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BLACKWOOD'S EDINBURGH MAGAZINE

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MEMOIR OF THE LATE JOHN WILLIAM SMITH, OF THE INNER TEMPLE, BARRISTER-AT-LAW.

BY SAMUEL WARREN, OF THE INNER TEMPLE, BARRISTER-AT-LAW.

But the fair guerdon when we hope to find,
And think to burst out into sudden blaze,
Comes the blind Fury with the abhorred shears,
And slits the thin-spun life.

MILTON.—*Lycidas*.

The name of John William Smith, barrister-at-law, of the Inner Temple, now appears, possibly for the first time, before nineteen-twentieths of the readers of *Blackwood's Magazine*. It is that, however, of a remarkable and eminent man, just cut off in his prime, before he had completed his thirty-seventh year: having as yet lain little more than a twelvemonth in his grave, to which he had been borne by a few of his sorrowful and admiring friends, on the 24th of December, 1845. Another eminent member of the English bar, Sir William Follett, belonging to the same Inn of Court, and also cut off in the prime of life, while glittering in the zenith of his celebrity and

success, had been buried only five months previously. I[1] endeavoured to give the readers of this Magazine, in January 1846, some account of the character of that distinguished person; and Mr. Smith, learning that I was engaged upon the task, with morbid anxiety repeatedly begged me to show him what I was writing, up to within a few weeks of his own decease: a request with which, for reasons which will become obvious to the reader of this sketch, I declined to comply. With Sir William Follett's name all the world is acquainted: yet I venture to think that the name of John William Smith has greater claims upon the attention of readers of biography. His character and career will, it is believed, be found permanently and intrinsically interesting,—at once affecting, inspiriting, and admonitory. He fell a martyr to intense study, just as that competent and severe body of judges, the English bench and bar, had recognised his eminent talents and acquirements,
[Pg 130] and the shining and substantial rewards of unremitting exertion were beginning to be showered upon him. He came to the bar almost totally unknown, and was destitute of any advantages of person, voice, or manner. His soul, however, was noble, his feelings were refined and exalted; and, when he departed from the scene of intense excitement and rivalry into which his lot had been cast, those who had enjoyed the best opportunities for forming a true judgment of him, knew not whether more to admire his moral excellence or his intellectual eminence, which shone the more brightly for the sensitive modesty which enshrouded them. Many have expressed surprise and regret that so interesting a character should fade from the public eye, without any attempt having been made by his friends to give a full account of his character and career. I was one of his very earliest friends; witnessed the whole of his professional career, shared his hopes and fears, and, with two or three others, attended upon him affectionately to the very last. During the year which has since elapsed, I have reflected much upon his character, and had many opportunities for ascertaining the respect with which his memory is cherished in the highest quarters. I shall endeavour, therefore, though with great misgivings as to my competency for the task, to present to the reader an impartial account of my gifted friend: no one else, with one exception,[2] having, up to this time, undertaken the task.

John William Smith, the eldest of eight children, was of a highly respectable family: his father having died in 1835, Vice-treasurer and Paymaster-general of the Forces in Ireland. Both his parents were Irish—his mother having been a Miss Connor, the sister of a late Master in Chancery, in Ireland. They lived, however, in London, where the subject of this memoir was born, in Chapel Street, Belgrave Square, on the 23d January, 1809. From the earliest period at which note could be taken of their manifestation, he evinced the possession of superior mental endowments. No one is less disposed than the writer of this memoir, to set a high value upon precocious intellectual development. *Observatum fere est*, says Quinctilian, in his passionate lamentation for the death of his gifted son, *celerius occidere festinatam maturitatem*.[3] The maturity, however, of John William Smith, far more than realised his early promise, and renders doubly interesting any well-authenticated account, and such I have succeeded in obtaining, of his early childhood. When advanced not far from infancy, he appears to have been characterised by a kind of quaint thoughtfulness, quick observation, and a predilection for intellectual amusements. He was always eager to have poetry read to him, and soon exhibited proofs of that prodigious memory, by which he was all his life pre-eminently distinguished, and which has often made the ablest of his friends imagine that with him, *forgetting* was a thing impossible. Before he knew a single letter of the alphabet, which he learnt far earlier, moreover, than most children, he would take into his hand his little pictured story-book, which had been perhaps only once, or possibly twice, read over to him, and pretend to read aloud out of it: those overlooking him scarcely crediting the fact of his really being unable to tell one letter from the other; for he repeated the letterpress *verbatim*, from beginning to end. This feat has been repeatedly witnessed before he had reached his third year. To all the friends of Mr. Smith in after-life, this circumstance is easily credible: for the quickness of his memory was equalled by its tenacity, and both appeared to us almost unequalled. When three years old, he read with the greatest facility all such books as are usually put into the hands of children; and his delight was to *act*, in the evening, the fable which he had read in the morning—and a reader insatiate he even then appeared to be. Between his
[Pg 131] third and sixth year, he had read, *effectually*, many books of history, especially those of Greece, Rome, England, and France; acquiring with facility what he retained with the utmost fidelity. He seems to have been, at this time, conscious of possessing a strong memory, and pleased at testing it. When not five years old, he one day put the parts of a dissected map, consisting of a hundred pieces, into his father's pocket, and then called for them again one by one, without having made a single mistake, till he had finished putting them together on the carpet. At this early period, also, he displayed another first-rate mental quality, namely, the power of abstraction—one by which he was eminently distinguished throughout his subsequent life. When a very young child, he was frequently observed exercising this rare power—lost to all around him, and evidently intent upon some one object, to the exclusion of all others. Thus, for instance, he would often be occupied with a play of Shakspeare, while sitting in the corner of the drawing-room, in which were many persons engaged in conversation, or otherwise doing what would have effectually interrupted one who was not similarly endowed with himself. One of his brothers often played at chess with him, with closed folding doors between them, the former moving the chess-men for both, and the latter calling out the moves, without ever making an erroneous one, and frequently winning the game. His partiality to poetry, from almost his infancy, has been already noticed: and it is to be added, that he was equally fond of reading and *writing* verses. One of his relatives has at this moment in her possession a "Poem" from his pen, in pencilled *printed* characters, before he had learned, though he learned very early, to write, entitled, "The Mariner's Return." Till very recently, also, the same lady possessed another curious relic of this precocious child,—namely, a prose story; the hero of which was a peasant boy, whom he took

