it is not rescued, until centuries have elapsed. John Knox in England is one of these.

During his life-time Knox did not suffer from neglect. Edward the Sixth appointed him Court Chaplain, and the courtiers of the time heard him, if not gladly, at least with an endurance to which they were compelled. His advice was sought by the Privy Council, and high ecclesiastical affairs were not decided without his consent. If Edward the Sixth, instead of Edward the Seventh, were now upon the throne of England, John Knox would certainly have been called in to settle the Education question. He settled it pretty well for Scotland in his own day. More specifically, he was urged to accept the office of a bishop, which is declared by the Scripture to be a "good thing". Also, he had the greatness to decline the honour.

John Knox as a bishop *in posse*, an arbiter of the final doctrine of the Church of England, preacher before the king, is, one may imagine, a little difficult of comprehension to those who are not of his kin. Therefore the matter will bear some investigation.

The name of John Knox is so closely associated with Scotland that his labours in England, and on the Continent, are overshadowed by the great work which he accomplished in his native land. We have forgotten his life in Geneva, and in Frankfort, where he spent six years in companionship with such Englishmen as Fox, Bale, Gilby, Goodman, Whittingham, and Cole, in communion with that "church of the purity" which instigated the great New England emigration. We have forgotten his years at Berwick-on-Tweed where he propagated the doctrine of Puritanism, and prepared the way for Cromwell. The protestant churches of to-day, which adopt the "table gesture" at Communion, and the ordinary bread as distinguished from the wafer, are but following his example and precept.

If we exclude the first forty-one years of his life, during which he was adherent, and priest, of the Church of Rome, he spent only his twelve last years in Scotland. Protestants are content to leave that early period to their opponents; and I have not heard that Catholics claim that he added lustre to their Church, during his adherence to it. He passed the rest of his days as a "stranger" in England, and abroad. It is the purpose of this paper to deal only with his life in England.

In the State papers of the reign of Edward VI. there is a letter addressed to Cecil from his "assured friend, Northumberland," dated 27th. October 1552. After the downfall of Somerset, John Dudley, Duke of Northumberland, was the most powerful statesman in the kingdom, and his recommendation carried weight. In this letter which "was scribbled in my bed, as ill at ease as I have been much in my life" he writes: "I would to God it might please the King's Majesty to appoint Mr. Knox to the office of Rochester bishoprick." Amongst the arguments for the appointment "which, for

three purposes, should do very well" the irresistible one is that "he would be a whetstone to quicken and sharpen the Bishop of Canterbury, whereof he hath need."

As is usual in such cases nothing was done, and on the 7th. December Northumberland wrote again to Cecil, "to put him and the Lords in memory that some order be taken for Knokks." The result of this was that Knox was desired by Cecil to wait upon Northumberland. The details of what happened at this interview are meagre, but we have the outcome of it in a third letter from Northumberland to Cecil: "Master Knoxs being here to speak with me, saying that he was so willed by you, I do return him again, because I love not to have to do with men which be neither grateful nor pleasable. I assure you I mind to have no more to do with him but to wish him well." It should be added that another of Northumberland's ecclesiastical projects went awry at the same time. He proposed that the Dean of Durham should be made Bishop of that See, which would oblige him to renounce to the Crown "his castle, which hath a princely site." But the Dean did not see the thing in the same light. The ruse was too transparent to a man who lived so close to the Border.

The phrase *nolo episcopari* is not one which is commonly met with in the biography of prelates. The motives of Knox in pronouncing it are obvious. They arose not out of his questioning of the validity of any Scriptural warrant for diocesan episcopacy, but from his conviction that, under the conditions then existing, he could not discharge the obligations which he conceived did inhere in that office. His objections to the episcopacy were only valid in so far as Scotland was concerned; and even there not for exegetical reasons but upon constitutional grounds, "considering the lords of Scotland had subscribed and also confirmed in Parliament the order of Church government already and long ago appointed by the Book of Discipline." His objections to the office in England were practical and secular, not theological. In his exhortation to the people of England, written from Geneva

in 1559, he presses reformation upon them on the ground that "your proud prelates' great dominion and charge are impossible by one man to be discharged." The remedy which he proposed was not the abolition of the office, but the appointing of more bishops, "that your bishopricks be so divided that of every one, as they be now, be made ten."

It is pleasant to record that Knox did not afterwards regret his refusal of the high office. In a letter to a correspondent in England dated 1568—the day of the month not mentioned— he writes, "I would most gladly pass through the course that God hath appointed to my labour, giving thanks to His holy name for that it hath pleased His mercy to make me not a lord bishop, but a painful preacher of His blessed evangel," which seems a slight thing to be thankful for.

Now that the business of ecclesiology is no longer confined to ecclesiastics, we can deal with the origin and development of churches as matters of history, without losing our way in theological subtleties which ordinary persons—writers or readers—are not expected to understand. Therefore one may say that the doctrine of the Catholic church is closer to traditional presbyterianism, than traditional presbyterianism is to the statements which are put forward to-day as the essentials of presbyterianism. And one may put forward this dogma without being compelled to open a seminary for its defence. One may also say that the distinction between the Catholic church and the Church of England has always lain in their different conceptions of the nature of the Sacrifice of the Mass. It was upon this question the Anglican Church became a dissenting Church from the Church of Rome, and has remained a dissenting church, though it must be confessed that the sound of dissent is becoming gradually small, and less than its sound of dissent from the Church of Scotland.

It would involve a considerable expanse of writing to set forth the doctrine of the Mass, which is held by the Catholic Church, and to trace the steps by which it became transformed

into the doctrine of the Lord's Supper as held by other churches. Fascinating as the story is, few would read it, and some might not accept the statement as being sufficiently ambiguous, or sufficiently clear.

We shall now turn to the evidence of Knox's influence upon the liturgy of the Church of England. For the instruction of those who have not occupied their minds with ecclesiology it may be necessary to add that the term "liturgy" denotes technically the order for the celebration and administration of the Eucharist, not the various services which are described in the Book of Common Prayer.

On April 18th. 1554, at Oxford, in "Latimer's Disputation" Dr. Weston as prolocutor made use of these words: "A runagate Scot did take away the adoration or worshipping of Christ in the Sacrament, by whose procurement that heresy was put into the last Communion Book: so much prevailed that one man's authority at that time." This runagate Scot was John Knox.

This prayer book in which John Knox had a hand was the second of Edward the Sixth. Up to that reign there was no established order of service peculiar to the Church of England. But on March 7th. 1549, the first prayer book of Edward the Sixth was published, and it was first employed on June 9th. of that year. This book was a compendium and compilation from the breviary, the missal, and the pontifical. Many ludicrous lections were omitted, and old prayers were adapted by a process of "farsing." The Scripture readings were increased to meet the objection that, in the old order, "there was more business to find out what should be read than to read it once it was found."

The tide of Puritanism within the church was rising, and on April 6th. 1552, by Act of Uniformity the second prayer book was ordered for general use on November 1st. of that year

It is at this point that John Knox comes upon the scene. The book was partially off the press of Grafton at the end of September, and on the instant he received the following letter which is referred to in the register of the Privy Council under date 26th. September, 1552: "A letter to Grafton, the printer,

to stay in any wise from uttering any of the books of the new service, until certain faults therein be corrected." On 27th. October another entry appears in the register of the Privy Council: "A letter to the Lord Chancellor to cause to be joined into the Book of Common Prayer lately set forth a certain declaration signed by our King's Majesty, touching the kneeling at the receiving of the Communion." This, the famous "declaration on kneeling," was accordingly inserted in the book as an extra leaf; for the printing, and pagination, were already complete. The intercalated leaf may yet be seen in copies of the first edition where it follows the rubric which it explains. This declaration, which strikes at the very heart of the Mass, is probably from the hand of Cranmer, but we have yet to examine the part which Knox had in its insertion.

The practice of kneeling had been a universal custom, and no mention of it was thought necessary in the first prayer book. But in the interval between the appearance of the first and second books the objection to the posture had become so strong, and the advocates of the "table gesture," as the proposed innovation was styled, became so insistent, that the authors of the second book thought it necessary to check the heresy by specifying that kneeling was the proper posture for receiving the Communion.

For seven years Knox had proclaimed, and, according to a letter published by the Parker Society, "inveighed with great freedom," upon the subject before the King, that "knelying is no gesture meete at the Table." When the second prayer book appeared with its rubric that kneeling was the proper "gesture"—that was too much. The presses were stopped, and Knox set to work upon his famous "Confession," or memorial, to the Privy Council. The document is before us in Latin, and in English which is only a little worse. I hasten to add that I have no intention of asking any reader to accompany me in an investigation of its merits. But Cranmer was obliged to read it. As a result he wrote a "long babbling," in which he makes the whole controversy

sufficiently absurd. If, he says, the opponents of kneeling appeal to Scripture, let them go the whole length and lie upon the ground, "as the Tartars and Turks use yet at this day." He urges the Lords not to be moved by "these glorious and unquiet spirits. If such men should be heard, although the Book were made every year anew, yet should it not lack faults in their opinion."

However, Knox was not to be put down, for at a meeting of Council some two weeks later there is an entry in the hand of Cecil of business to be done: "Mr. Knocks—b. of Catrb." The end of the business was that the Archbishop was compelled to add a declaration to the rubric that kneeling was an act of convenience, and "no adoration was done." There it remains to this day, and is familiarly known as the "black rubric," the most specifically Protestant statement in the book.

This "black rubrick," as it came from the hand of Cranmer, differs from the form in which it is found in the prayer book of to-day. In the former case the essential words are "real and essential presence there being of Christ's natural flesh and blood." The present form, dating from 1663, is "corporal presence of Christ's natural flesh and blood." This is said to be "an alteration of the most material character." Upon this matter I have a proper diffidence in offering any opinion

In every country but England theologians are left to find their way as best they can. In England the essence of a doctrine as well as ownership of the temporalities is subject to consideration by the courts. Up to the time of the establishment of the Probate Court matters of doctrine were remitted to the Court of Arches. It has not escaped notice that this court also dealt with collisions at sea, and the infelicities of the married state, as well as with such subtleties as are contained in the doctrine of the Real Presence.

Accordingly, the significance of the practice of kneeling was handled in the case of Sheppard v. Bennett before the Arches Court of Canterbury. Sir Robert Phillimore, the

Dean, in a judgement rendered July 23rd. 1870, which covers 117 folios of the "Law Reports," Vol. III. 33-35,Vic., pp. 167–284, said what looked like the last word upon the subject. At least, one could not imagine that anything further remained to be said. Yet, two years later, the case came up again before the Judicial Committee of the Privy Council, and upon this occasion the Lord Chancellor said something which appears to be quite different, in a judgement which with the pleadings covers 68 pages of the "Law Reports." If Sir Robert Phillimore, and the Lord Chancellor had lived in the latter days of Cranmer and Knox, either one or the other, —I do not undertake to decide which—would surely have been burned.

Lastly, we have to consider the task which Knox performed in establishing the belief of the Church of England as it is expressed in that body of doctrine, known as the Thirty-nine Articles.

For the benefit of those who are not familiar with the history of this compendium of belief let us cite a few facts. In the turbulent days of Henry a set of Ten Articles was published to "stablyshe Christen quietness and to avoid contentious opinions." Three years later the Six Articles, or "whip with six strings" was issued. In 1551, Cranmer was charged by the King and Council "to frame a book of articles of religion." Accordingly, a year later, forty-five articles were submitted by him. Thereupon, they were ordered to be referred to Knox, and his fellow chaplains, in a letter dated 20th. October, 1552, and reached them the following day. They were back in Cranmer's hand a month later, reduced to forty-two, and accompanied by a letter from the Council, in which he is informed that "they are in some part altered." Cranmer accepted the alterations, and returned the articles the following day with an expression of his belief that "God shall be thereby glorified, and His truth advanced."

Those who are curious about such matters may compare the two documents with each other, and with the Thirty-nine articles as finally passed in 1571. They are all contained

in Hardwicke's "History of the Articles of Religion." For the present the statement must suffice that those principles of Protestanism which Knox enunciated in his "Confession" are embodied in the articles. Six chaplains were engaged upon the "retrenchment" of Cranmer's draft, and one of these was Knox. It is a height of criticism to which I do not aspire to decide what was the individual work of Knox in the revision. The utmost that is claimed is that he must have been satisfied before it left his hand. If the Church of England to-day is Protestant, it was John Knox who put that mark upon it.

ANDREW MACPHAIL

# THE VALUATION OF REAL ESTATE

WHILE the factors which determine the value of arable or pasture land could be intelligently stated by only a comparative few, there will always be found in any agricultural community persons whose knowledge of the fertility of the soil, the supply of labour, the means of distribution, and other local conditions, coupled with personal experience and native shrewdness, will enable them to make an approximate estimate of that value. A similar proposition is obviously true of towns and cities, and of the value of land and buildings within their limits. But in these more densely populated communities, the needs particularly of borrowers and lenders have given rise to a class of persons, called valuers, who, for remuneration, profess to give an impartial as well as an exact estimate of the value of what is generally styled "real estate." The duty, too, of the municipal authorities or other tax-levying power, to distribute the local rates or taxes justly, has necessitated the appointment, wherever rates or taxes are levied upon real estate, of one or more persons to act as official valuers or assessors for the municipality.

There is, therefore, a large number of men who either in whole or in part obtain their livelihood by valuing the real estate of others, and it is natural to suppose that, the nature of lands and buildings being essentially the same in civilized countries, valuers and assessors are everywhere guided by the same fundamental principles in forming estimates of their value. But, on the contrary, there is the greatest divergence in practice. It is therefore worth while to attempt a statement of the principles which ought to govern the valuation of real estate in cities and towns.

In the first place, it must be taken for granted that when we speak of "value," we mean commercial or investment

value. What constitutes then the value of lands and buildings, and how is it determined? It would be superfluous to point out that the value of a piece of land and the price at which it may be bought and sold are by no means the same thing, if it were not the fact that a large number of otherwise well-informed men are apt to confound the two. Let us clear the ground of such misconceptions.

The value of any property cannot be determined by the price for which a sale can be effected, because the bargain may be a bad one for the buyer or the seller. Nor can it be ascertained by the prices for which the sales of several similar properties, such as houses of identical size and construction in the same street, have been or can be effected, for ignorance or bad judgement may lead many buyers or many sellers to make bad bargains, as has so often been the case in cities which have experienced a "boom in real estate." Nor can it be determined by the highest price which a would-be purchaser, lacking neither knowledge nor good judgement, is willing to give for it, for the property may have a special value to that bidder, and the price may be a *prix d'estime* or fancy price: as where a proprietor greatly desires to preserve a beautiful view or to enlarge his business premises; or where an insurance company or other business concern is willing to pay more than the value for a piece of land whereon to erect a building which will advertise its business—the difference between the price and the value of the land representing the cost of the advertisement. A common instance of a special value attaching to land may be noticed in the small strip of garden which is often found in front of a house. Of little value to any one else, it has a special value to the owner of the house, since it is over that strip that access to his house is gained. It may seem absurd to add that the value of a property can not be determined by the price at which the owner is willing to sell. Many proprietors are unwilling to sell for any price that can conceivably be offered; almost all who are willing to sell, wish to sell dear. Lastly, in every community, a considerable quantity of land is held for long

periods without any transfer or negotiations for a transfer taking place, and in respect of which or of similar property no prices can be quoted or ascertained.

Price and value then are essentially different terms. Prices do not make values. The contrary is the case. In the absence of extraordinary or fortuitous conditions, the prices of lands and buildings will, in the long run and generally speaking, be adjusted to their values. If transactions in real estate were as frequent as purchases of boots or shoes, this adjustment would be quick and flexible. But lands and buildings are costly, and the number of purchasers is limited. Proprietorship, moreover, involves burdensome duties and responsibilities. Sales are therefore comparatively infrequent; and sales of properties which are similar in character and surroundings take place only at longer intervals, during which many of the local conditions may have undergone substantial change. The purchase and the sale of real estate are largely affected also by other considerations. Belief in future appreciation of value has induced many to make rash purchases. Conviction of a contrary movement in value has led to many unnecessary sacrifices. Want of confidence in the honesty or efficiency of the municipal government, and the dread of unknown liabilities, such as special assessments, deter others from investing. From these among other reasons the adjustment of prices to values of real estate is often a slow process.

Nothing has been said of the dependence of value upon Demand and Supply. Real estate is obviously subject to the same economic laws as govern other forms of property. In those communities, however, which we have in mind, a large majority of persons either do not desire or have not the means to own their homes or business premises. The most they are able or willing to do is to hire them from the owner and pay him a periodical compensation or rent; and the amount he is able to exact determines the value of the property. This rent will doubtless vary, within limits, with the demand and supply of houses or business premises, but for

our purposes it is unnecessary to consider the causes which tend to raise or to lower it. Rent is the basis of the value of real estate, for it represents the return which the owner obtains from the investment of his capital. And in order to value lands and buildings, the rent or revenue derived or derivable therefrom must be known or ascertainable.

*The value, measured in money, of a parcel of land, with or without buildings, is the sum which, if invested on equally good security, will produce the same net revenue as the land or land and buildings is capable of producing.* If that be correct, it follows that, supposing the net revenue of an estate to remain fixed and constant, the value of that estate will rise and fall with the value of equally good securities producing the same net revenue. In other words it will also vary, though not necessarily perhaps in the same or in any constant ratio, with the rate of interest on such securities. For example, an estate producing $1000 per annum is worth considerably more when money is being freely lent on mortgage at four per cent. interest than it is worth when mortgage loans on the same or as good security can not be obtained at a lower rate of interest than five per cent. We have not done with value yet.

All property has a *present value*, that is, a certain and definite value at the time of consideration. That present value will in the future either remain stable, or appreciate, or depreciate. It is true that the character of real estate—the permanency of the land, the duration of the structure, the continuance of its utility—almost precludes the consideration of its present without reference to its future value. The balance of probability in favour of a property rising or falling in value must, or should, be weighed. But future or speculative value is unknown, and can not be determined. At the best it is a matter of opinion. Any one of a hundred fortuitous causes may change a favouring probability into an unfavourable certainty. It may be conceded that it is the duty of the professed valuer to consider this speculative value, and to give his deliberate opinion as to the future of a

property. His opinion may be well-founded or ill-founded. His client may, or may not, be influenced by his opinion to pay for a property more or less than the present value. What the valuer can not do is to estimate the future in dollars and cents. Nor can he estimate the special value which any particular property may have for a particular individual. He can not bring an unknown quantity into his monetary valuation. It is his duty to confine his valuation to what is ascertainable, namely the present commercial or investment value.

It being then the duty of the valuer to estimate only the present value, and that value being determined in the first place by the net revenue, whether actual or potential, and in the second by the rate of interest yielded by equally good securities, let us proceed to consider the items to be taken into account in arriving at the net revenue derivable from real estate. It can easily be shown that the same principles apply to land used for, or adaptable to, special purposes—such as land covered by water in harbours or docks, or waterside land suitable for wharves, or lands used as roads or streets—as apply to the more familiar case of land either improved, or capable of improvement by the erection of buildings. Let us therefore examine only the latter. And first, of improved land. On the one side we must put the gross rent or revenue derived or derivable from the property; on the other, the deductions which must be made from the gross revenue to arrive at the net revenue.

1. *Rent.* The rent of a piece of land or of a building is the compensation or return annually made for its possession or use. Here, however, we prefer to use the term "rental value," as including not only revenue actually received but revenue-capacity. In the case of an untenanted or partly untenanted building or of a building occupied by the owner, the rental value can as a rule be ascertained easily by a comparison of the rents derived from similar buildings in similar localities. It must be noted that the rent actually received in any given year or term from a wholly occupied building

is not necessarily the true rental value, for the landlord or the tenant may have made a bad bargain. Again, the rent received from a building in one year may be greater, owing to a temporary excess of demand for such premises, than was received from it during the preceding year or is likely to be received from it in succeeding years. In such cases the careful investor will take the average rent as the maximum basis of revenue. On the other hand, where the revenue from a building has steadily increased, and the demand for such buildings in the immediate vicinity reasonably ensures the maintenance or increase of that revenue, it will manifestly be proper to accept the present revenue as the rental value and the basis of investment.

To be deducted from the gross revenue, we have the following items:

1. *Premiums for insurance* of the buildings against loss by fire.

2. *Taxes.* These are either general, or special. They fall either on the proprietor or the tenant or on both. Special taxes are usually borne by the proprietor: general taxes by the tenant. In the best practice, however, all taxes on real estate are levied on the property itself, and can not be ignored as a liability of the proprietor in case of default by the tenant. And in a growing number of tenancies the general taxes are included in the rent, and are paid by the tenant to the proprietor, and by him to the municipality. Special taxes are usually levied for the purpose of paying the expenses of some improvement, such as the construction of new roads, streets, or drains, the widening of thoroughfares, etc. They represent an unknown liability. They may be levied on all the real estate in a municipality, or only on a particular section of it. They may be a great burden under one municipal regime, and no burden at all under another. In estimating this liability the investor must consider not only the special conditions of his own property and its location, but the plan of the whole municipality, its system of streets, its drainage, the policy and even the honesty of its government.

3. *Cost of management and collection of rents.* Compared with other investments, such as those in public funds or in the bonds or stocks of companies, the management of real estate entails a very considerable amount of trouble and loss of time. It may be undertaken by the owner or turned over to an agent. The charges of the agent vary with the amount of work required, and this in turn depends on the class and condition of the property, and the class and circumstances of the tenants. Whatever the scale of these charges may be, it seems reasonable that a like charge should be allowed for out of the rent in cases where the owner manages his property; even if the trouble of management is balanced by the pleasure and pride of ownership, a future purchaser is sure to bring it into reckoning as a matter affecting the value of the property. Connected with the management there are also disbursements which cannot be ignored, such as the cost of advertising vacant premises and of obtaining new tenants, legal expenses, etc.

4. *Allowance for loss of rent.* This also will vary with the class and condition of the property and the class and circumstances of the tenants. In the case of the most desirable property, rent will sometimes be lost through failure to obtain a tenant, and in the intervals occupied in repairing and decorating between tenancies, and from other causes. It is not unreasonable to suppose that the owner of a house will lose, from one cause and another, one year's rent out of twenty. In the case of dwellings occupied by the poorer class of tenants, the probable loss will be much greater, for besides taking little or no care of the property, such tenants are known sometimes to silently steal away, leaving their rent unpaid. This item may be reduced or ignored where a property is leased for a long term of years to a responsible tenant.

5. *Repairs.* The landlord is, generally speaking, bound to keep a safe, wind-and-weather-tight house for his tenant. The life of a building depends largely upon the strength and perfection of its foundations and construction, the materials

of which it is constructed, and the care taken of it by its owners and tenants. It also depends upon climate. In Montreal, for example, the climate is particularly severe on structures, and a building begins to deteriorate almost as soon as it is completed. The changes in the atmosphere, the heat of the summer, and the severe frosts of the long winter, cause great expansion and contraction of structural materials. The masonry of the best constructed buildings needs early and frequent pointing. Exposed woodwork requires constant care or periodical renewal. Heavy snowfalls are apt to cause serious injury to slate or gravel roofs. Expensive furnaces, with a complicated system of pipes for indoor heating, must be kept in perfect order. To maintain a building, therefore, during a long period, and to introduce such improvements as progress or fashion may from time to time compel in order to maintain the revenue, large outlays are necessary for what are called "gross repairs." To provide for these a wise investor will annually put by, out of the rent, some proportion of the cost of the structure, and any valuation which does not make an allowance under this head is worthless. It is difficult to estimate what that proportion should be, but judging from the condition of buildings in Montreal constructed with in the last fifty years, it may reasonably be estimated that the sum to be thus annually set aside out of the rent should not be less than one-half of one to one per cent. in the case of the best-constructed buildings, increasing, according to the class of structure and quality of construction, to three per cent. of that cost.

In addition to these large outlays, the owner of a building is liable for minor repairs, such as painting, papering, plumbing, making good the ordinary wear and tear of the inside of the building, and effecting such alterations as are necessary or expedient in order to procure or keep a tenant.

We have seen how the net revenue is established: to find the present value of an improved property, we have merely to capitalize the net revenue on the basis of the prevailing rate of interest yielded by equally good securities, and deduct

a proper sum for the deterioration which the buildings have already undergone.

The method of valuing improved property is a simple matter; the real difficulties lie only in the deductions to be made from the rental value. The method of valuing unimproved land is the same. Its value depends generally upon the uses to which it can be put; in all cases it must be based only on the net revenue which it is capable of producing. A piece of land on the harbour front of a port will probably produce more revenue if used for a wharf or a dock than if covered with buildings. A piece of land, fronting on a street, will probably produce the most revenue if improved by the erection of a suitable building; *suitable*, for, by way of example, it is manifest that a tenant could rarely be found to pay a rent equal to the interest on the cost of a first-class residence, erected in a mean and undesirable district, and that the rent of a mean and undesirable dwelling house, erected on a street otherwise lined with large and handsome residences, would not equal the interest on its cost and the value of the land taken together. *The present value of an unimproved piece of land is the difference between the capital value of the net revenue obtainable from the land itself, if improved to the best advantage, and the cost of the improvements; less* taxes, interest on the value of the land for the period of construction, and any other charges to which the proprietor may be put, which are not incidental to the construction of the building.

As a consequence of the principles laid down, it follows that where a piece of land is "improved" to poor advantage or to no advantage at all, and the net revenue derivable from the land so improved is less than the net revenue which the land is capable of producing if improved to the best advantage, the cost of the improvement is partly or wholly lost as the case may be. It also follows that the value of a piece of land with improvements, taken together, is never less than the value of the same piece of land if unimproved, *less* the cost incidental to its restoration to an unimproved condition.

It is interesting to consider the case of land situate in the outlying districts of a city whose population is steadily growing and reaching out in the direction of the land in question. In such circumstances the price of land is seen constantly to rise, and the land to sell readily for more than its value as the most advantageously situated farm or garden land. If we suppose that any present improvement of such land would result in loss, it follows that the difference between the present value of the land as farm or garden land, and the price at which it will readily find buyers, represents the amount by which its future value is anticipated or discounted, just as the future value of the shares of non-dividend-paying railway companies is discounted by a rise in price, when increases in net earnings warrant the hope of an early commencement of dividends. Where there is a reasonable certainty or probability of the land being improved to advantage in the future, such an anticipation of future value may be partly or wholly justified, but, in any case, purchasers who pay more than its money value as farm or market land are really speculating in future values. From the nature of the case it is impossible to estimate the present value of the land on such a basis, three essential factors being unknown, namely, the time when it can be improved to advantage, the form which the most suitable improvement will take, and the return from the property when improved; and the valuer may be forced to base his judgement on a comparison of the prices which are readily paid for land equally good and equally well situated, and on the best available opinion.

Finally, where the nature of an improvement and the circumstances of its possession and use are such as to make it practically impossible to estimate the present rental value, as in the case of a factory peculiarly constructed for a particular business, or a residence too costly to suit the purse of any one but the owner. In the case of the factory much depends upon the success with which the business can be carried on, the adaptability of the premises to other purposes, and the cost of so adapting it. If such a business can

not be profitably carried on, and the premises can not be adapted to other purposes, the improvements will bring no revenue, and will therefore be valueless. In any event the value of the property does not exceed the value of the land if unimproved and the cost of the improvements, nor does the rental value exceed a fair percentage on both. And the same is true of the residence. For commercial or investment purposes both the value and the rental value of the residence or the factory are unascertainable until the time comes when the property is to let or for sale. Both will then be limited by the demand and by the means of those who desire to buy, or to lease, the property.

W. VAUGHAN

# THE LEGAL ASPECT OF SHAKESPEARE'S MARRIAGE

THE biographer of a celebrity of our own time feels himself aggrieved, if the hero has not left behind him as much material as will, with skilful padding, swell out to the customary two fat volumes. But, of Shakespeare's life, owing to his own culpable negligence, nothing is left but a few beggarly facts. Even of his handwriting all that remains is five signatures, and these are not consistent with each other in spelling. There are no letters.

The contemporary references have been called abundant ; but the use of such an epithet shows how thankful for small mercies the student of Shakespeare has to be. The accounts given by the old writers are extremely brief, but with all their brevity contain much that is doubtful.

But, in spite of all these drawbacks, learning, industry,and critical acumen have been brought to bear with so much purpose on Shakespeare and his times that we know much more about him than did the seventeenth century writers. If we compare Mr. Sidney Lee's " Life " with the accounts given by Fuller, Aubrey, Rowe, and the rest, we are amazed at the progress which has been made. It is not only that Mr. Lee is vastly more complete. We feel that what he says has been carefully weighed, and that most of it is altogether probable. With the older writers the few grains of gold which they contain are embedded in a mass of rubbish.

We shall take John Aubrey as an example.The most interesting thing he has to tell us is that Shakespeare, when he was a boy, exercised his father's trade of a butcher ; "but, when he killed a calfe, he would doe it in high style, and make a speech. There was at that time another butcher's son in this

town, that was held not at all inferior to him for naturall witt, his acquaintance and coetanean, but dyed young."

One cannot help being sceptical about this mute inglorious Shakespeare. The Stratford butchers may have held Shakespeare's coetanean to have been his equal ; but their competence as literary critics may well be doubted. And the tale of Shakespeare killing calves in a high style has a suspicious air of romance about it. Yet Aubrey was by way of being a professional antiquary, and, most likely, collected his facts about Shakespeare on a visit to Stratford about 1662, when there must have been many people living who remembered the poet. Not only are the old writers meagre, and untrustworthy, but, very little definite information as to Shakespeare's life can be gleaned from the plays and poems themselves.

The ingenuity of countless commentators has from this point of view been almost fruitless. It must be admitted that Shakespeare is the least autobiographical of writers. The personal allusions are so few, and so dubious, as to amount to nothing. Even the sonnets have been drawn almost blank. The identification of the Earl of Southampton with the patron whom Shakespeare belauds in so many of them may be regarded as certain, but beyond this all is obscure. The attempts to construct love-stories of Shakespeare's own out of the sonnets have failed. A wider acquaintance with sonnet literature in general shews how dangerous it is to find revelations of personal passion in a form of writing which had become at that time so profoundly conventional. It was the fashion for young poets of twenty-five or thereabouts to speak of themselves as tottering to the grave, to inveigh against the cruelties of dark-eyed beauties, and to call upon heaven to witness the pangs of despised love. "Lord bless you Sir," as Mr. Weller says, " they means nothing by it." It is not from these sources that the new light about Shakespeare has come.

It is a remarkable tribute to modern methods of research that a schoolboy can now have a fuller, and more accurate,

knowledge of Shakespeare's life, than the professional critics of a century ago. This result has been reached by the labours of many students. Every scrap of evidence in parish registers, state-papers, legal documents, contemporary writings, has been collected and minutely examined by experts. In short, every quarter has been searched. More is known about Shakespeare, because more is known about the Elizabethan drama, and the stage life of that period.

But when all is said, the ascertained facts have to be eked out by a liberal use of hypotheses. This is notably the case about Shakespeare's marriage. The known facts are few, yet there is quite a literature on the subject, partly devoted to explaining away some of the facts which are known. "Facts are stubborn chiels, an' winna ding," and one of them is that the license for Shakespeare's marriage was granted at the end of November 1582, probably on November 28th. Another is that his daughter Susannah was baptized on May 26th, 1583. A favourite hypothesis is that Shakespeare had been formally betrothed to Anne Hathaway some months before the ecclesiastical marriage, and that these espousals were, at that time, regarded as equivalent to a valid, though irregular marriage. It is this hypothesis which I propose first to examine. The probabilities in its favour can not be estimated, without some knowledge of the old law of espousals.

Few chapters in the history of the law are more interesting than that which deals with marriage. Besides the human interest of the subject, it shews a struggle between the church and the state, each striving to obtain control of this, the central institution of society. Is marriage to belong to the ecclesiastical courts, or to the civil courts, or is there to be a compromise? Is the church to be left to judge whether there is a marriage at all, leaving it still open to the king's judges to decide that there is not such a marriage as will give the wife her dower, or produce some of the other effects of lawful marriage. The law of espousals was a part of the canon law which applied for centuries throughout Christendom.

By the law of Catholic Europe, before the decrees of the

Council of Trent in 1563, it is undoubted that marriage could be solemnised without the presence of a priest, or of any public official. Marriage was a sacrament ; but like the sacrament of baptism it did not require to be administered by a priest. Thus John de Burgh, a dignitary of the English church, who wrote, in 1358, his well-known book with the quaint title *Pupilla Oculi*, says on this subject ; " of the minister of this sacrament it is to be observed that no other minister is to be required distinct from the parties contracting, for they themselves for the most part minister this sacrament to themselves, either the one to the other, or each to themselves."

The mere consent of a man or a woman to take each other for husband and wife created by the canon law a veritable marriage. The consent, of course, must be to take each other there and then. They must say " I, M. take thee N. to my wedded wife, and I, N. take thee, M. to my wedded husband," or use other equivalent words. That is, there must be, as the canonists called it, *sponsalia de praesenti*. A promise to marry at a future date, *sponsalia de futuro*, was not a marriage. But it might be shewn by the conduct of the parties that, although they had at first only promised to marry each other at a future time, they had afterwards changed this promise of marriage into a veritable and present marriage. According to the doctrine of the church, a marriage might be valid, though it was absolutely impossible to prove it in a court of law. (Esmein, *Le Mariage en Droit Canonique*, v. 1, p. 191.)

For the canon law made up in strictness with regard to the proof of the marriage for the laxity of its rules as to the formation of the marriage-bond. It is a general rule of evidence that the admission of the defendant to an action is sufficient proof as against him,but in this case such a rule was too dangerous to accept. For otherwise any unscrupulous husband who wanted to be freed from a distasteful marriage, contracted, it might be, with all the ceremonies of the church, would have needed only to find a woman willing to agree with him in swearing that they two had contracted a secret marriage at a

time before the man entered into the open marriage from which he wished to be relieved. Accordingly, as regards these absolutely secret marriages without witnesses, the rule of the church law was *clandestinum matrimonium manifesto non praejudicat.* But this maxim did not apply when the marriage, although clandestine, and without the presence of a priest, could nevertheless be proved by legal evidence. It is not necessary here to explain the rules of evidence in the canon law further than to say that written proof was only admissible subject to many limitations. Practically speaking, a clandestine marriage, if proveable at all, had to be proved by two unexceptionable witnesses.

An instance of such a marriage proved in the Consistory Court at Worcester, in 1584, has been unearthed by the diligence of a recent writer, Mr. J.W. Gray, who has ransacked to good purpose the Worcester Diocesan Registry for documents that might throw light on Shakespeare's marriage. The report of this case gives a charming picture of the way in which a clandestine marriage was entered into,and I make no apology for quoting it : " On July 9th. 1584, John Woodward of the city of Gloucester, broad weaver, deposed ' that aboute a fortnight before Christmas last past, the certen day otherwise he remembreth not, this jurat, and one John Balie, were at one Andrew's howse, at Beckford, in the countie of Gloucester, brother-in-law to the said Elizabeth Fisher. And one the back side of the same howse this jurat and the said John Balie sent for the said Elizabeth Fisher to come, and talke, with them. Upon hir cominge unto them this jurat examined hir what good likinge there was betwene Henry Nicolson and hir, who answered verie good likinge, for I have had divers suitors which sought my good will, yet I never liked of any one so well as of him, and if I had five hundred pounds, I could find in my hart to make him master of hit. And further this jurat demanded of hir whether she did thinke in hir conscience if Henry Nicolson and she were man and wife before God, or not, who answered by hir faith, and truthe, she verily believid hit in hir conscience. Herupon, this examinat axed hir

whether she could willingly wishe that the said Henry Nicolson and she might be betrothed and contracted the one to the other, and she answered willingly, this deponent wishing hir to take heed that she did it willingly, of hir owne consent, without any procurement. and so willed them both to take hands, who so did, this jurat using these words. Henry, will you take this woman to your wife, forsaking all other, and he answered ; yea by his truthe ; and after this jurat used the like words to the sayd Elizabeth, *mutatis mutandis*, who answered that for his sake she was content to forsake all other, and to him to give hir faith, and truth, and so losed their hands, and kissed together.' "

The Council of Trent did away with all this, and made it necessary for the parties to be married by the parish priest of one of them, unless the bishop, or the parish priest, authorised some other priest to perform the ceremony. This was an admirable piece of legislation, and swept away many abuses. Before that time hundreds of people in every country must have been in the uncomfortable position of not knowing whether they were securely married or not, and others who knew that they were married but had no means of proving it. The unexpected proof of one of these secret, and irregular marriages, might break up a second marriage into which one of them had entered.

But in England the decrees of the Council of Trent never had any efficacy, because England had broken away from the papal supremacy nearly thirty years before they were promulgated. So that when Shakespeare was married in 1582, the law applicable to his marriage was the old common law of England. Now the first point which the apologists of Anne Hathaway would have to establish is that, under that law as by the canon law of the rest of Europe, a betrothal or promise of marriage, if followed by cohabitation, was an actual marriage.

This is one of the most thorny questions in the history of English law. Those malicious persons who take pleasure in the uncertainties of legal opinions will be encouraged to hear

that the best modern authorities are inclined to believe that all the judges in England, except three learned Lords, fell into error on this point in 1843. It is curious that the mediaeval learning of the canonists on the subject of *sponsalia de præsenti*, and *sponsalia de futuro*, which was thrown into the lumber room of legal antiquities in the countries which accepted the decrees of the Council of Trent should have been a subject of practical interest in England in 1843. It is still stranger, perhaps, that Scotland, the most Protestant country of Europe, still retains to a great extent the marriage law of the mediaeval church.

Irregular marriages in England had been abolished in 1754 by Lord Hardwicke's Act which Blackstone with a touch of pathos calls "an innovation upon our ancient laws and constitution." Persons of a less conservative habit of mind will be disposed to think that the innovation was made none too soon. It was high time to put a stop to the Gretna Green marriages, and the marriages by clergymen imprisoned for debt in the Fleet prison, even at the risk of depriving the novelist of a part of his stock in trade.

Of absolutely secret marriages, in England, in the sense of marriages contracted without the presence of any clergyman at all, we hear singularly little. But such a case as that of Goole v. Hudson, decided by the Court of Arches in 1733, reminds us that the law of *sponsalia de praesenti* was still in force in England at that time. In that case a clergyman who was a widower over 50 years of age was anxious to marry the daughter of a parishioner. As the young lady was a minor, and her parents were not willing to consent to the marriage, the clergyman persuaded the girl to go through a form of marriage with him in the house, the ceremony consisting merely in saying "I, M. take thee, N." etc., and "I, N. take thee, M." and the giving of a ring. No witnesses were present.