through almost all the countries of Europe, and through many vicissitudes, finally exalting him to the post of Prime Minister to Henry VIII. The knowledge of geography and history displayed in this performance, is declared by those who have read it, to be truly wonderful. Shortly after he had reached his eighth year, he was sent to a school at Isleworth, kept by a Dr. Greenlaw, and remained there four years. I have heard him frequently describe his first arrival at the school, and several incidents attending it, in such a manner as showed him then to have had great shrewdness and keenness of observation. One, in particular, struck me at the time as illustrative of his stern sense of right, and habits of reflection, at that very early period. "I remember," said he, "that soon after I had got to school, a big boy called me aside, and told me very seriously that I must prepare for a terrible flogging on Saturday morning, and that however well I behaved, it would signify nothing, for it was an old custom at the school to flog a little boy on his first Saturday, before the whole school, by way of example, and to make him behave well. I was horribly frightened at this; but the first thing that struck me, and kept me awake a good while thinking of it, was, how very *unjust* a thing it was to do this; and I thought so much of *this*, that I do believe I was at length far more angry than frightened. Of course, when Saturday came, I found it had been all a joke only; but I always thought it a very disagreeable and improper joke." I have several times heard Mr. Smith mention this little circumstance, and I have above given many of his own expressions. He used to proceed to describe the reasonings which he had held in his own mind upon this subject, all which, he said, he vividly recollected; and it was certainly both curious and interesting to hear how he puzzled himself in trying to find out "reasons why it might be right to flog him under these circumstances." Dr. Greenlaw was not slow in discovering the extraordinary abilities of the little new-comer, and used to describe them in glowing terms to his father; but would add that, much as he admired the child's talent and diligence, he
[Pg 132] entertained a still higher opinion of the little fellow's perfect modesty, his seeming unconsciousness of his mental superiority over his companions, his honesty and simplicity of character, and, above all, his unwavering and inflexible adherence to truth on even the most trifling occasions. Every living friend of his will testify that he was thus distinguished throughout life, exhibiting that

> Compositum jus, fasque animi, sanctosque recessus
> Mentis, et incoctum generoso pectus honesto,

which the stern moralist[4] declared to afford the noblest qualification for approaching the presence of the gods.

> Hæc cedo ut admoveam templis, et farre litabo.

During this period, namely, from his eighth to his twelfth year, he became passionately fond of writing verses: and I have now before me, kindly forwarded by one of his relatives in Ireland, two small quarto MS. volumes, containing exclusively what he wrote during this period, extending to upwards of seventy or eighty pieces, some of considerable length, and in every kind of English verse. Their genuineness is unquestionable; and I shall quote from them in the state in which they were originally collected at the time, without the alteration of a single letter. Having completely satisfied myself on this point, and I hope the reader also, what will he think of the following evidence of the creative perception of humour professed by a child scarce thirteen years of age? I have transcribed it *verbatim*. It is prefixed to a satirical poem of some length, entitled "Practical Morality."