Afterwards, the young lady changed her mind, and married somebody else *in facie ecclesiae*. The clergyman then came forward, and brought an action to have this second marriage set aside, the secret marriage declared valid, and an

order made for its formal solemnization. The girl admitted the secret ceremony, but said it had all been a jest. This would have been a good defence, if proved. Otherwise private theatricals would be even more dangerous than they are. But in this case the court believed that at the time of the secret marriage, both the parties were in earnest, and accordingly the second marriage was set aside, and the girl was ordered to marry the clergyman in a formal manner. Innovations seem certainly called for when such things were possible. It is worth observing that, although in this case, the priestly office of the husband probably affected the imagination of the bride, and encouraged her to think that she was going through a regular ceremony, his clerical dignity was entirely without legal significance. The secret marriage would have been equally good, if he had been a layman. For according to the doctrine of the Catholic Church, at any rate before the Council of Trent, it is quite clear that, even in a regular marriage, the priest does not marry the parties. They marry each other in his presence, and he declares them married. He is there, in fact, as a special kind of witness, just as for certain purposes the presence of a notary is necessary

It is to be feared that, of the many persons who study the marriage-service of the English Church, few approach it in an historical spirit. This is regrettable, for that ritual has been described by high authorities as a cabinet of legal antiquities. To those who read between the lines it is pretty clear that it preserves the old Catholic view. When the minister, addressing the people says, " I pronounce that they be man and wife together," he is declaring what is already a *fait accompli*. The ritual is of course much older than the Book of Common Prayer. The words of troth can be traced back to the thirteenth century, and are probably much earlier, and it is well known that, according to old usage, the ritual, as far as the giving of the ring, was a separate service performed at the door of the church, after which, and not necessarily on the same day, the parties entered the church, and the second part of the service, as we now have it, was performed. This

consists of the priestly benediction upon the union, of psalms, and prayers, and of the sermon or lesson on the duties of man and wife.

All the learning about *sponsalia de praesenti* had been pretty well forgotten in England in the year 1843, when the judges were suddenly confronted with the question, whether by the common law there could be a valid marriage without the presence of a priest. The famous case of the Queen *v.* Millis originated in a trial for bigamy. A man went through a form of marriage in Ireland before a Presbyterian minister, and afterwards, whilst his first wife lived, entered into a second marriage before a clergyman of the established Church of Ireland. The court held that the marriage by a Presbyterian minister was the same as if no clergyman had been present, as he was not a priest in orders. It was then maintained that, even treating the Presbyterian minister as a layman, there was a valid marriage, though an irregular one. The judges of the Irish Court of Queen's Bench were equally divided on this point, and so was the House of Lords, when the question came before them. It was consequently held that the crime had not been committed, and that the ceremony before the Presbyterian minister was no marriage. In this case the House of Lords adopted a practice sometimes employed by them in cases of great difficulty and importance, namely, asking the judges of England as a body for their opinion. The judges gave a unanimous opinion that the exchange of consent before the Presbyterian minister, and other witnesses, was not a marriage. They admitted, however, that it was something uncommonly like a marriage.

It created an indissoluble bond between the parties, so that they could not release each other, and if either of them married a third party during the lifetime of the other, this marriage could be annulled by a suit in the Spiritual Court, and the party compelled to solemnize *in facie ecclesiae*, the marriage to which he had bound himself by the *sponsalia*. In the Queen *v.* Millis it was not held that the second marriage was valid, but that there was no bigamy, because the ceremony

before the Presbyterian minister was not an actual, and complete, marriage. In fact, so far from having two wives at the same time Mr. Millis had no wife at all, except a wife whose tenure was altogether precarious, seeing that the marriage which had been regularly solemnized was liable to be set aside at the suit of the lady who, although not a wife, had an indefeasible right to become one.

According to the law of the Queen *v.* Millis the common law of England required for the validity of a marriage that it should be performed in the presence of a regularly ordained minister of the English church. In the subsequent case of Beamish v. Beamish, Willes J. —*clarum et venerabile nomen*—shewed with remarkable learning that, if the presence of a clergyman was necessary, it was only for the sake of publicity. The law did not require him to perform any religious ceremony. It was assumed in these cases that, since, the Reformation, the clergyman might be only in deacon's orders. I may remark in passing that the competence of a deacon to solemnize marriage is not admitted by some eminent authorities of the Anglican church, as matter of church order, though they allow that the courts would regard the marriage as valid.*

The curious half-way house to marriage which, according to the judgement in the Queen *v.* Millis, was created by the *sponsalia de praesenti*, or its equivalent, was rudely shaken by Willes J. Since that time the researches of learned students of the canon law, especially those of Friedberg, and Freisen, in Germany, and of Esmein in France, have completely knocked away its foundations. It is simply incredible that, on a matter touching the essence of one of the sacraments, the old ecclesiastical law of England should have differed from that of the rest of Christendom. If marriage could be constituted without a clergyman in France, Germany, and Italy, until 1563, the Spiritual Courts in England, from which, be it re-

* Blunt's Book of Church Law 9th ed. p. 205 against the deacon, and some authorities in Whitehead's Church Law 2nd. ed. p. 110, in his favour.

membered, there was an appeal to Rome, could not have maintained another theory.

All this seems pretty far from Anne Hathaway. Let us assume her to have been as wise in the matter as were the judges of England in 1843. If there had ever been any *sponsalia* in the presence of witnesses between her and William Shakespeare, no one will blame her for regarding herself as married. But the weakness of the hypothesis lies in the fact that there is not a scrap of evidence in favour of any such formal betrothal. It requires no exceptional knowledge of human nature to feel safe in assuming that promises of marriage were then, as now, made by preference on an occasion when no witnesses were present. We cannot say with certainty whether this was so in Anne's case, but assuredly there is no evidence, nor presumption, in favour of the contrary.

But the question of the irregular marriage is by no means the only difficulty which confronts the student of Shakespeare's matrimonial life. Some doubting spirits go so far as to question whether Shakespeare ever married Anne Hathaway at all. The register of the Bishop of Worcester records that a license was granted on November 27th. 1582, for a marriage between William Shaxpere and Anne Whately of Temple Grafton. The next day a bond was signed by two sureties on the issue of a license for a marriage between William Shagspere and Anne Hathwey of Stratford-upon Avon.

Here is a field for research, and one is not surprised to find students settling down upon it like bees on a field of clover. I am content to dismiss on high *a priori* grounds the supposition that Shakespeare was married, at about the same time, both to Anne Hathaway and to Anne Whately. It is far more probable that there were two William Shakespeares in the diocese of Worcester, whose marriages happened to coincide. Another theory is that the clerk who made a note of the names of the parties who applied for a license wrote so badly that, when his note was copied into the register, Hathwey was read as Whately. But we have no knowledge as to such a note having ever existed; and the clerk must in-

deed have written a vile hand, if Stratford-upon-Avon could be read as Temple Grafton.

This is one of the many instances in which research has led to trouble. Everybody knew that Shakespeare married Anne Hathaway of Shottery, until the mischievous thought occurred to someone to burrow in the bishop's register. Now our mind is clouded with doubt by the impertinent intrusion of Anne Whately. But I do not for a moment believe that she married the poet. There is a curious piece of evidence for Anne Hathaway having been Shakespeare's wife in the will of Thomas Whittington, corroborating the local tradition which, on such a point, could hardly have been wrong when Rowe put it down in 1709. According to the inscription on Anne Shakespeare's tombstone in Stratford church she was sixty-seven when she died in 1623. She must therefore have been twenty-six in 1582, that is eight years older than her husband. That was not a promising beginning. The disparity of years was more serious, I think, than if they had both been ten years older.

One writer says that "a premature knowledge of the world, and the early maturity often associated with great genius, gave Shakespeare advantages quite equal to those which the woman derived from her greater age and experience." I cannot think that this opinion shews much knowledge of the world, premature, or otherwise. When Arthur Pendennis, at eighteen, desired to marry Miss Costigan who was twenty six, he wrote to his uncle in these terms, "Although Miss Costigan is some years older than myself, that circumstance does not operate as a barrier to my affection, and I am sure will not influence its duration. A love like mine, Sir, I feel is contracted once and forever." Major Pendennis had too much knowledge of the world to share his nephew's confidence.

Mr. Sidney Lee is disposed to read as a personal reference to Shakespeare's case the words in *Twelfth Night*:

"Let still the woman take
"An elder than herself; so wears she to him,
"So sways she level in her husband's heart."

I must say I think it rather hard on Anne to assume that there was any thought of her in this passage, but as matter of general principle the advice is good.

The evidence is too slight to warrant the inference that Shakespeare's marriage was unhappy. But such facts as we know point rather in that direction. It is pretty certain that Shakespeare left Stratford for London not very long after the marriage, perhaps in 1585, and that for a considerable number of years he lived in London away from his wife and children, in the society of actors and playwrights, many of them persons not conspicuous for living according to strict rules. But when we consider that, in 1584, Shakespeare who was not yet twenty-one years of age, and, for all that appears, possessed of the most slender resources, found himself already the father of three children—the twins Hamnet and Judith were baptised on February 2nd, 1584-85—he may well have felt it was time to take strong measures.

Very few young authors who have gone up to London to make their fortunes succeed as well, even from the pecuniary point of view. In 1597, Shakespeare was able to buy the largest house in Stratford town, and between that date and 1611 he gathered together quite a considerable estate. During the last five years of his life, 1611-16, Shakespeare lived at Stratford in great comfort, and prosperity, and it would seem, in the society of his wife and family. It would not be easy to find many instances of the actor-author realizing as Shakespeare did a handsome fortune, and going back to occupy in his native town the position of the leading citizen.

In money matters he was by no means a child as Cecil Rhodes said of the Oxford Dons. He seems, on the contrary, to have shewn in his business dealings shrewd sense, and sound judgement.

In trying to estimate Shakespeare's matrimonial happiness, possibly too much weight has been laid on the mention of his

wife in his will. But it remains a striking fact that, in the draft will, her name did not appear, and that it was only by an interlineation that she got anything. As a second thought these words were added, "item, I gyve unto my wife my second best bed with the furniture."

It is likely enough that Shakespeare knew that his daughter Mrs. Hall who got nearly all his estate would take care of her mother; but, if his wife had been his first consideration, some more definite position of independence would have been insured to her. I concede willingly that the qualification "second best" ought to be taken in as favourable a sense as possible. Probably, the "second best bed" was her own bed, and the "best bed" a bed in a guest-room. Some modern writers, including Mr. J. W. Gray, are inclined to minimize everything which tells rather against Anne.

This is a lenient age. A recent book about the Borgias represents them as an amiable and enlightened family, whose picturesque eccentricities have been cruelly misunderstood. It is very possible that Anne Shakespeare was a respectable, and sensible woman, but there is nothing to suggest that she possessed any of the wit and charm which Shakespeare of all men knew how to appreciate. One cannot help suspecting that the old tradition is correct and that Shakespeare married in haste, and repented at leisure.

After all the researches, obscurity still shrouds much of Shakespeare's life. It is not known with certainty whether he was born on April 22nd. or April 23rd. 1564, or if he was born in his official "birthplace," or in the next house. But at a time when the origin of life, and the ultimate nature of the stuff out of which the world is made, are problems which scientific men do not despair of solving, these little riddles may well be left to days of greater leisure.

F. P. Walton

# A PATENT ANOMALY

INDIVIDUAL ownership in lands, or goods, is not a natural right. It is, in civilized communities at least, based upon a convention which has been agreed to by a majority of the persons who constitute the society. This convention is liable to revision, or abrogation, at any moment which seems good to the community.

These principles apply to the ownership of an author in his book, of an artist in his picture, of an inventor in his invention. None of these persons claim exceptional treatment. They expect merely the same right of enjoyment in their creation as a citizen has in his house, or a farmer in his land. They are willing, however, to yield to the citizen, and to the farmer, a perpetual enjoyment of the fruit of his industry. They are content to restrict their own enjoyment of their property to a limited number of years.

In the United States this right is based upon the constitutional provision which enacts that "the Congress shall have power to promote the progress of science, and useful arts, by securing for limited times to authors, and inventors, the exclusive right to their respective writings, and discoveries."

In England the rights of inventors depend upon an enactment made in the reign of James I., in which is granted the privilege of the "sole working or making of any manner of new manufacture within the realm to the true and first inventor of such manufacture, which others, at the time of making such letters patent and grants should not use, so they be not contrary to law, nor mischievous to the state, by raising of the prices of commodities at home, or hurt of trade or generally inconvenient."

In Canada the latest regulations concerning patents are embodied in the amending Act of 1897, and in the amend-

ments of 1903. There is no theoretical discussion of the rights of an inventor. The law reads: "Any person who has invented . . . may . . . on compliance with the other requirements of this Act obtain a patent granting to such person an exclusive property in such invention."

In the United States ownership is actually conferred upon the inventor by the terms "exclusive right to make, use, and vend the invention or discovery." In Canada the rights of the inventor are vitiated by the clause, "compliance with the other requirements of this Act." The present intention is to consider those "requirements" which leave to Canada the distinction of being the only civilized country in the world, in which the ownership of an invention is vitiated in the very patent which assumes to grant the right.

The fatal defect in the title lies in the "requirement" as set forth in Section 37, which provides "that the patent shall be null and void at the end of two years unless the patentee within that period, or any authorized extension thereof, commence, and after such commencement, continuously carry on in Canada, the construction or manufacture of the invention patented, in such a manner that any person desiring to use it may obtain it or cause it to be made for him at a reasonable price, at some manufactory or establishment for making or constructing it in Canada." The Canadian Act in its wording follows closely the English arrangement, except in the obligation to manufacture, and the prohibition to import. This clause is not new in Canadian legislation. It was a feature in the Act of 1883, which the present one supersedes.

Upon the face of the law it might appear that this provision served a wise purpose in putting at the disposal of the public all new aids to industry, and convenience. The English law provides that a patentee can be compelled to grant licences to persons who are able to show that the reasonable requirements of the public, in respect to the invention, are not being supplied. In the United States, however, no such recourse is thought to be necessary. The legislators

seem incapable of the suspicion that a man could be in possession of a good thing, and not work it for all it was worth.

It is quite open to the Canadian Government to take the ground that it is not in the public interest to confer privileges upon an inventor; but if that is the case, it should be stated openly, rather than concealed under cover of an Act which assumes to establish the contrary principle. It will not be difficult to make it clear that this obligation to manufacture defeats the ostensible purpose of the law.

It is understood that we are dealing with inventions of real value, not with those foolish vagaries upon which ignorant visionaries waste their time and substance. But even in such case a reservation is necessary. No one could have guessed that the "unpractical" apparatus of two metals, and a frog's legs, was the germ of Galvanism ; or that Farady's discovery that the rotation of a simple coil of wire in a magnetic field would have resulted in the dynamo which, in turn, is the central force in all electrical power development.

Let us now reconstruct the experience of an inventor in Canada. By years of patient toil based upon equally long years of education and experience, a man perfects a method by which, as he believes, messages may be transmitted from place to place without the use of wires, employing only two sets of mechanism at the distant points. He patents his invention. Then his trouble begins. Inventors, as a rule, are not capitalists. He applies to a company doing a similar business by telephone or telegraph. These companies will not under any circumstance assist in the production of an appliance which, if it is successful, might ruin their business. The most they might do is to purchase his rights, and that would be largely upon their own terms, as we shall afterwards see.

Then the inventor applies to a manufacturer of electrical apparatus. But this person may have a hundred reasons for refusing to embark his capital in a new enterprise. He may have no capital to invest. He may not be convinced

of the value of the appliance. Probably he has had bitter experience of inventions which promised well, and failed, when put to the test of daily commercial use. But there is a more cogent reason still, why the inventor should be turned away. Let him select someone else, and induce him to undertake the cost of putting the appliance upon the market. If the venture fails he has lost his money. If it succeeds, he is then compelled by the Act, to sell the appliance at a "reasonable price" to his competitors who may have previously rejected the proposal. And the courts have determined that "a reasonable price" is based upon the ordinary cost, with profit added, of manufacturing, without reference to the value of the invention, or the remuneration of the inventor.

It is conceivable that one might fail to find in Canada a manufacturer who would undertake the appliance. There are but two large companies in the country with the plant to make the article which we have selected for illustration, and they would probably be influenced by the same motives. Certainly they have disclosed remarkable skill in discovering the mind of each other in respect of rates, and terms of contracts. It is also conceivable that a company might engage in negotiations until the two years were about to elapse, and then withdraw, in which case the rights of the patentee would lapse, and his invention be open to the world. Companies have been known to do worse things. It is quite true that the commissioner of patents may, of his own good pleasure, extend the two year period, but that is a favour which cannot be counted upon too securely.

It does not follow that, because a man has money, he is willing to expose it to the risk to which all business is liable. He may have other views entirely, as anyone can testify, who has engaged in the operation of selling a gold brick. It may be gold, but again it may not; and the man with money has other occupation than putting the matter to the test. Capitalists are not so simpleminded as the law-makers appear to suppose them to be.

The much chastened inventor then turns to the United

States. Presumably he has already protected his creation there. In a wider field, with manufacturers having abundant capital; and, it may be, more alert, he has less difficulty, especially since he is not bound down by the two years' limit, by which time in Canada, his invention would be open to all. If his idea is good, he reaps his reward.

These hardships are not so apparent in the simpler devices which any mechanic can construct, such, for example, as that marvel of ingenuity known as "pigs in clover." The position of the discoverer of a fundamental principle, or of a new application of it, is well-nigh hopeless. All the fundamental principles have been pretty well exploited, and the field of the inventor is limited to improvements. There is in Canada only one company which constructs machines for making shoes. If an engineer, or mechanic, has thought out an improvement, the best he can do is to offer it to his employer for such sum as he may be willing to give. If he refuse the price, the employer finds his retort in the patent law: "Go ahead and make your machine within two years; and then I will buy it from you at a reasonable price." In the United States the inventor can afford to wait; for, if his principle is sound, someone will want it before seventeen years shall have expired.

It was not until 1903, that even the partial validity of these contentions was recognized. On August 13th. an amending Act received assent, in which two important regulations were made. If the inventor was unable to manufacture his invention, he could protect himself by giving a license "on reasonable terms to any person desiring to use it." On the other hand, a customer who was dissatisfied might compel the inventor to issue a license, "upon such terms as the commissioner deems just."

Let us now turn to the position of the Canadian consumer who requires the article. The owner may supply him for one year from the United States, without vitiating his Canadian rights. Then, if he wishes to avoid the penalty, he makes an arrangement with a Canadian firm to produce

the article as a "by-product." The consumer is therefore compelled to purchase an article, hastily and perhaps carelessly made, or do without. He would be quite willing to import the article to which he has become accustomed, and pay the duty, but the patent law prohibits it. The Canadian manufacturer knows that the consumer cannot help himself, and that is not a condition of mind which makes for suiting a customer.

There is one thing more. Many comparatively trifling appliances are composed of many parts, some of which may require for their production the employment of highly specialized, and expensive, machinery. Few articles are entirely manufactured in any one establishment, and an inventor with the best will to conform with the law may find himself at the mercy of the one man who has the facilities for making any given part. He may require the services of a rolling-mill to produce one bar or bolt in his appliance; and the quantity which he requires may be so small that the machinery cannot be adjusted to his needs without excessive cost.

The Canadian patent law as it stands, benefits no one. The patentee, unless he is a capitalist, is helpless in face of the requirement that he shall be a manufacturer also. The Government is a loser, because importation of articles patented in Canada is prohibited. The consumer suffers, because he is compelled to accept the article as offered to him, or do without. The law is constructed in favour of the manufacturer; yet it does him a wrong also, because it makes him a monopolist, and therefore robs him of the incentive to do his best.

ANGUS MACFADYEN

# THE PSYCHOLOGY OF AMERICAN HUMOUR

ARTICLES upon American Humour, after an initial effort towards the dignity and severity of literary criticism, generally resolve themselves into the mere narration of American jokes and stories. The fun of these runs thinly towards its impotent conclusion, till the disillusioned reader detects behind the mask of the literary theorist the anxious grin of the second-hand story-teller. It is the aim of the present writer to effect something more than this, and to offer a contribution, however humble, to the theory of Æsthetics, and a study of those national characteristics which are associated with the particular domain of the æsthetics in question.

The following article is therefore intended to present a serious analysis of American humour as an art, and to discuss its relation to the character and history of the people among whom it has originated. In such a discussion it may well become necessary to introduce an actual citation of typical American jokes: but, where this is the case, it is done only in the interests of art, and with a proper sense of responsibility. I have, moreover, been at pains to select for illustration examples which are classical, and therefore not likely to excite laughter.

This is a somewhat venturesome task, and one for which the limits of the present paper are all too brief. The æsthetic theory of the humorous has been but little exploited, and never satisfactorily explained. It offers an open field for the talents of a future philosopher, or psychologist, who shall confine himself exclusively to the comic, and set up for us by his analysis the long-needed criterion of what is, and what is

not, amusing. The philosopher who will do this for the domain of mirth will not only benefit the theory of æsthetics, but may incidentally shed upon his own province a not unpleasing illumination.

It is not to be implied from this that none of the world's great philosophers, such as Kant, and Schopenhauer, have dealt with the analysis of humour. Several of them have done so, and have done so in a spirit which does them credit. Schopenhauer has told us,—I cannot quote his phrase exactly but merely give the rough, every-day, sense of his words,—that all those concepts are amusing in which there is the subsumption of a double paradox. This is a proposition which none of us will readily deny, and one which, if more widely appreciated, might prove of the highest practical utility. Kant, likewise, has said that in him everything excites laughter in which there is a resolution or deliverance of the absolute captive by the finite. It was very honourable of Kant to admit this. It enables us to know exactly what did, and what did not, excite him. But the difficulty remains that the philosophical school of analysts, in their fear of being thought light, frivolous, or over-intelligible in dealing with this subject have been led to envelop themselves in a thick haze of psychological terminology which the common eye is unable to pierce. The explanation of the humorous proceeds thus *ad obscurum per obscurius.* The presentation in simple language for simple people of a true theory of the ludicrous has yet to be made.

It is perhaps not difficult to understand why so few writers have attempted a painstaking and scientific analysis of what is humorous. There appears to be a sort of intellectual indignity involved in the serious study of the comic.

Catullus said long ago that "nothing is more foolish than a foolish laugh," and a recent French psychologist has added that "laughter is often an excellent symptom of intellectual poverty." It follows, therefore, that any man of attainment is unwilling that his name should be unduly associated with the seemingly lighter side of intellectual life. He does not

deny his own appreciation of the humorous. Indeed, by a strange inconsistency he shows himself highly sensitive in regard to it. Of his other faculties he is willing to admit the limitations. He is willing to make efforts to cultivate them. But his appreciation of humour he regards as a natural endowment, perfect in its degree, and needing no further cultivation. He even affects to consider the professional, or notorious humorist, with a kindly condescension, not unmixed with contempt. "There are obvious reasons," says Oliver Wendell Holmes, "why all reputable authors are ashamed of being funny. The clown knows very well that the women are not in love with him, but with Hamlet, the gloomy fellow yonder in the black coat and the plumed hat. The wit knows that his place is at the tail of the procession."

The initial task, then, of explaining the general nature of humour is difficult enough. But, even if this task were successfully accomplished, there remains the further difficulty of rightly explaining the essential nature of American humour. For this term does not necessarily apply to all humorous writings produced in the United States. The expression is not a geographical one, but ought to indicate certain dominant qualities, modes of thought and expression which mark off a distinctive literary product.

Even from this preliminary survey of the ground before us it can be seen that the subject under discussion is of no mean importance. Still further is its importance enhanced, when one realizes the peculiar position occupied by American humour in the general body of American literature. The quantity of American literature—worthy of the name—produced in the last one hundred years is notoriously small. Its quality is disappointingly thin. It is an evident fact which had better be candidly confessed than courteously concealed that we people of America have not shown ourselves a literary people. Taking us all together, black citizens and white, we outnumber the uni-colored people of the British Isles by two to one. We have long outnumbered them, and

a count of heads, dead and alive, for the whole nineteenth century would stand largely in our favour. Yet the great bulk of our reputable common literature of the past one hundred years has been written by the novelists, essayists, poets, and historians of the British Isles.

This literary sterility cannot be explained by lack of inspiration. What can be imagined more inspiring to the poet, or the novelist, than the advance of the outposts of American civilization into the wide valleys of the Ohio and the Mississippi, the conquest of the plains and the prairie, the first vision of the snow-clad mountains, or the mad rush of the treasure-seekers to the river valleys of the golden West? Yet of all this how little stands chronicled, or worthily recorded, in the imaginative literature of the age: only the feeble reproduction of reality offered in the pages of such mediocre writers as Fenimore Cooper, whose Indians forget their native taciturnity, to adopt the language of a New York State assembly-man, and whose youthful heroines speak the chiselled diction of the Massachusetts school-teacher. Or consider a moment the inspiration that should have been afforded by the great struggle against slavery, and the death grapple of the civil war: what have we of it as serious literature, save perhaps the pathetic prospect of Uncle Tom's dismantled cabin, and the assurance that John Brown's soul moves forward at a constant rate of acceleration? Of this relative literary sterility on our side of the Atlantic, there can be no denial, Explain it as we will, we cannot avoid the blame of it. We have the people, reckoned at least after the fashion of the census-taker; we have the inspiration, and for the production of ink, natural resources unsurpassed in the history of mankind. Shakespeare wrote on sheepskin with a quill pen; Chaucer was without the aid of dictionary or spelling book; Cicero used wax tablets, and the broken half of a pair of scissors; the Hebrew psalmodists wrote upside-down by candle-light,—yet these, and their like in London garrets, have made the literature of the world, and we of America, with our fountain pens, and linotypes, and electric presses,

cannot in a hundred years turn out more real literature than the patient scribe of a mediæval scriptorium might copy in as many weeks.

Now in this literary dearth there has been one salient exception, and this exception has been found in the province of humorous writing. Here at any rate American history, and American life, have continuously reflected themselves in a not unworthy literary product. The humorist has followed, and depicted, the progress of our western civilization at every step. Benjamin Franklin has shewn us the humour of Yankee commercialism, and Pennsylvanian piety—the odd resultant of the juxtaposition of saintliness and common sense. Irving has developed the humour of Early Dutch settlement—the mynheers of the Hudson valley, with their long pipes and leisurely routine; Hawthorne presents the mingled humour and pathos of Puritanism; Hans Breitmann sings the ballad of the later Teuton; Lowell, the Mexican war, and the Slavery contest; Oliver Wendell Holmes, the softer side of the rigid culture of Boston; Mark Twain, and Bret Harte, bring with them the new vigour of the West; and, at the close of the tale, the sagacious Mr. Dooley appears as the essayist of the Irish immigrant. No very lofty literature is this perhaps, yet faithful and real of its kind, more truly and distinctively American than anything else produced upon the continent.

All of this has been said but as a somewhat overbalanced introduction. Let me now invite my readers to take with me a sudden plunge into the uttermost psychology of the subject, comparable, I fear, in its recklessness with that taken of old time down a swift place into the sea.

The basis of the humorous, the amusing, the ludicrous, lies in the incongruity, the unfittingness, the want of harmony among things; and this incongruity, according to the various stages of evolution of human society and of the art of speech, may appear in primitive form, or may assume a more complex manifestation. The crudest and most primitive form of all 'disharmonies' is that offered by the aspect

of something smashed, broken, defeated, knocked out of its original shape and purpose. Hence it is that Hobbes tells us that the prototype of human amusement is found in the exulting laugh of the savage over his fallen foe whose head he has cracked with a club. This represents the very origin and fountain source of laughter. "The passion of laughter," says Hobbes, "springs from a sudden glory arising from a conception of some eminence in ourselves, as compared with the misfortunes of others." It seems but a sad commentary upon the history of humanity to think that the original basis of our amusement should appear in the form which is called demoniacal merriment. But there is much to support the view. "The pleasure of the ludicrous," says Plato, "originates in the sight of another's misfortune." Nay, we have but to consider the cruder forms of humour even among civilized people to realise that the original type still persists. The laughter of a street urchin at the sight of a fat gentleman slipping on a banana peel, the amusement of a child in knocking down ninepins, or demolishing a snow man, the joy of a school boy in breaking window panes,—all such cases indicate the principle of original demoniacal amusement at work.

Even in reputable modern literature we can find innumerable examples of merriment of the lower type created in this fashion. We are all familiar with Bret Harte's poem about the circumstances which terminated the existence of the literary society formed at the mining camp of Stanislow. The verse in which the fun of the poem culminates runs:

> Then Abner Dean, of Angels, raised a point of order, when
> A chunk of old red sandstone hit him in the abdomen,
> And he smiled a kind of sickly smile, and curled up on the floor,
> And the subsequent proceedings interested him no more.

Now this humour of discomfiture of destructiveness and savage triumph may be expected to appear not only among a primitive people, but also in any case where the settlement of a new country reproduces to some extent the circumstances of primitive life. One can therefore readily understand that

it enters freely into the composition of the humour of American Western life. The humour of the Arkansas mule, of the bucking broncho, of the Kentucky duel, is all of this primitive character. Mark Twain's earlier and shorter sketches contain much material of this sort. An excellent illustration of it is found in the essay called "Journalism in Tennessee." The following extract therefrom, a little abbreviated for the sake of condensation, may be offered in citation:

> The Editor of the Johnson County *Warwhoop* was dictating an article to Mark Twain, the Associate Editor, on the Encouraging Progress of Moral and Intellectual Development in America, when, "in the midst of his work somebody shot at him through the open window and marred the symmetry of his ear. "Ah, "he said, "that is that scoundrel, Smith of the *Moral Volcano*, he was due yesterday." He snatched a navy revolver from his belt, and fired. Smith dropped, shot in the thigh. The Editor went on with his dictation. Just as he finished a hand grenade came down the stove pipe, and the explosion shattered the stove into a thousand fragments. However, it did no other damage than to knock out a couple of my teeth. Shortly after, a brick came through the window, and gave me a considerable jolt in the back. The chief said: "That was the colonel likely." A moment after, the colonel appeared in the doorway with a dragoon revolver in his hand. "I have a little account to settle with you," he said: "if you are at leisure we will begin." Both pistols rang out at the same moment. The chief lost a lock of his hair, and the colonel's bullet ended its career in my thigh. The colonel's left shoulder was chipped a little. They fired again. Both missed their men this time, but I got my share, a shot in the arm. I said I believed I would go out and take a walk as this was a private interview. Both gentlemen begged me to keep my seat.

It will of course be readily seen that the humorous quality of the above is of a mixed character, but the discomfiture of the associate editor enters largely into it.

Now, this primitive form of fun is of a decidedly anti-social character. It runs counter to other instincts, those of affection, pity, unselfishness, upon which the progressive development of the race has largely depended. As a consequence of this, the basis of humour tends in the course of social evolution to alter its original character. It becomes a condition of amuse-

ment that no serious harm or injury shall be inflicted, but that only the appearance or simulation of it shall appear. Indeed Plato himself adds, as a proviso to the definition which I have quoted above, that the misfortune which excites mirth in question must involve no serious harm. Hence it comes about that the sight of a humped back, or a crooked foot, is droll only to the mind of a savage or a child; while the queer gyration of a person whose foot has gone to sleep, and who tries in vain to walk, may excite laughter in the civilized adult by affording the appearance of crooked limbs without the reality. This is perhaps what Kant meant by the resolution of the absolute. On the other hand, perhaps it is not.

When the development of humour reaches this stage its basis is shifted from the appearance of destructiveness and demolition to that of the *incongruous*. Man's advancing view of what is harmonious, purposeful and properly adjusted to its surroundings, begins to cause him a sense of intellectual superiority, a tickling of amused vanity at the sight of that which misses its mark, which betrays a maladjustment of means to end, a departure from the proper type of things. The idea of contrast, incongruity, of the false semblance between the correct and the incorrect, becomes the basic principle of the ludicrous.

To this stage of the development of the ludicrous belongs the amusement one feels at the sight of a juggler swallowing yards of tape, or of a circus clown wearing a little round hat the size of a pill-box.

Much of the humour of the farce and the pantomine, the transformation scene of the musical comedy, and the medley of the circus ring is of this class. Just why such appearances should excite laughter, why the sense of pleasure experienced should manifest itself in certain muscular movements, is a physiological, and not a psychological problem Herbert Spencer tells us that the thing called a laugh is a sort of explosion of nervous energy, disappointed in its expected path, and therefore attacking the muscles of the face. Admirers of Spencer's scientific method may find in this

plausible statement a pleasing finality, though why the explosion in question should attack the face rather than other parts of the body still seems a matter of doubt.

To this secondary stage of development is to be assigned the first appearance of the mode of humour called wit. Wit depends upon a contrast or incongruity affected by calling in the art of words. "It is," says Professor Bain, "a sudden and unexpected form of humour, involving a play upon words." "Wit," writes Walter Pater, "is that unreal and transitory form of mirth, which is like the crackling of thorns under a pot." "It consists," says another modern authority, Mr. Lilly, "in the discoveries of incongruities in the province of the understanding." If the view here presented be correct, wit is properly to be regarded not as something contrasted with the humorous but offering merely a special and, relatively speaking, unimportant subdivision of a general mode of intellectual operation: it presents a humorous idea by means of the happy juxtaposition of verbal forms.

Now this principle of intellectual pleasure excited by contrast or incongruity, once started on an upward path of development, loses more and more its anti-social character, until at length it appears no longer antagonistic to the social feelings, but contributory to them. The final stage of the development of humour is reached when amusement no longer arises from a single 'funny' idea, meaningless contrast, or odd play upon words, but rests upon a prolonged and sustained conception of the incongruities of human life itself. The shortcomings of our existence, the sad contrast of our aims and our achievements, the little fretting aspiration of the day that fades into the nothingness of to-morrow, kindle in the mellowed mind a sense of gentle amusement from which all selfish exultation has been chastened by the realisation of our common lot of sorrow. On this higher plane humour and pathos mingle and become one. To the Creator perhaps in retrospect the little story of man's creation and his fall seems sadly droll.

It is of this final stage of the evolution of amusement that one of the keenest of modern analysts has written thus,—

'when men become too sympathetic to laugh at each other for individual defects or infirmities which once moved their mirth, it is surely not strange that sympathy should then begin to unite them, not in common lamentation for their common defects and inferiorities, but in common amusement at them." This is the sentiment that has inspired the great masterpieces of humorous literature,—this is the humour of Cervantes smiling sadly at the passing of the older chivalry, and of Hawthorne depicting the sombre melancholies of Puritanism against the background of the silent woods of New England. This is the really great humour,—unquotable in single phrases and paragraphs, but producing its effect in a long-drawn picture of human life, in which the universal element of human imperfection,—alike in all ages and places, —excites at once our laughter and our tears.

From this general settling of the subject let me turn to the more immediate consideration of American humour as such, and inquire what special sources of contrast and incongruity, what particular modes of thought and expression might well be engendered in American life, and reflected in American writing. Perhaps the most evident, and the most far reaching, factor in the question is the circumstance that we Americans are a new people, divorced from the traditions, good and bad, of European life, and are able thereby to take a highly objective view of European ideas and institutions. Our freedom from the hereditary and conventional view has enabled our writers to take an 'outside' view of things, and to discover many contrasts and incongruities hidden from the European eye. We have been able to view the older civilization from a distance, and to judge it on its merits. The objective view,—the deliberate insistence in judging things as they are, and not as hallowed tradition interprets them,— forms the essential 'idea' of much of what is considered typically Yankee humour. It is one of the leading qualities in the humour of Franklin's Poor Richard, of Major Downing, of Sam Slick and of Hosea Biglow. It is connected essentially with the development of Yankee character, and of the Yankee

view of the outside world." A strange hybrid indeed," said an English writer half a century ago, "did circumstance beget in the new world upon the old Puritan stock, and the earth never before saw such mystic practicalism, such niggard geniality, such calculating fanaticism, such cast-iron enthusiasm,such sour-faced humour, such close-fisted generosity."

This peculiar vein of Yankee character has nowhere been better exploited for purposes of humour than in James Russell Lowell's "Biglow Papers." Here we have New England wisdom detached from the conventional view of things; how complete and surprising this detachment may sometimes appear is seen in the poem on the Mexican war, intended as a protest against the rampant militarism of the Southern Expansionists, in which occurs the following verse:

> We were getting on nicely down here in our village,
> With old fashioned ideas of what's right, and what aint,
> We thought the apostles weren't given to pillage,
> And that epaulettes aren't the best mark of a saint
> But John P.
> Robinson—He
> Says they didn't know everything down in Judee.

A great deal of Mark Twain's humour rests upon a similar basis. The humorous contrast is found by turning the 'artistic innocence' of the western eye to bear upon the civilisation of the old world. The result is amply seen in those two most amusing of American books, "The Innocents Abroad" and the "New Pilgrims Progress." A few words from a preface written by Mr. Hingston for an English edition of the "Innocents" admirably develop the fundamental basis of the contrast here utilized as a source of humour."

"From the windows of the newspaper office where Mark Twain worked (the office of the *Territorial Enterprise*, of Virginia City,Nevada) the American desert was visible: within a radius of ten miles Indians were encamped among the sage bush: the whole city was populated with miners, adventurers, traders, gamblers and that rough and tumble class which a mining town in a new territory collects together. He visited Europe and Asia without any of the preparations for travel which most

travellers undertake. His object was to see things as they are and record the impressions they produced upon a man of humorous perception, who paid his first visit to Europe without a travelling tutor, a university education or a stock of conventional sentimentality packed in a carpet bag. He looked at objects as an untravelled American might be expected to look, and measured men and manners by the gauge he had set up for himself among the gold-hills of California and the silver mines of half-civilized Nevada."

It will be understood that a humorist enjoying the special advantage of so profound an ignorance was in a position to make amazing discoveries. I regret that the limited space at my disposal prevents an elaborate citation from Mark Twain's descriptions of Europe. But perhaps his reflections upon the old masters and their works in the picture galleries of Italy may serve as illustrative:

"The originals," he writes, "were handsome when they were new, but they are not new now. The colors are dim with age; the countenances are scalled and marred and nearly all expression is gone from them; the hair is a dead blur upon the wall. There is no life in the eyes. But humble as I am and unpretending in the matter of Art, my researches among the painted monks and martyrs have not been wholly in vain. I have striven hard to learn. I have had some success. I have mastered some things, possibly of trifling import in the eyes of the learned but to me they give pleasure and I take as much pride in my little acquirements as do others who have learned far more and who love to display them fully as well. When I see a monk going about with a lion and looking tranquilly up to heaven, I know that that is Saint Mark. When I see a monk with a book and a pen, looking tranquilly up to heaven and trying to think of a word, I know that that is Saint Matthew. When I see a monk sitting on a rock, looking tranquilly up to heaven with a human skull beside him and without any other baggage, I know that it is St. Jerome. When I see other monks looking tranquilly up to heaven but having no trademark, I always ask who these parties are. I do this because I humbly wish to learn. I have seen thirteen thousand St. Jeromes, twenty-two thousand St. Marks, sixteen thousand St. Matthews and sixty thousand St. Sebastians, together with four million of assorted monks undesignated, and I feel encouraged to believe that when I have seen some more of these various pictures and had a larger experience I shall begin to take a more absorbing interest in them."