Preface *loquitur*—

> "Though it may appear to thee, courteous reader, that I have in all ages been considered as a vehicle of fumbling apologies and trivial excuses, a sort of go-between employed by the writer to deprecate the anger of the peruser, in short, the literary servant of all-work, whether my duty be to expatiate on the merits, or apologise for the defects of my master, or (as it often is) to claim the pity and forbearance of the mobile, and set forth in humble terms the degradations he has submitted, and is still ready to submit to,—I say, reader, though a part so servile has been assigned to me, yet, should my natural claims and intrinsic merits be duly considered, different, far different would be my station. What! am I thus exalted in situation above my [*sic*] situated, (as I may say,) in the very van, exposed to the sneer of every satirical reader and sententious critic? Am I placed in a post so dangerous, and are contempt and humiliation my only reward? O, mankind, where is your gratitude? Think, generous reader, on the services I have so often rendered you: think how often, when you were about to enter upon the stupendous folio, or the dull and massy quarto, four inches at least in thickness, think, O think, how often my timely, though unpromising appearance, has warned you not to encumber your brain with the incalculable load of lumber! With me, then, let the glorious work of reformation commence, restore me to the honour and esteem I so justly deserve. I, for my part, shall still continue to be a spy upon stupidity, and oft shall you receive the reward of your benevolence from my friendly and seasonable admonitions."
>
> "Hezekiah Shortcut,
> O tempora! O mores!"

The poem is in two cantos: the first of which thus opens,—

Long have I viewed the folly and the sin
That fill this wicked globe of ours, call'd earth,
And once a secret impulse felt within
My bosom, to convert it into mirth;
But then the voice of pity, softly sighing,
Hinted the subject was more fit for crying.

Democritus was once a Grecian sage—
A famous man, as every one must know—
But rather fond of sneering at the age,
And turning into laughter human wo;
Another sage, Heraclitus to wit,
Considered it more wise to weep for it.
I can't determine which of them was right,
Nor can I their respective merits see;
The subject, disputation may invite,
But that belongs to wiser men than me.
It has already been discuss'd by one,
A better judge by far (see Fenelon.)

Verse the twelfth touches upon a topic with which its writer was destined afterwards, for a short time, to be practically familiar.

How sweet a fee unto the youthful lawyer
Never before presented with a brief,
To whose distressing case some kind employer
Steps in, and brings his generous relief;
[Pg 133] Thus giving him a chance to show *that* merit
So long kept down by the world's envious spirit.

Here is the little practical moralist's advice to the ladies!—

Ye ladies, list! and to my words attend,
They're for your good, as you shall quickly see.
Sit down by the fireside, your stockings mend,
And never mingle spirits with your tea.
When you retire at night, put out the candle,
Discard your lap-dogs, leave off talking scandal.

When card-tables are set, you must not play
For ought beyond the value of one shilling:
This is my firm decree, although you may,
As ladies mostly are, be very willing.
I bid you cease, for into debt 't will run ye,
Do you no good, but spend your husband's money.

Husbands are fools who let their wives do so,—
I scarce can pity when I see them ruin'd.
For when they squander all, they ought to know,
Destruction is a consequence pursuant.
When each has turn'd his home into a sad-house,
He then finds out that he deserves a mad-house.

I do denounce, in all the songs you sing,
The words, *sweet*, *lovely*, dear angelic charmer,
Flames, *darts*, *sighs*, *wishes*, *hopes*,—they only bring
Thoughts to a lady which perchance may harm her.
You therefore must consider as ironic
Every expression which is not Platonic.

The whole poem is written in a droll, satirical strain, and shows a great familiarity with the topics of ancient and modern literature. The rest of the volume consists of translations from Anacreon, Horace, and other Greek and Latin poets, and many original pieces; one of which latter, entitled "The Prodigal Son," thus gravely and impressively opens,—

Far from his kindred, from his country's soil,
By want enfeebled, and oppress'd by toil,
Compelled with slow reluctance to demand
The niggard pity of a stranger's hand,
And forced, in silent anguish, to abide
The sneer of malice, the rebuke of pride:
A wretch opprest by sorrow's galling weight,
Deplored his ruined peace, his hapless fate.
His was such anguish as the guilty know,
For self-reproach was mingled with his wo.
He dared not fortune's cruelty bemoan—

The error, the offence, was all his own.

There are also scattered over the volume several epigrams, one of which is headed thus: "On a Lady who married her Brother-in-law."

After so many tedious winters past,
The lovely S—— has caught a swain at last—
A swain who twice has tried the marriage life,
And now resolves again to take a wife.
Behold! behold *the new-made* mother runs,
With ardour to embrace—*her nephew-sons*!

The second volume commences with a poem of considerable length, entitled, "Salamis," with a notice that "The foregoing poem was presented to his father, by John William Smith, January 23d, 1821, the day on which he completed his twelfth year." The following is "The Argument of Canto I:—

"Themistocles lying awake in the night, is surprised by the entrance of Aristides, who informs him that the Persian fleet had completely surrounded them. Themistocles tells him that this was effected by a device of his own, to prevent the Greeks from deserting the Straits, and sends him to Eurybiades, calls a council in the morning, in which it is resolved to attack the enemy, and the whole fleet move forward in order of battle.—Scene, the Grecian camp on the sea-shore of Salamis."