As a subdivision of this Yankee humour which finds its starting point in the unprejudiced wisdom of the detached mind, is to be reckoned another mode of literary expression characteristic of the New England cast of thought. This is the production of a humorous effect by the affectation of a deep simplicity, a literary quality which perhaps had its root in the shrewdness in bargain-driving, highly cultivated among a people pious but pecuniary. No one was a greater master of this style than Artemus Ward. Ward was perhaps a comedian rather than a humorist. His early death prevented his leaving any great literary legacy to the world, but his lectures in New York, and London, of forty years ago are still held in kindly recollection. It was his custom to appear upon the platform in what seemed a deep and embarrassed sadness; to apologize in a foolish and hesitating manner for the miserable little 'panorama' lighted with wax candles which was supposed to offer the material of his lecture; to regret that the moon in the panorama was out of place; then in a shamefaced way to commence a rambling "Lecture upon Africa" in which, by a sort of inadvertence, nothing was said of Africa till the concluding sentence, when with a kind of idiotic enthusiasm which he knew so well how to simulate, he earnestly recommended his audience to buy maps of Africa, and study them. The following little speech made in explanation of his panorama may be taken as typical of his style:

> "This picture," he used to say, "is a great work of art; it is an oil painting done in petroleum. It is by the Old Masters. It was the last thing they did before dying. They did this, and then they expired. I wish you were nearer to it so that you could see it better. I wish I could take it to your residences, and let you see it by daylight. Some of the greatest artists in London come here every morning before daylight with lanterns to look at it. They say they never saw anything like it before, and they hope they never shall again."

Somewhat similar in conception is the wilful simplicity of his statement,—"I was born in Massachusetts, but I think I must have been descended from an old Persian family

as my elder brother was called Cyrus." On one occasion he startled a London audience by beginning his lecture with the words, "Those of you who have been in Newgate"—The audience broke into laughter. Ward looked at them in reproach and added,—"and have stayed there for any considerable time." Of a cognate character is the ultra-simple announcement which he printed at the foot of his lecture programme: "Mr. Artemus Ward must refuse to be responsible for any debts of his own contraction."

Among more modern writers Mr. Edgar Wilson Nye, has fully availed himself of this truly American principle of the deliberate assumption of simplicity. The episode of his visit to the Navy-Yard in the days before Mr. Roosevelt, when the American Navy was a proper target of national scorn, is a fine example of a humorously wilful misconception of the purpose of things:

> "The condition of our navy," says Mr. Nye, "need not give rise to any serious apprehension. The yard in which it is placed at Brooklyn is enclosed by a high brick wall affording it ample protection. A man on board the *Atlanta* at anchor at Brooklyn is quite as safe as he would be at home. The guns on board the *Atlanta* are breech loaders; this is a great improvement on the old style gun, because in former times in case of a naval combat, the man who went outside the ship to load the gun, while it was raining, frequently contracted pneumonia."

But let us return from the humour of simplicity to the main form of Yankee humour of which it is a part, the humour based on that freedom from traditional ideas and conventional views, characteristic of a new country. It will readily be perceived that, unless sustained and held in check by the presence at its side of an elevated national literature, this form of writing easily degenerates. Freedom from convention runs into crudity and coarseness; and a tone of cheap vulgarity is introduced calculated to grievously discredit the literature to which it belongs. It is unfortunate that even the work of the best American humorists is disfigured in this way. It would be offensive here to cite in detail such con-

spicuous examples as the account of the Turkish bath in the "Pilgrim's Progress." An excellent example of what is meant is offered by Mark Twain's "Cannibalism in the Cars". In this little sketch the vein of real humour may be obscured in the minds of many readers by the gruesomeness of the setting. I cite a part of it, not to excite laughter, but to illustrate the point under discussion. The story is that of a number of Congressmen, snowed in, in a railway train, and after a week of confinement, driven by hunger to the awful extremity of choosing one of their number to die that the rest may live. The fun of the piece is supposed to lie in the contrast offered by the awful circumstances of the event, and the formal legislative procedure which the Congressmen, trained in American politics, apply to the case from sheer force of habit.

"Gentlemen," said Mr. Richard H. Gaston, of Minnesota, "it can be delayed no longer. We must determine which of us shall die to furnish food for the rest."

Mr. John S. Williams, of Illinois, rose and said, 'Gentlemen, I nominate the Reverend Jas. Sawyer, of Tennessee."

Mr. Wm. R. Adams of Indiana said, "I nominate Mr. Daniel Slote, of New York."

Mr. Slote: "Gentlemen, I decline in favor of Mr. John A. Van Nastrand, of New Jersey."

Mr. Van Nastrand: "Gentlemen, I am a stranger among you, I have not sought the distinction that has been conferred upon me, and I feel a delicacy"—

Mr. Morgan, of Alabama, (interrupting) "I move the previous question. The motion was carried. A recess of half-an-hour was then taken, after which Mr. Roger, of Missouri, said:

"Mr. President, I move to amend the motion by striking out the name of the Rev. Mr. Sawyer, and substituting that of Mr. Lucius Harris, of St. Louis, who is well and honourably known to us all. I do not wish to be understood as casting the least reflection upon the higher character and standing of Mr. Sawyer. I respect and esteem him as much as any gentleman here: but none of us can be blind to the fact that he has lost more flesh during the week that we have lain here than any of us."

The Chairman; "What action will the house take upon the gentleman's motion?"

Mr. Halliday, of Virginia; "I move to amend the report by further substituting the name of Mr. Harvey Davis of Oregon. It may be urged,

gentlemen, that the hardships and privations of a frontier life have rendered Mr. Davis tough. But, gentlemen is this a time to cavil at toughness? No, gentlemen, bulk is what we desire,—substance, weight, bulk, —these are the supreme requisites now—not latent genius or education."

"The amendment was put to the vote and lost. Rev. Mr. Sawyer was declared elected. The announcement created considerable dissatisfaction among the friends of Mr. Harvey Davis, the defeated candidate and there was some talk of demanding a new ballot, but the preparations for supper diverted the attention of the Harvey Davis faction, and the happy announcement that Mr. Sawyer was ready presently drove all animosity to the winds.

"We sat down with hearts full of gratitude to the finest supper that had blessed our vision for seven days. I liked Sawyer. He might have been better done perhaps, but he was worthy of all praise. I wrote his wife so afterwards. Next morning we had Morgan of Alabama for breakfast. He was one of the finest men I sat down to—handsome, educated, refined, spoke several languages fluently—a perfect gentleman"

Enough, I think, has been quoted to illustrate my meaning and I spare my readers the references to "soup," to "juiciness" and to "flavour," in which the subsequent part of the article abounds.

Let us pass on to consider another broad division of American humour, the Humour of Exaggeration. It is not to be supposed that we Americans hold any monopoly of this mode of merriment. It is at least as old as Herodotus whose efforts deserve all the credit attached to a praiseworthy beginning. Nay, even before Herodotus we find the humour of monstrous exaggeration fully exploited in the primitive literature of Norway. "The great giant of the Eddas," says one of the Sagas, "sits at the end of the world in Eagle's shape, and when he flaps his wings all the winds come that blow upon man." The suggested parallel to the American eagle is too obvious, and I pass it by. It is at least supposable that this element of exaggeration entered largely into all primitive folk song: it is likely that many passages in Homer, and the Ancients, which to the scholars of the day are mere mis-statements of ignorance were greeted in their time by the loud guffaws of barbarian listeners,

But though there is no monopoly of exaggeration in America, the circumstances of our country and its growth tend to foster it as a national characteristic. The amazing rapidity of American progress, and the very bigness of our continent, has bred in us a corresponding bigness of speech; the fresh air of the western country, and the joy of living in the open, has inspired us with a sheer exuberant love of lying that has set its mark upon our literature. Examples of the literary quality thereby inspired might be quoted in hundreds, but one or two must suffice. An old American newspaper of the year 1850 at once illustrates and satirises this mode of national thought thus:

"This is a glorious country. It has longer rivers and more of them, and they are muddier and deeper and run faster, and rise higher and make more noise and fall lower and do more damage than anybody else's rivers. It has more lakes and they are bigger and deeper and clearer and wetter than those of any other country. Our railway cars are bigger and run faster and pitch off the track oftener, and kill more people than all other railway cars in any other country. Our steamboats carry bigger loads, are longer and broader, burst their boilers oftener and send up their passengers higher, and the captains swear harder than the captains in any other country. Our men are bigger and longer and thicker; can fight harder and faster, drink more mean whiskey, chew more bad tobacco than in every other country."

A beautiful illustration of the same vein, not altogether unconscious, is found in Daniel Webster's speech to the citizens of Rochester:

"Men of Rochester, I am glad to see you. I am glad to see your noble city. Gentlemen, I saw your falls which I am told are one hundred-and-fifty feet high. This is a very interesting fact. Gentleman, Rome had her Cæsar, her Scipio, her Brutus, but Rome in her proudest days had never a waterfall a hundred-and-fifty feet high. Gentlemen, Greece had her Pericles, her Demosthenes and her Socrates, but Greece in her palmiest days had never a waterfall a hundred-and-fifty feet high. *Men of Rochester, go on.*"

It is notorious that this form of American fun has always proved somewhat difficult of comprehension to our British

cousins. "I was prepared," said Artemus Ward in speaking of one of his English audiences, "for a good deal of gloom, but I did not expect to find them so completely depressed." It is interesting to note that the Right Hon. John Bright, one of the auditors of the lecture, said next morning: "The information is meagre and is presented in a desultory manner: indeed I cannot help questioning some of the statements."

This divergence of national taste is really fundamental in British and American art and literature, and it forms the line of division between the British and American conception of a joke. The Englishman loves what is literal. His conception of a 'funny picture' is the drawing of a trivial accident in a hunting field, depicting exactly everything as it happened, with the discomfited horseman dripping with water from having fallen into a stream; or covered with mud by being thrown into a bog. The American funny picture tries to convey the same ideas by exaggeration. It gives us negroes with boots that are two feet long, collars six inches high and diamonds that shoot streaks of light across the paper. The English cartoonist makes a literal drawing. He may draw Mr. Chamberlain as a chimney sweep or a nurse-girl or as a bull-terrier but the face is always the face of Mr. Chamberlain. The American cartoonist on the contrary reduces Mr. Roosevelt to a set of teeth with spectacles; Sir Wilfred Laurier to a lock of hair, and the German Kaiser to a pair of moustaches. In either case the object sought may be attained or missed. British literalism in comic art or literature easily fades into insipid dullness; pointless stories of 'awfully amusing things,' told just as they happened, make one long for the sound of a literary lie. American exaggeration in comic art runs to seed in the wooden symbolism that depicts a skating accident by a series of concentric circles. American exaggeration in literature passes the bounds of common-sense, and becomes mere meaningless criminality.

At this point it may be in order to consider the question of especially American forms of wit. These are certainly not abundant. "We have not yet had time" said Josh Billings,

"to boil down our humour, and get the wit out of it". There are nevertheless certain forms and modes of wit typically American. Most notable of these is what may be called the Unrestrained Simile, a form closely analogous to humorous exaggeration:

"This miserable man," writes a western editor in describing in terms of scorn the personal appearance of one of his rivals, "has a pair of legs that look like twenty-five minutes after six." "Rats are about as uncalled for," says Josh Billings, "as a pain in the small of the back." "There must be 60 or 70 million rats in the United States. Of course I am speaking only from Memory."

Not unfrequently these forced comparisons become overforced and miss their mark. Witness the following:

"The effeminate man," says Josh Billings, "is a weak poultiss. He is a cross between root beer and ginger-pop with the cork left out of the bottle overnight. He is a fresh water mermaid lost in a cow pasture with his hands filled with dandylions. He is a sick monkey with a blonde mustash. He is as harmless as a cent's worth of spruce gum and as useless as a shirt button without a button hole. He is as lazy as a bread pill, and has no more hope than a last year's grass-hopper."

Another special form of American wit is found in the use of ellipsis, as if from ignorance or simplicity. A charming example of this is seen in a well known telegram sent by, or declared had been sent by Mark Twain; "Elephant broke loose from circus to-day. Rushed madly at two plumbers. It killed one. The other escaped. General regret." Closely similar is the mode of speech of which the following quotation from Eli Perkins is an example. "An old Maine woman undertook to eat a gallon of oysters for one hundred dollars. She gained fifteen, her funeral costing eighty five."

The special forms of American wit offered by the various dialects constitute a chapter by themselves, but of these the most typical is offered by the negro misuse of words, a mode of wit fully exploited by the author of Uncle Remus and the Southern school:

"Julius, is yo' better dis morning?" "No, I was better yesterday, but Ise got ober dat." "Am dere no hopes of yo' discobery?" "Discobery of

what?""Discobery from the convalescence what am fetching you on yo'r back." "That depends, sah, altogether on the prognostication which implies the disease; should they continue fatally he hopes dis culled individual wont die dis time. But as I said afore, dat all depends on the prognotics: till dese come to a haid, dere am no telling whether dis pusson will come to a discontinuation or otherwise."

In any literature the forms of wit run easily to degeneration into sterile mechanical forms. There is an inevitable tendency to confound what is difficult with what is amusing. The sillier of the mediæval monks found amusement in anagrams, acrostics, and double-ended Latin lines which read as foolishly backwards as forwards. The sillier amongst the English people take an infantile delight in puns. The corresponding curse of American humour is bad spelling. Bad spelling, as Lowell has said, is only amusing when it has some ulterior allusion or reference. Josh Billings' naif statement—"I spell kaughphy, k-a-u-g-h-p-h-y, and Webster spells it coffee, but I don't know which of us is right"—may be allowed to pass, but in the majority of cases bad spelling is utterly without point and contains no element of the comic. It is cheering to realize that the efforts of President Roosevelt, and the spelling reform society, will henceforth make bad spelling a serious matter.

It has been impossible in this short compass to say much of the part of American literature which moves upon the highest plane of humour, in which the mere incongruous 'funniness' of the ludicrous is replaced by the larger view of life. In plain truth not much of what is called American humour is of this class. The writings of Nathaniel Hawthorne, the works of Mark Twain (not as cited in single passages or jokes, but considered in their broad aspect, and in their view of life) present the universal element. But the generality of American humour lacks profundity, and wants that stimulating aid of the art of expression which can be found only amongst a literary people. The Americans produce humorous writing because of their intensely humorous perception of things, and in despite of the fact that they are not a literary people.

The British people, essentially a people of exceptions, produce a higher form of humorous literature because of their literary spirit, and in spite of the fact that their general standard of humorous perception is lower. In the one case humour forces literature. In the other literature forces humour.

Nor can it be fairly said that the future of humorous writing upon our continent looks bright. It is hard to see how the prevailing neglect of letters, the prevailing attempt to reduce education to a mechanical, visible, proveable process that often kills the spirit within, the prevailing passion for specialised study that substitutes for the man of letters of the Oxford type the machine-made pedant of our American colleges,—it is hard to see how all this is likely to aid in the creation of a great national literature. Without such a literature humorous writing cannot stand alone. The original impetus which created American humour has largely spent its force, nor is it likely that, in the absence of a wide-spread literary spirit, anything else will be left of the original vein of Yankee merriment than the factory-made fun of the Sunday journalist.

STEPHEN LEACOCK

## THE OLDEST DRAMA

*"It fell on a day, that he went out to his father to the reapers. And he said to his father, My head, my head. And he said to a lad, Carry him to his mother. And . . . he sat on her knees till noon, and then died And she went up, and laid him on the bed . . . and shut the door upon him, and went out."*

Immortal story that no mother's heart
Ev'n yet can read, nor feel the biting pain
That rent her soul! Immortal not by art
Which makes a long-past sorrow sting again

Like grief of yesterday: but since it said
In simplest word the truth which all may see,
Where any mother sobs above her dead,
And plays anew the silent tragedy.

JOHN MCCRAE

# VENICE IN THE AGE OF TITIAN

UNFASHIONABLE as it is to moralize upon the decline of empires and republics, the subject of Venetian life in the sixteenth century can hardly be approached without striking the note of regret. Not that Venice has ceased to be a marvel to the whole Western world, or does not attract a kind of interest which is awakened by no other city. Her unique position, her distinctive beauty, her wealth of buildings and pictures are still a delight, and may even be called an asset of modern civilization. But when one thinks of what Venice has been, and then considers what she is to-day, the contrast does not merely bring regret but is a cause for positive mourning.

It was otherwise when Titian, at the age of ten, came down from his Alpine hillside at Cadore to learn the art of painting from John Bellini. The date was 1487, the year in which MichaelAngelo entered Ghirlandaio's studio at Florence, and Leonardo da Vinci competed with Bramante for the post of architect to the Cathedral of Milan. The Italian Renaissance was just coming to its full maturity, and whatever misfortunes the peninsula suffered from the conflict of its jealous and ambitious states, it was as yet spared the final misery of being made a battlefield for Spain, and France. In 1494, seven years after Titian came to Venice, Charles VIII. of France began the era of foreign aggression which cost Ludovico Sforza the Duchy of Milan, which made the French for a short time the masters of Naples, and seemed to justify the lurid prophecy of Savonarola, that God would scourge the sins of Italy with an iron flail. During the ninety-nine years of his life Titian was destined to see the expulsion of the French, the establishment of Spanish supremacy at Milan and Naples, the sack of Rome by Bourbon, and the final overthrow of the

Florentine republic. But all these things, involving as they did the triumph of the foreigner and the degradation of Italy, were yet to come when the boy-painter entered Venice for the first time. Beneath the surface there existed those jealousies and rancours which at last brought ruin in their train, but to outward view the life of Italy had never been so sumptuous, or its prosperity so triumphant.

Venice was more truly an Italian state at this period than she had been in the earlier part of her career. During the days when she was rising to greatness her face had been set towards Constantinople. When Pippin, the son of Charlemagne, asked the Venetians to yield him obedience, they replied that they could not, as they were the subjects of the Eastern Emperor. And moreover they defended this claim at the point of the sword. Down to a century before Titian's birth the city of St. Mark's had steadfastly declined to have anything to do with Continental politics. Her people were mariners, and traders, whose wealth came from the Levant, whose activities were long occupied by strengthening their position in the Black Sea and the Aegean. Commerce was the corner stone of the whole Venetian fabric, the one consideration to which all else was kept subject. The jealousy shown by the Dutch in guarding their East India trade during the first part of the seventeenth century furnishes a parallel example, but Venice was even more completely a maritime state than ever Holland became. Religion connected her with the West, for she belonged to the Latin Church: though even here she showed more independence of the papacy than did any other community of the West, while the ground plan of San Marco follows the Greek rather than the Latin cross. But if religious attachment bound her to the mainland of Italy, her daily avocations made her for centuries look out to the banks of the Bosphorus. The very relics of her patron saint were brought from the East. According to an early tradition Mark was martyred at Alexandria and it was not until long after

the Saracens had conquered Egypt that the Venetians came into possession of his bones. How they were smuggled out of Alexandria in a basket covered with vegetables, and brought in triumph to the lagoons, is a lively and characteristic tale of the Middle Ages.

From 1000 to 1300, during those three centuries when Venice was first becoming a town of marvellous and stately beauty, Byzantine influence pervaded her customs, her art, and her government. The almost oriental seclusion of women —at least of those who belong to the upper classes—is one symptom in social life of Venetian indebtedness to Constantinople. Even as late as the age of Titian the restrictions placed upon the liberty of well-born ladies were absurdly, almost incredibly, strict. For example, Venetian damsels—and matrons too, for that matter—when they appeared in public wore shoes with heels which were from six to nine inches high. At the present day one sometimes hears it hinted that individual preference has to be immolated on the altar of fashion. But the women of Venice were not sacrificing to fashion when they wore these high heeled shoes. They followed an ancestral custom which was enforced by law. The object, apparently not attained in all cases, was to keep women at home. Anyone wearing these *zilve* or high-heeled shoes required an attendant on either side to prevent her from falling. They are mentioned, as a characteristic feature of Venetian costume, in Coryat's "Crudities," which was published in 1611, and Evelyn saw them used as late as 1646. No other Italian community tried this device to secure the subjection of women, but then no Italian community was, like Venice, half-Byzantine.