The first Canto thus opens—

Now darkness over all her veil had spread,
Save where the moon her feeble lustre shed,
When from the clouds emerging, her dim ray
Mock'd the effulgence of the lucid day.
Stretch'd on their beds, the Greeks in soft repose
Awhile forgot their harass'd country's woes.
Themistocles alone awake remain'd,
By his anxiety from sleep restrain'd;
Although the chief with labour was opprest,
His care for Greece withheld his wonted rest.
[Pg 134] For three long hours, all had been still around,
At length he hears (or thinks he hears) a sound;
He starts, and sees a stately form advance,
Clad in bright arms, and with a shining lance,
And by the moon's faint beams, the chief descried
A Persian sabre glittering at his side.

Here follows the "Argument of Canto II—

"Mardonius is surprised by the noise of the Greeks advancing, and the hostile fleet appearing, the ships move forward to meet them.—Lycomedes takes the first galley, and consecrates the spoils to Apollo.—The acts of Eurybiades, Mardonius, and Themistocles.—Aristides and Lycomedes landing in the Isle of Psyttalia, destroy a number of Persians stationed there, at sight of which, part of the Persian fleet gives way.—Ariamenes endeavouring to rally them, is slain.—At his death the rest of the Persians fly. The Greeks pursue them to the Attic shore, and obtain a complete victory, which concludes the Poem."

The whole poem shows a mind thoroughly imbued with Grecian history, and the action is conceived and described with considerable spirit. There are a few lame verses, here and there, but scarcely a single puerile conceit; while a perusal of the entire contents of these records of a gifted child, is calculated to surprise, by the great extent of reading displayed by its writer, and the ease and precision with which he brings it to bear upon his subject.

In the spring of 1821 he entered Westminster School, taking his place on the fourth form, which secured him all exemption from fagging. Here, again, his progress was that of a boy of first-rate abilities, great diligence, and unvarying good conduct. Two years afterwards, viz. in the spring of 1823, he gained a king's scholarship, without the assistance of a "*help*," a thing which it is believed was unprecedented. In the College, however, he could not escape *fagging*; but such was his independent spirit, that he refused to submit to it, and immediately resigned his hard-won scholarship, with all its prospects. His father was somewhat nonplussed by this occurrence; and presently sent him to a school at Blackheath, kept by the present rector of Woolwich, the Rev. Willain Greenlaw, a son of his former master, Dr. Greenlaw. The Blackheath school contained no fewer than seventy-two boys, many of them on the eve of quitting for the universities; but as soon as John William Smith made his appearance, he was not only recognised as being far superior to them all, but equally well read with the ushers; and he consequently read with Mr. Greenlaw himself, alone! being then, it will be recollected, little move than fourteen years of age! He wrote every species of Latin verse with the utmost facility—of which he gave, on one occasion, a proof not yet forgotten by his schoolfellows: for, one evening, shortly after going there, he wrote all the Latin verses for the entire school, from the highest to the lowest—in all metres, and on every variety of subject. This feat was lately communicated to me by one of his then schoolfellows; and

I also recollect him once mentioning the subject to me himself; adding, if I recollect correctly, that there was not a blunder found in any of the verses which he had written. During his vacations he visited France, and mastered the French and Italian languages, with both of which, up to the period of his death, he continued perfectly familiar, and very partial to the writers of both. About this time he began to cast about for a profession; and entertained the notion of either going out to India, in a military capacity, or entering Woolwich academy as a cadet. His father persuaded him to relinquish the former step, but assented to his adopting the latter; and he paid close attention to engineering. He has often expressed to me the delight he took in studying *fortification*; adding, that he had sometimes regretted having abandoned that line of life, for that he fancied he should have been successful in it. His father would have procured him an appointment in conformity with his wishes, had not his views concerning him been changed by his friend, the Right Honourable Sir George Fitzgerald Hill, then Vice-treasurer of Ireland, who gave his son an appointment in the Vice-treasurer's office at Dublin Castle. Sir George quickly
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detected the superior talents and acquirements of young Smith, and became much attached to him; evincing peculiar satisfaction in conversing with him, and listening to his quaint, exact, pithy answers to questions proposed to him. About this time he was smitten with the love of Lord Byron's poetry, which he devoured with avidity, and his own love of verse-writing revived. He became, indeed, very anxious to excel in poetry. He was soon tired of his official duties, and resigned his situation in favour of his brother, who at this moment fills a responsible office in the same department in Dublin Castle.

In the year 1826, being then in his seventeenth year, Mr. Smith entered Trinity College, Dublin, where his whole career was, as might have been expected, one of easy triumph. He constantly carried off the highest classical premiums, and occasionally those in science, as well as—whenever he tried—for composition. In 1829, he gained a scholarship, and in the ensuing year obtained the highest honours in the power of Trinity College to bestow, namely, the gold medal for classics. He thought so little, however, of distinctions gained so easily, that he either forgot, or at all events neglected, even to apply for his gold medal till several years afterwards; when, happening to be in Dublin, and conversation turning upon the prize which he had obtained, he said, in a modest, casual kind of way, to a friend, "By the way, I never went after the medal; but I think, as I'm here, I'll go and see about it." This he did, and the medal was of course immediately delivered to its phlegmatic oblivious winner! He was a great favourite at college, for he bore his honours with perfect meekness and modesty, was very kind and obliging to all desiring his assistance, and displayed, on all occasions, that truthful simplicity and straightforwardness of character, which, as we have already seen, he had borne from his birth. He was much beloved, in short, by all his friends and relations; and one of the latter, his uncle, Mr. Connor, an Irish Master in Chancery, confidently predicted that "John William would live to be an honour to his profession and friends." In 1829, he joined his family, who were settled in Versailles, and spent some time there. In the ensuing year, his father, who possessed a first-rate capacity for business, was appointed Vice-treasurer and Paymaster-general of the forces in Ireland, and was obliged to reside in Dublin, whither he accordingly soon afterwards repaired with his family. His son, John William, however, remained in London, having determined upon forthwith commencing his studies for the English bar: a step which his father and he had for some time before contemplated; as it appears, from the records of the Inner Temple, that he was entered as student for the bar on the 20th June, 1827, which was during his second year at Trinity College. The facility with which he not only got through the requisite studies, but obtained every honour for which he thought proper to compete, allowed of his devoting much of his attention at that time to the acquisition of legal knowledge. He procured a copy, therefore, of Blackstone; that, I believe, which had appeared a year or two before, edited by the present (then Sergeant,) Mr. Justice Coleridge,—the only edition of the Commentaries of which he approved, and which he used to the last,—and read it through several times with profound attention, as he has often told me; expressing himself as having been charmed by the purity and beauty of Blackstone's style, his remarkable power of explaining abstruse subjects, and his perspicuous arrangement. The next book which he read was, I believe, "Cruise's Digest of the Laws of England, respecting Real Property," in seven volumes octavo, a standard work of great merit; which, while at college, he read, I think, twice over, and continued perfectly familiar with it for the rest of his life. He also read carefully through nearly the whole of Coke upon Littleton, which he told me he found very "troublesome," and that he had expended much valuable time and attention on some of the most difficult portions, which he very soon afterwards found to be utterly obsolete, particularly mentioning those concerning "homage," "fealty," "knight-service," "wardship," &c. The above may
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seem a great undertaking for vacant hours at college, but will not appear to any of Mr. Smith's friends to have been such to him, who read as rapidly, as he attended closely to, and tenaciously retained what he had read. It may here be mentioned, that in this particular, viz. reading law at college, Mr. Smith resembled Sir William Follett, who also devoted himself with ardour to the study of the law when at Cambridge, but did *not*, like Mr. Smith, also gain the highest college honours; for Sir William never competed, or at all events never obtained college honours of any kind. Mr. Smith commenced keeping terms at the beginning, I believe, of 1830; and it was at the mess-table of the Inner Temple Hall that I, who had also shortly before come up from Edinburgh University for the same purpose, first had the happiness and the honour of becoming acquainted with my late distinguished friend. He was then in about his twenty-first year. I distinctly recollect the first time of our meeting, which was at the aforesaid mess-table; and that his appearance struck me as that of a bashful and awkward person dull and taciturn, with a formal precise way of speaking, and a slight abruptness of manner. If Lord Bacon's saying be correct, that a good face is a *letter of recommendation*—poor John William Smith may be said to have come without a character! How little did I dream of the bright jewel hid in so plain and frail a casket: how often