How Venetian art drew its early inspiration from Constantinople, all know who have seen the mosaics of St. Mark, and Torcello, to say nothing of bronze doors, ivory triptychs, and gorgeous reliquaries. How Venetian statecraft based its traditions of foreign policy upon the astute diplomacy of New Rome, historical students of our own age have been the first to realize. One dwells upon these things only to give the

perspective of Venetian history. Prior to the beginning of the Renaissance Venice had been borrowing from the East for centuries, and yet assimilating what she borrowed. The line of cleavage in her annals comes at 1378, just one hundred years before Titian's birth when the Genoese in the famous war of Chioggia set out to destroy Venice, and ended by destroying themselves. The whole episode resembles the Athenian attack on Syracuse, which Thucydides has described in the most powerful and affecting passage of all historical literature. The result to Venice of this triumph over Genoa was momentous; for having crippled her chief rival at sea, she was now enabled to bend her energies to the acquisiton of territory on the mainland. Shortly afterwards she gained Treviso, Vicenza, Padua, and Verona. These territorial acquisitions, which were all made in the generation after the war of Chioggia modified the position of the Republic profoundly. During the Middle Ages, Venice had been a coast-city purely, whose possessions and dependencies lay in Dalmatia, Southern Greece, and the eastern islands of the Mediterranean. Throughout the whole of the Renaissance, on the contrary, she was mistress of important cities on the mainland of Italy, with territories stretching to the Adige and the Mincio, with a large and well-paid army of mercenaries, and a leading place among the five great powers of Italy.

The connexion which exists between the art of a given age, and the broad political conditions of that age, is as a rule extremely close. Throughout the period of the Renaissance, for example, Italy was a land of despots at whose courts were to be found all the best sculptors, painters and architects of the era. Florence furnishes a partial exception to this statement, since during the time of Cosimo and Lorenzo de' Medici the forms of the Republic were preserved, though the influence of a single family dominated the whole town. But for the one complete exception to the statement that despotism flourished throughout the length and breadth of Renaissance Italy, we must look to Venice. Here, if nowhere else, the state protected itself from all attempts to

subvert its ancient constitution. Venice at the close of the Middle Ages was an aristocratic republic wherein an exclusive oligarchy kept the control of public business strictly in its own hands. The Doge Marino Faliero, at the middle of the fourteenth century, when despotism was fast spreading on every hand, tried to make himself supreme, but was quickly beheaded on the discovery of his plot. In the great hall of the Doges' Palace a blank space, where, but for this act of treason, his portrait should have been, reminded ambitious patricians that they must brave certain death if they attempted to subvert the Republic. And as if the vacant space were not enough, a grim inscription beneath it enforced the warning.

Much evil has been said about the Venetian government and especially about the Council of Ten. A body that could contemplate without horror the idea of political assassination is an object of easy attack in a humanitarian age. At the same time certain facts should be kept in mind. During the whole period of the Italian Renaissance, political assassinations were of common occurrence everywhere. The only difference between Venice and despotic states like Milan and Naples was that the political murders were less frequent there than elsewhere. Everything considered, the Council of Ten used its peculiar powers with disinterested caution. In other Italian cities, if a reigning prince felt enmity towards a given person he had him stabbed, and that was an end of it—at least until it came his turn to be stabbed. In Venice the element of private hatred was virtually eliminated. When the Council of Ten acted with severity, its action was taken on public grounds, and the extreme powers vested in the executive were used only under a grave sense of responsibility. As for the spy system, it can only be said that the Venetian Republic had better ambassadors and better spies than its neighbours; but until modern governments give up espionage in foreign politics, it seems invidious to single out Venice for reprobation. Certainly her annals are stained by no such tragedy as the murder of Giuliano de' Medici before the high altar in the Cathedral of Florence, on Easter Sunday of 1478 : and if

Paolo Sarpi was stabbed in Venice the guilt of that deed rests upon very different shoulders from those of the Senate and the Council of Ten. The Bridge of Sighs, as everyone knows who has read his Baedeker, is styled by Mr. Howells a "pathetic swindle," but that is because "the present structure has scarcely ever felt the foot of a prisoner." However, quite apart from the archæological point involved, there is much less reason to be scandalized at the political methods of Venice than at those employed by most powers in Europe during the age of Titian. The preface which Lord Acton wrote for Mr. Burd's edition of Machiavelli's Prince is the best possible comment on the ethics of foreign policy from the Renaissance to the present day.

The Venetian government, then, was not so black, in comparison with other states, as frequently it has been painted. But leaving aside the details of political structure can it be said that the character of Venetian art was affected by the nature of public life under the Republic? I think that we must always keep political environment in the foreground when judging the conditions under which a given artist, or man of letters, does his work. To take the case of the Renaissance for one example, there is little difficulty in seeing how Leonardo, Michael Angelo, and Raphael, were affected by their personal connexion with such rulers as Ludovico Sforza, Lorenzo de' Medici, and Pope Julius II. But a broad difference exists between Venice and other Italian states of this period in that the one was not a despotism controlled by a single ruler, whereas the others were. The term "republic" in its association with Venice should not delude anyone into supposing that the Venetian Republic, any more than the Roman Republic, was a democracy. Such possible connexion as may exist between democratic enthusiasm and artistic creativeness does not belong to the era of the Renaissance. During the age of Pericles, and in several countries of Mediæval Europe, a great artistic movement went on side by side with the establishment of popular institutions. How these phenomena stand related as to cause and effect is

more or less an open question, not to be debated here. But neither in Venice or elsewhere during the Quattrocento and the Cinquecento is there any possible connexion between democracy and art. If we are to associate Venetian painters with the life of the state, we must look for some different kind of affiliation.

Nor can it be shown that the Senate was particularly generous in its dealings with men of genius. On the whole, foreigners coming to Venice as scholars, men of letters or artists, received better treatment than was accorded the local representatives of letters and arts. The senate was not above wishing to have an international reputation for munificence, and would at times treat the foreigner handsomely. Thus, in 1580 the Admirable Crichton arrived at Venice in a destitute condition, but attracted attention through a Latin poem which he published at the Aldine Press. The Scottish paragon was then invited to deliver a Latin oration before the Senate, in which performance he acquitted himself so well that he was given a hundred gold crowns. After enjoying Venetian hospitality for some months, the Admirable, as usual, became restless and determined to go to Padua. To help him with his equipment the city authorities gave him more money, and furnished him with official letters of introduction. This episode comes four years after the death of Titian; but it was the same during the artist's lifetime, as could be shown from a multitude of examples including the case of the notorious Pietro Aretino.

The Bellini who came from Padua, Titian who came from Cadore, and Paul Cagliari who came from Verona, were all foreigners by origin, but by settlement in Venice they became her citizens and were treated like other natives. That is to say, when the Senate wanted any one of them to paint frescoes for the Doges' Palace or any other great public building, it represented the commission in the light of a great honour and paid correspondingly little for the work. Titian, who never painted for nothing if he could help it, was willing to accept the honour but, after his reputation was firmly estab-

lished, took his time about executing the work. As a matter of pure business the people for whom he painted gladly were sovereigns like the Marquis of Manta, the Emperor Charles V. and Philip II. of Spain. The remuneration given by such magnates was far greater than anything which an artist could hope to receive from the Venetian Senate. Yet it was a real distinction, despite low rates of payment, to be given a large commission from the state, and some of the finest work done by Venetian painters was done in response to an invitation or a command from the Senate.

But when one refers to the Venetian art of the mid-Renaissance as having been indebted to the state, he does not have in mind merely the patronage which the government extended to men of genius like John Bellini, Titian, and Tintoretto. The political ideals to which Europe responded most quickly during the nineteenth century were democracy and nationality. The spirit of democracy was, as we have seen, non-existent in the Renaissance; but civic pride meant as much to the Venetian of the year 1500, as national glory ever meant to France during the time of Napoleon. Now the ground work of that municipal or civic greatness in which every Venetian rejoiced was a remarkable, indeed, a unique system of government. Nowhere else in Italy was love of the community so closely bound up with admiration for, and belief in, the whole scheme of civic institutions. And that is what one means in saying that Titian and his fellow painters were encouraged to idealize Venice, and to reflect in their works what they conceived to be her genius, from their latent sense of confidence in the state that had grown so powerful and glorious. I do not think that this idea is entirely fanciful. One of the most beautiful palaces on the Grand Canal bears the inscription, "John Dario, to the genius of the city." The patrician who was himself a member of the ruling class naturally had this feeling in its strongest form; but one cannot conceive that a man of Titian's artistic sense should have lived in Venice at the time of her utmost gorgeousness without having his mind filled with the greatness of that state through whose sagacity, and hard work, so much had been accomplished.

A good deal of latent patriotism, then, mingled in the works of the Venetian painters with their mood of humanism, and their rejoicing in the beauties of Venice herself. Warmth of colour, and freedom from inherited conventionalities are the features of Titian's art, that first strike the attention, and are never afterwards to be lost sight of. Lovers of Botticelli and his school accuse the Venetians—at least after Bellini—of irreligion, and lack of any deep spiritual purpose. The celebrated marriage of Cana, in which Paul Veronese represents St. Peter as picking his teeth with a fork is, according to such critics, the nemesis of a super-sensuous school. On the other hand, those of the Venetian sect accuse the Florentines of Puritanism, and ridicule the thinness of their colouring. Here is one of those questions centering in temperament which can never be decisively settled, any more than one can settle such questions as relate to the superior greatness of Plato and Aristotle, or Dickens and Thackeray. Matthew Arnold thought he knew everything about the Dissenters of England, and used to say he could tell whether a man was a Methodist or a Baptist by talking to him for five minutes about the weather. Likewise it should be possible to gather something of a man's general attitude towards the universe by talking to him for five minutes about Fra Angelico and Titian. To illustrate exactly what is meant let us glance at a few sentences that Ruskin has placed at the beginning of his preface to St.Mark's Rest. "Great Nations" he says, "write their autobiographies in three manuscripts—the book of their deeds, the book of their words, and the book of their art. Not one of these books can be understood unless we read the two others; but of the three, the only quite trustworthy one is the last. The acts of a nation may be triumphant by its good fortune; and its words mighty by the genius of a few of its children; but its art, only by the general gifts and common sympathies of the race. Again, the policy of a nation may be compelled, and, therefore, not indicate its true character. Its words may be false, while yet the race remains unconscious of their falsehood; and no historian can assuredly

detect the hypocrisy. But art is always instinctive: and the honesty or pretence of it are therefore open to the day. The Delphic Oracle may or may not have been spoken by an honest priestess,—one cannot tell by the words of it; a liar may rationally believe them a lie, such as he would himself have spoken; and a true man, with equal reason, may believe them spoken in truth. But there is no question possible in art; at a glance (when we have learned to read), we know the religion of Angelico to be sincere and that of Titian assumed."

This will answer for one statement of the case. To get the other, we must put Ruskin aside, and take up Taine. The chief fault which Taine finds with the Florentine painters is that they were too much preoccupied with their own speculations and fancies. They looked outside this world to such an extent that there is a tinge of unreality in their works, which makes them less effective than are the masterpieces of Venice. Having learned the rudiments of their art from goldsmiths they took in simply the human figure, whereas the more comprehensive genius of the Venetians included nature at large. Taine develops this line of criticism at some length, but his main idea has been expressed, though with different emphasis by Lowell, in his beautiful essay on Dante. "What gives Dante's poem," says Lowell, "a peculiar claim to the title of the first Christian poem is not merely its doctrinal truth or its Christian mythology, but the fact that the scene of it is laid, not in this world but in the soul of man." So it is with the paintings of the Florentine School, which are most distictively Florentine. The scene of them is laid not in this world but in the soul of man. Taken up with their reveries and their strivings after those spiritual truths which they more or less clearly apprehended, they neglected to enrich their colouring, and to make the most of what in art is most truly human. Like other people they had the defects of their qualities. How far those defects prejudice them in a comparison with the Venetians must be held to depend on one's own sympathy with their ideals, and one's estimate of their success in convincing mankind that the best other-worldly art transcends the best which is frankly humanistic.

The Venetians gained a superb mastery of colour and placed beneath their feet difficulties that had hampered the expression of Florentine and Flemish artists. If you put Florentine painting side by side with Umbrian and Sienese, or Lombard painting side by side with Florentine, certain resemblances of treatment and method will disclose themselves, however different the individual temperament may be. But just as Venice was unlike any other city, drawing her experience and her traditions from East and West alike, drawing her pride and self-confidence from her mastery over land and sea, so the Venetian painters, of whom Titian is the most representative, stand in a class of their own. The "Venice Enthroned" of Paul Veronese is a sumptuous picture and one replete with suggestiveness. Venice was forever enthroned in the imagination of these men, whether like the Bellini, Giorgione, Titian, and Veronese, they came from other homes to make themselves her adopted sons, or whether, like Carpaccio, Palmo Vecchio, Paris Bordone, and Tintoretto, they were her own offspring. The beauty of sun and sea and distant Alps, the richness of the palaces, the oriental opulence of public demonstrations, the gaiety of a rich and pleasure-loving folk, all blended as did many more such elements to form the atmosphere wherein these painters lived and moved. The age of degeneration was beginning, but Titian came to the fulness of his powers just when a race of vigorous, hardworking ancestry was giving itself over, without after-thought, to the joys of a refined and luxurious existence. If his art in its tone and tendency was not calculated to arrest moral decadence, it can hardly be called the expression of aught save fulness of power and maturity of intellect.

Titian had good private reasons for being a humanist, for life heaped all its favours upon him—except in giving him a wretched son. The Emperor Charles V. professed to feel pride in holding his brushes, and besides paying him large sums for his pictures, made him a Count of the Holy Roman Empire. The kings of France, and Spain, along with a whole series of Popes and Italian princes, were his patrons, and

heaped gifts upon him in addition to the sums they paid him for his services. He built a house in one of the most beautiful portions of Venice, where also he had ground enough for a large garden. Here he entertained dukes, cardinals, and ambassadors, in a manner befitting their rank, and his fame. He enjoyed robust health, delighted in his art, and had enough practical common-sense to keep his affairs from becoming involved. Honoured by his country to the height of all possible wish, and enjoying a reputation that brought him homage from every court of the western world, he devoted his long life to the task of expressing to the world the spirit of Venice.

What Titian accomplished as the interpreter of Venetian life to later generations is quite unequalled by the work of any other painter. When it comes to the expression of pure piety, his pictures must yield to those of John Bellini, and Carpaccio, and even within the realm of the humanistic his genius may have fallen short of the heights that Tintoretto reached. But if, besides range of subjects and bulk of achievement, we consider the closeness of adjustment between the painter's temperament and that of the community in which he moves, Titian is more fully Venetian than any other artist of the Renaissance. In the poverty of literature—and Venice had no Ariosto, no Machiavelli—his canvases are a better record of what was thought and felt by his fellow-citizens than any written word. Let us examine briefly one or two aspects of Venetian existence which meant much to Titian, and find ample illustration in his paintings.

The first of these is the unequalled magnificence of the city, as she was in the days when Charles VIII. came down from the Alps with his host of French courtiers to destroy Italian prosperity by giving the peninsula over to foreign depredation. The date is 1494, two years after Columbus embarked on his first voyage, and twenty-three years before Luther began the Protestant schism. Venice was then, though a town of less than 200,000 inhabitants, the richest state in Europe. She had a larger revenue than England,

the largest fleet belonging to any Christian power, and an army of mercenaries which, while inferior in strength to an equal force of Frenchmen or Spaniards, was the most formidable fighting organization in Italy. Were there space to cite them, one could produce many passages which show the admiration of strangers, as they gazed for the first time upon the Queen of the Adriatic. From a wealth of such material, however, I shall be content to draw a single quotation—the notice of Venetian grandeur which occurs in the history of the famous French statesman and ambassador, Philip de Commines, one who was not likely to be betrayed into the use of superlatives on slight occasion. He was a cool-headed man of affairs, a calculating politician, an astute diplomatist. Yet his description of Venice calls forth such a burst of spontaneous admiration, as is not found elsewhere in the course of his long work. Indeed, it deserves to be bracketed with Villehardouin's account of Constantinople, the jewel of the whole earth, as it appeared to the Frenchmen who went on the Fourth Crusade. Commines visited Venice in 1495, shortly after his master Charles VIII. entered Italy with the design of conquering Naples. When the king went southward with his army, Commines was sent to Venice at the head of an embassy, and remained there several months, while negotiations were pending between France and the Republic. From his long notice of the things that impressed him most one can take only a few touches, but the enthusiasm of the otherwise self-contained ambassador is apparent in almost every phrase. Unlike other states, Venice defrayed the expenses of all ambassadors from the great powers while they remained within her borders, and spared nothing which could do them honour. St. Mark, he calls the richest and goodliest church in the world. The arsenal, "where they arm their galleys and prepare all other equipment necessary for their navy, is undoubtedly the goodliest thing at this day in the world, and the best in order for that purpose." As for the Grand Canal, "it is the noblest street in the world and the best built, and reaches in length from one end of the town to the other. Their build-

ings are high and stately, and all of fine stone. The ancient houses are all painted; but those that have been built within the last hundred years are encrusted with white marble, brought thither out of Istria, an hundred miles hence, and are beautified with many great pieces of porphyry and serpentine. In most of them there are at least two chambers in which the ceiling is gilded, and the mantel pieces of the chimneys are very rich, namely of carved marble, the bedsteads gilded, the clothes presses painted and enamelled with gold, and marvellously well furnished with stuffs. To be short, it is the most triumphant city that ever I saw, and where ambassadors and strangers are most honourably entertained, the commonwealth best governed and God most devoutly served; for I verily believe that, though they have divers imperfections, God prospers them because of the reverence they bear to the service of the Church." After such general and unstinted praise, one need not dwell long upon what Commines says regarding the glories of the Ducal Palace, the 30,000 gondolas, the seventy monasteries, the gorgeous upholsteries of the Bucentaur and the wonderful rubies of St. Mark's Treasury, some of which weighed seven or eight hundred carats each.

But the chief glory of Venice during the age of Titian is not to be found in the magnificence of the Grand Canal, or the mosaics of St. Mark's, or the arsenal with its vast stores of naval equipment. That we should judge a state by the quality of living men, rather than by the richness of its inheritance from the past is a commonplace. At the beginning of of the 16th. century Venice had commited herself somewhat too completely to the pursuit of pleasure. But her pleasures were as yet refined, however clear the tendency toward a relaxation of morals had become, and, what is equally important, she possessed many families from which there sprang, age after age, merchant princes, statesmen and diplomatists of high capacity and patriotism. Fortunately we can still see the character of these patricians in the portraits of John Bellini, Titian, and Tintoretto. Firmness, dignity, and self-

command, are plainly written there, and, in speaking of Titian as an exponent of Venice, one must lay special stress upon the profusion and excellence of his portraits. Those of his contemporaries who criticized adversely his religious pictures, and made light of his drawings, were fain to admit that no one could surpass him in portraiture. One can see this clearly from Vasari's Life of Titian, wherein the Florentine biographer, himself a disciple of Michael Angelo, compares Titian unfavourably with his master in several respects, but lavishes the warmest praise upon his portraits. It is the nobles of the Venetian oligarchy—the subjects of those portraits—who represent Venice at her best.