have I felt ashamed of my own want of discernment: what a lesson has it been never again to contract any sort of prejudice against a man from personal appearance! It was not till I had known him for nearly a year, owing partly to our unfrequent meetings, and his absence, that I began to be sensible of his superior talents and acquirements. His personal appearance was, it must be candidly owned, certainly insignificant and unprepossessing. He was of slight make, a trifle under the middle height, his hair was rather light, and his complexion pale. He wore spectacles, being excessively near-sighted, and had a very slight cast in his eyes, which were somewhat full and prominent. The expression of his features, at all events when in repose, was neither intellectual nor engaging, but they improved when he was animated or excited in conversation. His forehead, however, was, though retreating, lofty, and I have heard it characterised as intellectual. At the time of which I am speaking, he used to wear a white hat, placed so far back on his head, that it gave him, to a stranger, almost a ludicrous aspect. His utterance was slow, his demeanour very solemn; and he would sit at dinner for a long time silent, till you would be surprised by his bursting into a short, sudden, but very hearty laugh, when any thing had been said which tickled his fancy; for I found out before long that he had a great taste for the ludicrous, an exquisite perception of humour. When he shook hands with you, he placed his cold hand into yours, like a dead man's hand—even with his most intimate friends—instead of greeting you with a hearty cordial grasp or pressure. How long again this little circumstance misled me as to his supposed insensibility to the claims of friendship or affection! whereas the very reverse was the case; for he was a most firm and devoted friend, and of an exquisite delicacy and sensitiveness of feeling. He did not, at first, as the phrase is, *make way* with his companions, nor appear desirous of doing so. I recollect, on one occasion, that he and I remained the last at the dinner-table; and, though he sate opposite to me for some minutes, thoughtfully balancing his wine-glass in his hand, an empty decanter being between us, he spoke not a syllable; and I was watching him (his eyes being directed towards the floor) with an amused curiosity, on account of his apparent eccentricity, when he suddenly said, "Mr. Warren, will you take a walk with me up Regent Street, or any where else, as it is such a fine evening?" What passed through my mind, on being thus unexpectedly encountered, was, "Well—he's a curiosity, and seems to know no one—so I *will*;" and, having said as much, we rose. He walked down the hall, and we took off our gowns in the ante-room, and quitted the building, without his having uttered a syllable! I recollect
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feeling almost inclined to be offended. We then walked about the town till nearly nine o'clock, and I think he talked a little about France, and we compared notes together concerning Dublin and Edinburgh Universities. I quitted him, musing upon his quaint manner, and his solemn precision of language: but nothing that had passed between us gave me the idea of his being a person of superior ability or acquirements. He was, indeed, a very shy and modest man. It was not, for instance, till after a seven years' intimacy, that I knew of the distinction which he had obtained at college; and on my asking him, one day, whether it was true that he had obtained the gold medal, he blushed, slightly moved his head aside, and, after a pause, said, in a tone rather even of displeasure than gratification, "Possibly I did!" and we dropped the subject. In the year 1830, he entered the chambers of Richard Grainger Blick, Esquire, one of the most eminent special pleaders in the Temple, and who has assured me, that he always considered Mr. John William Smith to be a remarkable man. Probably there never before entered the chambers of pleader or barrister, in the character of novice, a man of more formidable legal aptitude and acquirements. We have already seen the substantial and extensive character of his law-reading at college; but, between leaving it, and entering Mr. Blick's chambers, Mr. Smith read carefully over "from cover to cover"—such were his words to me—"Tidd's Practice," a standard book, in two closely printed, large octavo volumes, and also "Selwyn's Nisi Prius," in two similar volumes. He had not been long in chambers before he found that "he had not a sufficient knowledge of pleading, to get any benefit from the business, which he saw;" wherefore he absented himself from chambers for some time, to enable him to read through the first volume of "Mr. Chitty's Treatise on Pleading;" and some time afterwards he again withdrew, for similar reasons, to read "Phillips on Evidence." Having obtained such an acquaintance with these two works, as to a person of inferior intellect or discipline might seem a complete mastery, he returned to chambers, able better to avail himself of the advantages afforded by Mr. Blick's extensive practice; very frequently surprising that gentleman by his mental vigour, and accurate and extensive legal knowledge. "I was very cunning," he has more than once said to me, "at chambers; for I soon saw how to go to work, better than the other pupils. They would be all for the 'heavy papers,' the great cases that came in, not caring for the shoal of small things that were continually appearing and disappearing. Now it seemed to me, that *these* constituted three-fourths of a lawyer's business, and that to be able to do *them*, was three-fourths of the battle: so I very quietly let my fine gentlemen take all the great papers, while I did nothing but these same despised common things, till at length I really began to feel that I was improving, and learning a good deal of law. But, as to the other sort of cases and papers, as soon as my fellow-pupils had done, puzzling their brains over them, and written the opinions, or drawn the pleadings, and Mr. Blick had revised them, and given them his *imprimatur*, I *then* read them over very diligently, and with great profit: but you must remember that this was before the late revolution in pleading." All this he repeated to me one day, only a few months before his death.—He never studied under any other practitioner than Mr. Blick, with whom, moreover, he spent only one year: yet such was his close application, his wonderful memory, his clear, vigorous, and disciplined understanding, and the soundness and extent of his previously acquired law, that on quitting Mr. Blick, Mr. Smith was really an able pleader, and had laid the basis of an extended, profound, and scientific knowledge of the law. Even at that early period, I frequently heard his opinion deferentially asked by men far his seniors, and of considerable standing in business. On quitting Mr. Blick, Mr. Smith read a number of other law books, in his usual attentive and thorough manner, completely mastering both them and the "cases" contained in them, and of which, generally speaking, they

[Pg 138] were little else than digests or epitomes. He was a very keen and acute logician, and felt great satisfaction in balancing the *pros* and *cons* of the reported cases, and testing the soundness of the judges' decisions, and the relevancy and force of the arguments of council which had led to them. Among the books which he read about this time, he enumerated to me "Sanders on Uses and Trusts," (which, he said, he found to be a difficult book to master practically;) "Fearne on Contingent Remainders," which he represented as likely to prove interesting to *any* educated man of intellect, fond of exercising it, who would take the trouble to read it; Sir Edward Sugden's Treatises on "Vendors and Purchasers of Real Estates," and on "Powers," and Williams' "Saunders;" while "Comyn's Digest" was ever lying before him, the subject of continual reference, and with which he soon acquired an invaluable familiarity. He also read several books on Equity with great attention, and often said, that no one, who really knew law, could fail to feel a deep interest in Equity, and the mode of its operating upon law. The "Code Napoleon," too, he read very carefully, and for many years. He had a copy of Justinian's Code, and Institutes, always lying on his mantel-piece, and which he was very fond of reading. We have frequently conversed together on the subject of the extensive obligations of our Common Law to the Roman Law; to which he used to refer, in the absence of the books, with great facility and accuracy. He was very fond of Plautus, and would quote almost an entire scene, as accurately, and with as natural a fluency and zest, as another would have shown in reading off any of the scenes in a popular English play; often accompanying his quotations with shrewd and ingenious critical comments. He was also very fond of the French Dramatists, particularly Moliere, from whom I have heard him quote entire scenes with wonderful accuracy. You might have imagined him reading from the book, as I have several times myself observed, and heard others remark: and all this he did in a perfectly natural and unobtrusive way, as if merely to relieve an over-charged mind, and give pleasure to those whom he credited with inclination and ability to appreciate the excellencies which he pointed out. His memory seemed, indeed, equally tenacious of things important and unimportant; incapable, in short, of *forgetting* any thing. I have heard him quote long-forgotten but once popular and laughable trash, ballads, squibs, epigrams, &c., till at length he revived in the listener such a sort of recollection of them, as made him imagine that Mr. Smith must have recently committed them to memory for some special purpose, but for their appearing so really fresh and racy to him, and plainly suggested by the casual current of conversation. He was, about this time, and for years afterwards, a very frequent visiter at my house; and never was any one, independently of my personal regard for him, more welcome; for his conversation was always that of a ripe and varied scholar and fastidious *gentleman*. He was ever gay and animated as soon as he had recovered, which he quickly did, from the exhaustion of a long and severe day's work, and his fund of anecdote appeared inexhaustible. Never was any man farther removed from being that insufferable social nuisance, a professed talker. Display of any kind was quite foreign to his nature; and whenever he chanced to encounter a person cursed with that propensity, he would sit in silence for a whole evening: not in the silence of vexation or pique, but of a man left at leisure to pursue his own thoughts, or calmly amuse himself with the characteristics of the chatterer. If, while thus occupied, unexpectedly interrupted, or appealed to by the aforesaid chatterer, or any one else, he readily answered, though certainly with a somewhat frigid courtesy. It was impossible for any one, of the least powers of observation, to fail of detecting in Mr. Smith, though beneath a reserve and formality not very easy to penetrate, a kind of scrupulous antique courtliness, suggesting to you a resuscitated gentleman of the school of
[Pg 139] Addison, particularly in his intercourse with ladies. He was caution personified,—never saying any thing that required retraction or modification: and though you might guess the contemptuous estimate which he had formed of some particular person's character or doings, he rarely permitted himself to express it. He would sometimes smile significantly at the recital, or witnessing, of some particular absurdity or weakness; but I think that no one ever heard him utter a hasty, harsh, or uncharitable judgment of any body. He seemed, in fact, equally chary of giving praise or blame. No man would laugh louder, or longer, on hearing, or being told, of some signal and ludicrous miscarriage of another; but he would *say* nothing, except on very rare occasions, and among his intimate friends—and even then, never any thing severe or violent. Tell him, however, of any thing really mean and unworthy, or let him have witnessed it, and no one could fail to see, calm and measured though Mr. Smith's *language* might be, the profound contempt, or the lively indignation with which he regarded the delinquent and his delinquency. I fear, however, that I am digressing.—He and I commenced our careers as special pleaders about the same time, viz. in 1831; and not many days passed without our being at each other's chambers, borrowing one another's books, or going out to walk together, or conversing on law or other matters. I always listened to what he said on legal subjects, as to a master: he was so ready, so correct, so concise, so judicious, that his suggestions, upon any case which I mentioned to him, were very valuable; and they were given with a heartiness of good-nature that made them doubly welcome. He was delighted to assist me, or any other of his friends. We were a small circle, about that time, of some half a dozen; and I may take upon myself to say, that we all cheerfully recognised in him our superior—our *facile princeps*, from the first. Some of us set agoing a little weekly periodical, called "The Legal Examiner," to which he was a constant contributor—his papers being always characterised by point and precision, though the style was dry and stiff. It grieves me to say, that he met with no encouragement as a special pleader, consummately qualified as he was for success in that department, and scarcely ever to be found absent from his chambers; where he was at all hours to be found, modest, patient, though sometimes a little dejected,—yet

> True as the dial to the sun,
> Although it be not shone upon.