Commines, after likening the Venetians to the ancient Romans for their prudence and success, has an interesting passage about the effect produced on the Senate by the news that the King of France had captured Naples. As threatening their own power in Italy, this event, he says, was to the senators what the battle of Cannae had been to the Romans. Yet, though heart-broken at the tidings, the Doge received him a few hours later with perfect self-possession, nor did he meet with aught save the greatest respect and honour, even when the Venetians had decided to take an active part in the campaign against France. Another example of equal interest may be drawn from the Venetian despatches which have been published by the British Government. The dignity and self-control of a Venetian noble, when insulted by an ignorant and impertinent Englishman, are visible in the official report of the scene. Giustiniani, the envoy who represented Venice in England for several years during the early part of the reign of Henry VIII. in making an official report to the Signiory, writes as follows: "By my last, in date of the 30th. ult., I informed you that the countenances of some of these lords evinced neither friendship nor good will, and that much language had been used to me of a nature bordering not merely on arrogance, but even on outrage, and having specified this in foregoing letters, I think fit now to mention it in more detail. Finding myself at the court, and talking familiarly about other

matters, two lay lords, great personages in this kingdom, inquired of me whence it came that your Excellency was of such slippery faith for favouring one party and then the other. Although these words irritated me, I answered with all discretion that you did keep, and ever had kept your faith, the maintenance of which has placed you in great trouble and subjected you to wars of longer duration than you would otherwise have experienced ; descending to particulars in justification of your sublimity. Whereupon one of them replied, 'You Venetians are mere fishermen.' Refraining with difficulty from using language that might have proved injurious to your Signiory, I replied with great moderation that had he been at Venice and seen our Senate and the Venetian nobility, he perhaps would not speak thus; and, moreover, were he well read in our history, both concerning the origin of our city and the grandeur of Your Excellency's feats, neither the one nor the other would seem to him those of fishermen; yet, said I, did fishermen found the Christian faith, and we have been those fishermen who defended it against the forces of the Infidel, our fishing boats being galleys and ships, our hooks the treasures of St. Mark, and our bait the life blood of our citizens who died for the Christian faith."

Words like these bring out one eminent trait in the character of the Venetian aristocrat. He was prudent, but he was also proud. He was a man of business, but he was also a man of dignity. And perhaps no truer praise of Venice can be spoken than that which dwells upon the peculiar virtues of her best sons. For the Venetian noble was by origin a trader who was neither narrowed by his trade, nor ashamed of it; and the wealth which he acquired was spent not on mere display and self-glorification, but in making his beloved city the most beautiful object in the world.

C. W. Colby

# A REVELATION OF THE OBVIOUS

IN complying with the request that I say something about the art of painting in Canada, I assume that I shall be permitted to speak the truth in love—for Art, and for Canada. If I offer advice, it is founded upon knowledge. If I venture, upon criticism, it is not undertaken ignorantly, or without cause, provocation, and warrant. I trust, then, that in the outset, all this will be taken as granted.

My first message is: Let Canadians be reasonable in respect of their Art. If you send an artist to England with a commission in his pocket to paint the portraits of certain eminent personages, the English critics are justified in assuming that his production will be a fair representation of what Canadian artists can do. If we say that his pictures, as exhibited to us, are livelier than coloured photographs, yet without the verisimilitude inherent in the art of photography, understand that we are speaking the truth as we see it, and not in derision of Canadian Art. These specimens are put before us for our judgement; and, under the obligation to our employers, we give it frankly, and, as we think, justly. If you have something better to show, and do not show it, the blame is not to us but to you. We are merely speaking of the work before us.

It is no compliment to Canada if we praise bad pictures merely because they are Canadian in subject or in handling. A picture is good or bad, no matter what is its origin. The canons of art are not local in their application. Indeed, it is a proof of our appreciation of Canadian Art that we treat it as part of the art of the world, not as a thing which is to be "encouraged" by such praise as a drawing master bestows upon a child.

On the other hand we send bad pictures to you. But we do not send them officially. It is the dealers who are to blame, and I need not warn you against their wiles. They bring you good pictures also, and under cover of the good work off the bad. At least, that is what dealers do in other countries. They will sell you a certain picture at less than its value, and agree to take it back in a year at an advance of ten per cent. From this an unwary purchaser may allow himself to infer that all the pictures which are offered possess a corresponding value.

There is in every country only a certain amount of money available for the purchase of pictures. If any of it is spent upon bad pictures, there is so much less for the good; and, what is worse, it debases the taste, and perverts the judgement. Meretricious pictures are a double-edged wrong. To buy them means that their production is encouraged, and the good are deprived of the chance of coming into their own.

No nation has become great without its art; and all nations which have attained to the possession of a great art have done so by developing the art which they had; by making the artists' surroundings attractive. Canada will never develop an art, so long as it is content to receive and pay for the refuse pictures of other countries. Good pictures fetch better prices in London than in Montreal. When a "good" picture is offered for sale in Canada, a purchaser would do well to keep this fact in his mind. Five at least of the best Canadian artists no longer live in Canada. There is a reason for that, and the reason is that Canadians do not make living there attractive to them. The sum of the matter is: buy pictures painted by your own painters. You will develop your own art, and get more, and better pictures than you are getting now.

Strange as it may seem we are not entirely ignorant of the tendencies and accomplishments of artists in Canada. It is our business to know these things. We enquire of those who may be depended upon to speak the truth. We have seen examples at the great international exhibitions of the

work which is being done, and it is not unusual for art critics to visit Canada, it may be a little more quietly than those whose business it is to sell pictures.

When I was asked to undertake this enterprise of saying something about the Art of Canada, I found the material ready at my hand, in catalogues and scattered notes. I am obliged to confess that the amount and completeness of it was unsuspected even by myself, until I began to set it in order. What follows is not intended as a dissertation upon Canadian Art, so much as evidence that it is not unknown or unappreciated. If I make a display of knowledge in these notes, it is proof that we are neither blind nor ignorant.

One turns at once to the Canadian artists whom we have amongst us, to James Kerr Lawson, James Morrice, and W. Blair Bruce, men whose work ranks with the best which we can show. Mr. Lawson is considered by persons who have a right to express an opinion, as occupying an easy place in the Glasgow school. He won much credit by the exhibition of his work, which was held in the studio of the late G. F. Watts. The veteran painter at the time purchased three of the pictures for his own collection. It is only three years ago that Mr. Lawson gave further proof of his progress in an extremely interesting collection of Italian landscapes, which was put together in Messrs Dowdeswell's galleries.

W. Blair Bruce has for many years been an annual exhibitor at the Paris Salon, and his pictures always appeal by reason of their brilliancy in handling and colour. His cleverness was perhaps best witnessed in "The Bathers". Its nude figures on the shore, in the bright sunlight, against a deep blue-green sea, and sky with creamy clouds, came as a surprise from an artist whose life had been spent in the greyness of the north. This picture quite properly won a gold medal at one of the American exhibitions.

Nor are we unaware that James Morrice is a Canadian, though his subjects are drawn from the outskirts of Paris; it may be a bridge with boats and reflections in quiet waters; or again the beach at St. Malo with groups of figures against

a distant sea and low sky; or yet again his later pictures of Venice in which familiar scenes are treated with fresh originality, and disclose his habitually tender feeling for colour and poetic charm. Mr. Morrice is a member of the French Society of Artists, and of the International Society also. He is so well known in Europe that one may be excused for assuming that he belongs here.

Apart from the prestige of the well established painters, the success of the younger men who are the immediate product of the Canadian schools must be gratifying. Amongst these is Clarence Gagnon. It was only at the last Salon that he appeared with "The Spanish Dancer", and twelve etchings. For the etchings he won an "honourable mention", and in the April Number of the *Gazette des Beaux Arts*, that old and conservative journal, we find an article devoted to the younger etchers, in which Gagnon is declared to be the most gifted of them all. It means something that this journal should devote a full page to the reproduction of one of his plates.

The picture of Paul Peel, I believe in the National Gallery at Ottawa, a nude figure with mirror, recalls with sorrow the early death of a gifted artist. Paul Peel, although only in his early thirties when he died, had suddenly won for himself an European reputation by "The Unwilling Model," the nude figure of a child whom an old artist behind his canvas is trying to tempt to return, and continue the sitting; and "After the Bath," two little naked children standing before an open fire, holding their hands out to its warmth. For this latter picture he was awarded a second class medal at the Paris Salon, and so became *hors concours*—that is, he could thenceforth send pictures to the Salon, and have them admitted without being examined by the jury. The attitudes of his little children show great observation.

Let us now turn to the examples of Canadian pictures which we have found at the great American exhibitions, where they had been sent by direction of the Royal Canadian Academy, a body which for intelligence and sincerity receives recognition in every quarter. By a reference to the cata-

logues, and notes, it appears that at the Pan-American exhibition four gold medals were awarded to Canadian artists, to Robert Harris, William Brymner, Homer Watson, and W. Blair Bruce. At the St. Louis International exhibition a gold medal was issued to Robert Harris who, at the time, was President of the Canadian Royal Academy; and silver medals to Robert Harris, William Brymner, Edmond Dyonnet, and A. C. Williamson.

Of the work of Robert Harris there is no excuse for ignorance. Indeed, one has become accustomed to the dignity and breadth of his painting, especially in his portraits which are not mere studies but fine characterizations. His group of mother and three children, seen in the British section at the Paris Exposition Universelle of 1901, was a happy arrangement, treated in a fine large way. His portrait of Lady Minto at the last Royal Academy exhibition was thought to be graceful in figure, charming in colour, and impressive in its breadth of treatment. Nor must we neglect to mention the picture of William Osler, which was seen in St. Louis, simple and manly in treatment, with an air of conviction, as if you would recognize the subject when you met him in the street.

Homer Watson is a frequent exhibitor at the New Gallery and the Royal Academy, and occasionally in Glasgow. I find a note that he obtained a gold medal at the Pan-American exhibition in Buffalo, and a silver medal at the St. Louis International. Though there is a distinct personal quality in Watson's work, it suggests the influence of Constable and Rousseau in choice of subject, as well as in treatment. His preference is for massive groups of thick-set sturdy trees, dark and rich in colour, with such incidents as cattle drinking, woodmen with axes, or oxen at work. The groups are well composed, the tone fine, and in the best work the treatment broad.

To one looking at the matter from the outside it would appear that William Brymner's work is the most distinctive of Canadian Art. His pictures give an impression of sincerity of purpose, and truthfulness in execution. His drawing is

simple and strong, his composition skilful, and his colour effective, if not brilliant. By his teaching, and writings, he is doing a good work in continually inculcating the virtues of honesty in execution, and truthfulness of observation. Warm fields with yellowing grain, dark-blue hills beneath a cool sky, elms which go up straight and strong in front of a cottage, or the bend of a poplar-bordered stream—these are his favourite studies.

Maurice Cullen, it appears to us, has been strongly influenced by modern impressionism. He is most at home amid snow and ice, and his winter landscapes convey a definite impression of Canada in winter. Perhaps if he saw things a little more subjectively, he might appeal to a larger public. As it is, few painters have painted snow with more truth. In his pastels he has allowed himself to show his feeling more than in his pictures in oil, and consequently they have more charm. He is an Associate Member of the French Society of Artists, and is a frequent exhibitor at the new Salon in Paris. Amongst the last pictures of his hung there, mention might be made of "A March River," a combination of a dark, rapidly-flowing stream, and snow lighted by the warm glow of a setting sun; and "Quebec from Levis," a fairy grey city beyond a grey river with blocks of ice floating on its surface. These two, as well as a large decorative canvas, "Wolf's Cove," were also exhibited at the St. Louis exhibition.

Edmond Dyonnet we know as a figure painter of talent, with a fine knowledge of drawing. He showed himself to be a good portrait painter in his portraits of Mr. C. E. L. Porteous, and of Professor Lafleur, both of which were to be seen at the St. Louis exhibition; and for them he was awarded a silver medal. He also exhibited at the Pan-American Exhibition a charmingly painted head of Mr. Charles Gill, which impressed one as being full of character.

George Reid's earlier work is not unfamiliar, such as "The Mortgage," to be seen in the National Gallery at Ottawa. It had a certain clumsiness of treatment, verging in intention on the sentimental. In his later work, such as the figure called

"Music," which was exhibited at the St. Louis exhibition, and in another at the last Royal Canadian Academy exhibition, the treatment and subjects were seen to have entirely changed in character. He is now apparently searching for purely decorative quality. Clumsiness and sentimentality have disappeared, and the work has become infinitely more artistic.

Williamson's pictures of Dutch men and Dutch women are very low in key, perhaps too low, but in spite of this his rendering of character is admirable. The handling is broad and masterly; this, combined with a fine feeling for tone, give his work a charm. "Klaasje," "Old Gigs," "Dutch Granny," and other pictures obtained for him a silver medal at the St. Louis exhibition.

Challenor is very dexterous and is a good draughtsman with a faculty of composition. There is a certain artificiality of colour in his work. He has been most successful as a decorator, and all his work has a decorative quality. Decorations of his may be seen in the Richelieu & Ontario steamers, in the King Edward Hotel, in Toronto, and at the Russel Theatre, Ottawa, not to mention other places.

There are certain poetic qualities and a feeling of tone in the pictures of John Hammond. He has made use of the picturesque shipping in St. John Harbour, and has painted it under all aspects, but by preference when veiled in mist or fog. Groups of fishing boats, seen vaguely through the mist, appeal to him. Charming sketches of Venice by him, done at an earlier period, are to be seen occasionally.

There are other painters of ability whom we know: Wyly Grier, whose portrait of E. F. B. Johnson, K. C., which was exhibited at St. Louis, may be mentioned, as also his portrait of Miss Cawthra, exhibited some years ago at the Royal Academy exhibition. His "Bereft" won for him a medal, some years ago, at the Paris Salon. This picture is now in the National Gallery at Ottawa. Of F. McGillivray Knowles, mention may also be made. Edmund Morris, whose "Cove Fields, Quebec," seen at Ottawa last Spring, shows ability

breadth of effect, and charm of colour. Franklin Brownell's portraits, such as that of J. R. Booth, show the work of a skilful, and facile, brush. In "Motherhood," and in "Salome," he manifests a feeling for style, and colour, of a high order. Laura Muntz's pictures of children display a great appreciation of child character and are pleasing in their rich colouring and harmonious arrangement. Her treatment of water colour is clever and fine in quality of colour. Florence Carlyle proves herself in "The Tiff," and "Reminiscences," seen at the St. Louis exhibition, to have a fine feeling for decorative effect. Her work is very skilful, although at times perhaps too summary in its breadth of treatment.

I have refrained from mentioning the name of Horatio Walker, the best of American animal painters, because, although a Canadian by birth, he has become an American citizen and lives for the most part in the United States. Nor have I spoken of William Hope, James Barnsley, Percy Woodcock, F. Bell Smith; since, though their names are familiar, their work is not so commonly seen in the places where one goes to look at pictures.

ADRIEN LE MAISTRE

# A HOME OF LOST CAUSES

A FEW weeks ago I fulfilled a long-cherished project to visit Virginia. The story of the Southern States since the Civil War has not been made either interesting or intelligible to foreigners. We have heard, from time to time, in political parlance, of the "Solid South,"—the steadfast adherence of the old Confederate States to the Democratic party. The abolition of slave labour ruined many of the planters, and gave rise to the black problem. Thus we have heard much of the embittered relations between the white and coloured races. The development of the natural resources of the South by the aid of Northern capital has also played its part in the revival of the war-stricken area. As the memories of the great conflict recede, loyalty to the Union steadily makes way, until to-day, if a man contents himself with the superficial observations of the passing traveller, he finds no difficulty in taking an optimistic view of what he sees. The South shares in the material prosperity now so abundant over the whole continent. It is over forty years since Lee surrendered at Appomattox, and the great heroes of the war have all passed away. The social relations with the people of the North are intimate and friendly. The war is an episode in history. Men talk of it philosophically and without passion. Agriculture and commerce flourish. Cities grow larger. Railways are extended, and capital accumulates with consequent benefit to education, literature, and art.

Over this fair prospect, however, rests the shadow of the race problem. "If I had a million," said a Southerner to me, "I would spend it in sending the blacks to the North: you seem to think it so easy to deal with them." The coloured people, from this point of view, constitute a dead-weight

upon the whole community. In the black belt, where they form an overwhelming preponderance of the population, there is lawlessness and lynching. In a State like Virginia, where the whites are numerous, the situation is not acute, and affords an opportunity for calm reflection. What, one asks oneself, can be the future of a region where so large an element of the people are regarded either with indifference, contempt, or hatred? The humane optimist who is far readier to discuss the matter than any other person in the South declares that the negro will improve. He should, if trained, make a good craftsman. In time he will learn thrift. He can never—this is impressed upon you—be the equal of the white, but as the years go on he will do well enough. The old gardener at Oxford derided the notion that it was hard to make a smooth, even, lawn. The process was simple. You selected good seed, tended its growth carefully, kept rolling the grass for a few centuries, and the thing was done. There is nothing to prove that the blacks will decrease in number, either relatively or absolutely, or that the Southern white is willing to wait patiently for a few hundred years.

A distinct factor, and one of comparatively recent development, is a certain cynicism in Northern opinion. If the heroes of the South are dead, so are the abolitionists. Sentiment has disappeared, or is disappearing, from the consideration of the question.There is a tendency to justify Lincoln's proclamation solely on the ground of its being a war measure. That its political consequences have been evil, few deny. One often hears in the North that to give equal political rights to the blacks was folly, and that devices of one kind or another to exclude them from the franchise are excusable. The captain of a vessel on the James River said to me: "The negro is all right—if ruled out of politics. He is a good workman—if you keep him in his place." This seemed to be the limit of toleration and contentment. Virginia would probably have abolished slavery soon, if she had won her independence, and slavery would necessarily, in due course, have given way to paid labour. To suppose that a slave-

holding oligarchy would have lasted into the twentieth century is scarcely conceivable. But to speculate upon this is idle, since abolition came suddenly upon a land-owning class dependent for existence upon slave labour, and the whole economic fabric of the South collapsed. The practical question now is what, given the present conditions, must be the final and definite character of the reconstruction, social and political. That enquiry a foreigner finds it difficult to answer.

There is, one imagines, a strong undercurrent of dissatisfaction in the South. It was the controlling force in the Republic for half a century. It produced most of the Revolutionary worthies. Without Virginia and its tributary regions, national independence would have been hazardous. The South gave Presidents, lawmakers, and generals to the Republic. It supplied most of the political ideas which succeeding generations applied and worked out. To-day the South is politically almost a cipher in national affairs. It is ruled from the North and the West. Its influence upon the policy of the Democratic party is undiscoverable. No one supposes that the school of Bryan and Hearst expresses the views of the conservative-minded and intelligent Southerners who should be the greatest element of strength to the Republic of more value than the so-called New England school.

One cannot contemplate the political downfall of a powerful community like the South without serious reflection. The position of Virginia especially strikes the imagination. The people have traditions and a history . In a few months they are to celebrate the three hundredth anniversary of the first English settlement in America. They look back in pardonable pride to the colonial period with its wealth of picturesque incident and noble courage. The time came when Virginia drew the sword in a quarrel with the Mother Country. Her leading men joined hands in resisting what many honestly believed to be intolerable tyranny. The decision to sever the bond was momentous. It was taken, not lightly and capriciously, but after consultation and

reflection. The representatives of the people claimed to have with them the common sentiment of the colony. Dissentients there were, but it is doubtless true that the rabble exercised less control in determining the result in Virginia than history shows to have been the case in the other colonies. The statesmen, as well as the mob, declared for rebellion. There was cooperation with the Northern colonies, as was natural, but the Virginians, ably led and with a pride that was almost national, may be supposed to have been fighting for their own hand. When the French intervened, and the revolution succeeded, Virginia was in a position to draft the terms of the federal constitution. There was to be a Union, but one federal in character with the doctrine of state sovereignty clearly asserted.

The ultimate outcome was one satisfactory to Virginia. She was as much the predominant partner in the Union, as England is in the United Kingdom. The cases are not parallel because, outside of mathematics, there are no exact parallels. But for fifty years after the Revolution the Virginians must have felt themselves to be masters of the situation. They and their Southern allies controlled Congress, elected the Presidents, carried on the war of 1812 without the assistance, and contrary to the wish, of New England, and were in fact, as in name, the rulers of the country. Merged as Virginia was with other communities in support of a national government there was yet much to keep alive the tradition that state sovereignty was a real independence.

The day came for testing this right of sovereignty. Virginia was not foremost in the secession movement of 1861. The support given to slavery as a principle was probably not deep-seated. A sincere attachment to the Union had grown up. How could it be otherwise? After the other States withdrew, Virginia had still to decide what her attitude would be. There was, doubtless, some political manœuvering before the majority carried its will; but in the main we may ascribe the result to the deliberate judgement of the people. The greatest of all Virginians, Robert Lee, left the

Union after many pangs, and only on the ground of loyalty to his State. "How," he asked, "could I draw my sword against Virginia?" This comes near to a feeling of nationality. It warrants the belief that in many minds Virginia was regarded as a sovereign community. Finding that the independence won in the Revolution was hampered and crippled by the Northern members of the Federal Union, Virginia proudly asserted her inalienable right to withdraw, and cast in her lot with the other Confederates. The declaration of secession expressly set forth that the course resolved upon was a resumption of the independence secured in 1783.

The issue of the war, therefore, was not merely military defeat. It meant the triumph of the Union over state rights and the extinction of the idea that the claims of sovereignty made by individual states had any real basis. The doctrine lingers, as we see in California over the Japanese affair; but its precise limits are set by lawyers, not by soldiers. Because the national constitution was not remodelled after the Civil War, the South consoles itself with the belief that life yet remains in the cause. But the hope is illusory. The independence won in the Revolution was to be shared by all, not divided up at will among the victors. The central government came out of the Civil War supreme. Another secession —if such a thing is conceivable—would have to appeal on wholly different grounds, such as some fundamental alteration in the constitution sufficient to dissolve the original bond.

And so Virginia is a home of lost causes. The share in the glorious destiny of the Empire was, for reasons that seemed adequate then, given up. Slavery is gone, but not, we may suspect, much lamented. The supposed sovereignty of the State has vanished. Belief in its reality can only survive as a pious opinion. Political supremacy, too, is no more. The Virginian must content himself with reconstructing a new condition out of the ruins of the old. The animosities of the war are certain to die out. To brave men, who played a great part with courage and brilliancy, there is nothing humiliating in defeat. The loss of political

authority is a harder blow, and the effects will last longer. For a century the land-owning class produced men with the leisure and wealth to devote themselves to public affairs, and with certain traditions of statesmanship which promised to be of permanent influence. To replace what is lost is no easy task, and when a New South emerges the influence it will exercise on national policy may be a modern product.

A. H. U. COLQUHOUN

# FERDINAND BRUNETIÈRE

FERDINAND BRUNETIÈRE died in Paris on Sunday, December 9th. 1906, while at work in his library. The salient facts in the career of this French critic may be stated briefly. He was born at Toulon, July 19th. 1849. He studied first at Marseilles, and went to Paris to complete his education. Curiously enough, he failed in his examinations at l'Ecole normale supérieure in 1869. He had a difficult struggle for a livelihood for some years after the war, but eventually gained a foot-hold in literature by an article in the *Revue Bleue* of 1875, on " St. Louis et son Siècle," which made such a favourable impression that he was invited to contribute articles to *Le Parlement.* In the same year he became a regular contributor to the *Revue des deux Mondes,* of which he presently became sub-editor, and in 1894, Director or Editor-in-chief. He was admitted to the French Academy in 1893.

M. Brunetière enjoyed a remarkable reputation as an orator, and his lectures upon literature were always the event of the day in Paris. It is an interesting fact to note that, in 1886, he held an important appointment as lecturer in the Ecole normale where a few years before he had failed to take a degree. During the years 1891-92 he delivered a series of lectures at the Odéon on " Les Epoques du Théâtre français," which later appeared in book form. His lectures on Bossuet at the Sorbonne, in 1894, attracted wide attention, and the efforts he made to re-establish the waning fame of that great divine notably enhanced his own reputation as an orator and special pleader.

M. Brunetière began to publish his critical articles in book form in 1880, and more than a dozen volumes now stand to his credit, monuments all of them of his erudition and con-

troversial talent. His efforts in constructive criticism are best represented by his remarkable volumes, "L'Evolution de la Poésie lyrique," and by the first volume of a projected series of four entitled "L'Evolution des Genres," (1890). In it he seeks, though not with conspicuous success, to establish the relations which he assumes to subsist between literature and biology. Darwin and Haeckel are indeed strange arbiters to invoke in the cause of literature !

A certain interest attaches to the visit of M. Brunetière to Canada in 1897. He was invited to America by an organization known as the "Alliance Française," a well-meaning group of men who aspired to create in America a fresh interest in the French language. Laval University was forward in the movement, and made itself responsible for the sentiments of the visitor. The lecturers available, who were also likely to entertain opinions agreeable to Laval, were not numerous; indeed the list was exhausted when Brunetière and René Doumic had delivered their lectures. The Jesuits are believed to have treated the visitor with some reserve; but the Sulpitians who control Laval University were entirely cordial; and it was the late Abbé Colin who arranged for the lecture on Bossuet. One result of the visit was the endowment of a chair of French Literature in Laval on a liberal scale. The provincial Government contributed a thousand dollars for some years; but at length the burden fell upon the Sulpitians alone.

M. Brunetière always acted the part of adviser to Laval in the matter of appointments, and must have been at some pains to keep the chair filled, as it has had four occupants in eight years—MM. Labriolle, Laurentie, Leger, and the present incumbent. The endowment of this chair is probably the only important result of M. Brunetière's visit. The professors have done much for literary instruction in Montreal, by reason of their distinguished scholarship, and their native instinct for form; and have won for their work the highest respect from their English-speaking colleagues.

The distinguished visitor did not appear to be much inter-

ested in what he saw. He had seen many things in the United States, and had heard much which he did not understand, for he spoke English indifferently well. It was sufficiently ludicrous to see him attending a lecture by Professor Callender upon the x-rays which were at that time a new thing. He was probably not much concerned about the novelty; and, in spite of Professor Coussirat's assiduity in translating the lecture for him, he did not manifest even the appearance of interest in the performance. In the Library of McGill University he brightened up for a moment when Professor Ingres, with dramatic instinct, pointed out a shelf upon which all his books had been carefully displayed.

Brunetière's *évolution vers le catholicisme* gave him an added interest in a community which is in itself largely French and Catholic. Madame Blanc, better known as "Madame Bentzon," who accompanied him, spoke freely upon the subject. She said he had been much impressed by the spectacle of Catholicism adapting itself to modern conditions in the United States. He had dined in the houses of Protestants in company with Cardinal Gibbons, and Archbishop Ireland, both of whom wore the ordinary garb of gentlemen. His profession of theological belief was, according to that lady, an affair of the head rather than of the heart; he was a *croyant* rather than a *dévot*; he accepted Catholicism not so much because he experienced a spiritual need of it, as because it represented authority and conservatism.

Many of us remember a slight man, short of stature, black of aspect, and thrilling with nervous energy, who stood facing his American or Canadian audience ten years ago. With Gallic precision he uttered his first word at the stroke of the hour; with Gallic logic he unfolded his main theme, and marshalled his subsidiary facts; and, with Gallic precision he concluded his discourse,—no loose threads hanging, no argument not driven home,—as the next hour chimed from the clock. Such was Ferdinand Brunetière, the lecturer, as I remember him at

Baltimore in the early spring of 1897, and the spell of Brunetière the lecturer was sufficiently potent upon me to compel familiarity with Brunetière the author. I adopted him, not without reservation and occasional protest, as my guide through the labyrinth of French literature, and although I am deeply in his debt for many valuable suggestions, I may frankly state that this reservation and these protests have deepened rather than diminished with time.

No critic is more apt than he to apprehend and elucidate the subtle changes in the social temper which precipitate literary evolutions or revolutions, and we must perforce admire the cunning penetration with which he traces the filiation and processes of ideas from individual to individual, and from generation to generation. But is he a safe guide? Can we accept not only his opinions upon literary movements, which I have admitted to be convincing, but also his judgements upon individual writers? This cannot be unconditionally said of any of his critical predecessors, not even of the greatest, Sainte Beuve, or Taine. A certain leeway must be allowed to our own predilections and antipathies as readers, and the pronouncements of a critic can never have the validity of absolute truth. But M. Brunetière is so dogmatically certain of his judgements, and so copious in argument, that we must exercise constant vigilance to preserve our independence.

If we relax this vigilance so far as to become his slaves, the literature of the French middle age will not exist for us. Froissart is merely a glittering chronicler of decadent chivalry, Montaigne a dangerous sophist, interesting only as an exponent of the new Latinity. With the *Pléiade* French literature may be said to begin, but nothing is really worthy of our admiration until Corneille appears, and Corneille is conspicuously inferior to Racine. We must concede Molière's greatness, but Bossuet is a nobler figure and a safer guide to conduct. In his august shadow Fénelon and Descartes bid fair to disappear. In the *robust* realism of Racine's tragedy, and in the satires of Boileau we shall discern a truer and deeper type of

naturalism than the nineteenth century can show. Voltaire and Rousseau are equally and thoroughly despicable as men, and the originality of the former has been over-estimated. We find all that is valuable in him, save his inimitable style, in either Bayle or Montesquieu. He is the defender of Calas, Sirven, and de la Barre, from motives of self-interest; and he becomes the foe of Intolerance because he desires to maintain the leadership in public opinion, at a time when that low fellow Rousseau, and the Encyclopaedists, are aspiring to the supremacy. Rousseau must be classed as a writer of the second rank because of his arrogant individualism; but, by his very subjectivity he acquires a literary importance, forming, as he does, the link between the pulpit-eloquence of Bossuet and Bourdaloue, and nineteenth century lyricism. Victor Hugo is a great writer, even a very great writer, but he has too much imagination, and is too subjective. Lamartine is the finer poet. The Realists do well to combat the egoistic extravagances of Romanticism, but their aims and methods apart from this are wholly ignoble. And poor Stendhal, and poor Béranger, and misguided Verlaine and Mallarmé,—in a critical scheme which leaves as our models of perfection only a few tragedies of Racine, the "Provincial Letters" of Pascal, and some funeral orations of Bossuet, what word shall be spoken for you?

This may appear a cruel condensation of a strongly fortified literary doctrine, but these, after all, are the transpositions of values to which a disciple of Brunetière must assent. Without subscribing ourselves as his disciples, let us follow loyally the chain of reasoning which leads him to conclusions so apparently destitute of reason.

Brunetière by his conception of the critic's function places in our hands the thread which guides us through the maze. He properly maintains that the essential pre-requisite to criticism is a vast erudition which alone makes it possible to estimate a work, not as an isolated product, but as the characteristic expression of an author's talent, and as the

result of many rivulets of ideas, and many streams of influence converging into one channel. Like Sainte-Beuve and Taine, Brunetière insists therefore upon an ample knowledge of society with its constant pressure upon the individual; and, more advanced in this respect than Taine, he recognizes the supplemental wisdom of indicating the reciprocal reaction of the individual upon society. Such are his concessions to the doctrine of the *milieu*. Taine's theory of the 'moment' is an instrument of delicate precision in the hands of Brunetière who shows a positive genius in estimating the nature and the force of the intellectual antecedents which mould a given author's opinions. Taine conceived that the critic's task was concluded with the mere act of statement and explanation. Brunetière held that here the critic's task was but begun. Having explained the genesis and the ideas of a book, it becomes necessary to classify the product and to judge the result. Remains the question as to how we shall judge. What criterion of values do we possess? Shall we, like that discerning critic Boileau, apply dogmatic standards which are inflexible for the yesterday, to-day, and to-morrow of art? No: we are too conscious of the ebb and flow of types, of their birth, their perfection and their decay. Shall we, like those fastidious impressionists, Anatole France, and Jules Lemaitre, frankly follow our own proclivities? No! a thousand times no! cries Brunetière, unless we would build upon shifting sand. We must beware of our natural preferences. We must eliminate the "personal equation," or give to criticism the waywardness of a mere straw at the mercy of the wind.

Somewhat naively, we must confess, Brunetière bases his theory of criticism upon the assumption that our sensibilities and our reasoning faculty are capable of severance; that just as in the sphere of morality we are able to act against our instincts, so in the world of thought it is possible to judge against our taste. The formula which Boileau established more than two centuries ago remains with few modifications the basis of the Brunetière doctrine of to-day, and affords

him the criterion of values which he desires. The terms of that formula,—"reason," "nature," "truth,"—are readily interpreted if we consider for a moment the motives underlying Boileau's admiration of the ancient classic writers. The fact that these authors have survived into modern times implies that they have dealt with human nature in its permanent relations. They have abjured the local and the accidental, (is this true?) and have created normal types of universal significance. They are the moulders of a venerable tradition, and stand for us as models of that which is 'reasonable,' and hence of enduring value in literature. Our modern preference is rather for what is bizarre and accidental; we demand that emphasis be given to local colour, and are infinitely more interested in a literature which depicts individuals of strongly pronounced temperament, than in a literature which deals, however nobly, with types of abstract significance. Boileau and Brunetière would join hands here in condemning our degeneracy. And the Boileau-Brunetière Reason would not only prohibit the pourtrayal of extreme individual types, which by their very extremism cease to have typical value, but with equal vehemence would cry out against the individualism of modern authors who delight to give a subjective colouring to thought and action.

Thus far Brunetière's taste and judgement cooperate. He distrusts Rousseau chiefly because of this arrogant individualism of which I have spoken, and his reason confirms his instinctive dislike. He cannot come to terms with the immense egoism of Hugo, whose untamed imagination and penchant for mystery are a further offense against clearness and reason. And so with fashioners of strange types of beauty like Baudelaire, with amateurs of the abnormal, like the Goncourts, and with dilettantes of the obscure, like the modern symbolists,—in them Brunetière is forced to condemn a literature of aberration, and dealing with them, the critic's instinctive appreciation and judgement still move in harmony.

The cleavage of taste and judgement is curiously evident

in Brunetière's criticism of Molière. Were clearness and 'reason' ever exemplified more emphatically than in his writings? Was there ever a more 'natural' philosophy? Yet Brunetière's final judgement upon his work is hostile. He severs the artist from the teacher so far as to praise the one, and condemn the other. To understand this we must read the many pages of subtle sophistry in which Brunetière explains his idea of 'nature' in humanity, and 'nature' in art. The gist of the long argument is that man is a kingdom within a kingdom; our morality, that is to say, is a protest against instinctive impulse, and its elevation is proportioned to our power of treading down the 'nature' within us. This brings us into the region of Christian dogma (and mediæval dogma at that), and we are now in a position to understand Brunetière's repugnance for the 'natural' men of his country's literature. Such a natural man was Molière, as Rabelais and Montaigne had been before him. Such another was the naive LaFontaine, and even in a fuller sense Rousseau and Diderot of the succeeding century. Voltaire, whom Brunetière has the good grace to call the most characteristically French of all writers, goes to the wall, not as the exponent of the natural philosophy, but as the opponent, on other grounds, of Christian tradition.

There remain the naturalists of the nineteenth century. Do they not seek clearness? Do they not follow nature? Are they not clamorously zealous in the cause of truth? Finally, are they not wholly hostile to the subjectivity of their romantic predecessors? Why then may we not accept this group without reserve? Again we must cut and slash that poor word 'nature,'and conclude that, because of the grossness involved in nature, it is not admissible to pour the whole of nature into art. We must preserve at all costs the dignity and the decency of literature. Furthermore, the undue emphasis which these writers set upon detail, their mania for facts, even were other vices lacking, would invalidate their work.

Only for a period of fifty years, from 1640 to 1690, are those literary qualities found in combination, which constitute,

according to Brunetière, the consummate tradition of the race. Before then all is preparation, after this period all is decay except in the domain of the novel and lyric poetry, which he would have us consider as inferior branches of literature. The extent to which his seventeenth century prejudices sway him may be illustrated in a sentence: "Il y a une connaissance des hommes et des choses plus profonde et plus sûre, un sens plus vif de la réalité dans les mémoires du moindre frondeur du dix-septième siècle que dans Diderot tout entier." Is it Brunetière's judgement or his taste that is speaking here?

The truth is that no critic can eliminate the personal equation. We may render our appreciation more catholic by multiplying our intellectual experiences, by breaking ourselves, as Sainte-Beuve did, on the wheel of spiritual metamorphosis. But appreciation and judgement advance *pari passu;* they cannot in honesty be divorced. And this it is which makes me suspicious of all attempts to erect a scientific system of criticism. Brunetière disavows the intention to make criticism a science, but the fact remains that he was always aiming at a scientific certitude for his judgements. He appeared to mistrust his own appreciation, and he therefore pressed into the service of criticism a series of laws or tests which should correct, if necessary, or confirm his original judgement. These we may call the laws of French literary tradition—a book must be clear, dignified and devoid of egotism; and—the laws of Catholic dogma—a book is to be condemned, for example, if it expounds a 'natural' philosophy as do the essays of Montaigne, or the comedies of Molière.

The result is that by his very theories Brunetière is condemned to be rigid and pedantic, and he abandons the qualities of flexibility, grace and a happy *insouciance* to critics whose methods he despises. He charges with intellectual levity men like Lemaitre, and Anatole France, who give their opinions for what they are worth, as an expression merely of their personal tastes. Undoubtedly Brunetière is as often right as they are, but he lacks the art of being gracefully in

the wrong. If Brunetière told me that a play by Meilhac and Halévy was better than Molière I should resent it, because the statement would be thrust upon me as a categorical truth. Now Lemaitre actually says that he prefers a play by Meilhac and Halévy to a play by Molière, but he says it so winningly that resentment is impossible. I need not surrender my own judgement. Lemaitre would be surprised if I did. The only result is that I turn to a comedy of Meilhac and Halévy with the keener zest, expecting to find there qualities of a peculiar merit, and an adequate representation of the complex modern world we live in. And why need we be annoyed if the same wayward critic, Lemaitre, makes a book on the Jews by Renan a text for his own reflections? If he tells me about a Noah's Ark that he played with as a child, I shall not quarrel with him provided that he makes literature out of the ark,—and you may be sure he will, because before being a critic Lemaitre has remembered to be an artist. Brunetière, honest fellow that he was, never thought of being anything but a critic, which makes me fear that twenty years hence his books will be so much dead matter. Sainte-Beuve lives because his criticism is human and creative, and because he possesses that passport to immortality—charm. Taine will live because of the vigour of his ideas. Brunetière will be remembered for a time as the most painstaking and erudite critic of his age, and as the man who imported into literature a number of strange terms, "the struggle for existence," "the variation of species," "survival of the fittest," —and others equally cumbrous that we need not remember.

And so is the critic criticised, the judger of men judged, labelled and put away in the cabinet of antiquities.

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