I question whether, during this two or three years' bitter and disheartening probation, he made more than thirty, or at least forty guineas; his annual certificate for leave thus to do—nothing, cost him, nevertheless, £12. Yet I never once heard him, nor I undertake to say, did any of his friends, express fretfulness or impatience at his disheartening lack of employment. He manifested, on the contrary, a quiet fortitude that was touching to witness. I recollect him once, however, when we were conversing on the subject, saying rather pensively, "If one has not connexions, and cannot make them, it is next to impossible to get any business." The professional public possess conclusive and permanent evidence of the admirable use which he made of his time, during the first year or two of his essaying to practise as a pleader; for in July 1834, two months after having been called to the bar, he gave to the world a work which, as soon as it had become known, raised him to the very highest rank of legal writers. The more it was read or referred to the higher was the estimate formed of its writer's intellect and learning, alike by the bench and the bar; for he had most discreetly, yet boldly, chosen a subject of great difficulty and importance, properly treated by no work extant, and which gave him opportunity of supplying a long-acknowledged deficiency in professional literature. He undertook, in fact, to produce a comprehensive practical treatise, within an exceedingly moderate compass, on "Mercantile Law:" and he succeeded to admiration—did this neglected young man of scarce twenty-five years old—in producing, entirely unassisted, a work signally calculated to attain the proposed object;
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condensing into a very small space, and with almost unerring accuracy, a great amount of exceedingly difficult law, beautifully and perspicuously arranged, so as that even laymen might read as they ran, and receive guidance in the most perplexing exigencies of business, while the ablest lawyers, might safely refer to the pages of the "Compendium" for a terse and true statement of the result of many conflicting decisions, and a luminous exposition of the *principles* which ought to govern the administration of commercial law. The calm, practised skill with which this young unknown jurist moved about in these regions of subtle intricacy—*inter apices juris*—excited the cordial admiration and respect of all competent judges. He was manifestly a master of his subject; and having quietly detected important but unoccupied ground, had possessed himself of it with skill and resolution:—and this he did within little more than two years after he had quitted the scene of his solitary year's pupilage. Within six years this book has passed through three large editions; and a fourth is, it is believed, in preparation, which will comprise a great number of its departed author's own additions and emendations, continued up to within two or three months of his decease. Not only in this country, but in the United States of America, is this valuable work deservedly held, at this moment, in the highest estimation, as practically the only book of its kind. A glance at the brief Preface will suffice to show to a competent judge, whether lay or professional, at once the real and peculiar difficulty of the undertaking, the author's exact and happy illustration of the sources of that difficulty, and the simplicity and accuracy of his style.

> "The Mercantile Law is in one respect better adapted to compression than the Law of Real Property; inasmuch as the reasons upon which the former is based, can be explained more shortly than those which support the latter. The reasons upon which our Law of Real Property is founded, are, generally speaking, historical; and part of history must therefore be recounted, in order to explain them clearly and philosophically; while the Mercantile Law is deduced from considerations of utility, the force of which the mind perceives as soon as they are pointed out to it. For instance, if a writer were desirous of explaining why a rent-service cannot be reserved in a conveyance, by a subject, of lands in fee-simple, he would be obliged to show the feudal relations that existed between lord and tenant, the nature of sub-infeudations, and how the lord was injured by them, in such his relation to his tenant, how the statute *quia emptores* was enacted to prevent this injury; in consequence of which statute a tenure, without which no rent-service exists, cannot be raised by a conveyance from one subject to another, in fee-simple. In like manner, the explanation of a recovery, of a fine, of a copyhold, of an estate in ancient demesne, of an use, of a trust, would require a process of historical deduction. But when the reader is told, that the drawer of a bill of exchange is discharged, if timely notice be not given him of its dishonour; because, without such notice, he might lose the assets he had placed to meet it in the drawee's hands; or, that if A hold himself out as B's partner, he will be liable as such, because he might else enable B to defraud persons who had trusted him upon the faith of the apparent partnership and joint responsibility: when these reasons, and such as these, are given, every man at once perceives their cogency, and needs not to be told *how*, that he may know *why*, the law was settled on its present footing. The fitness of this subject for compression is, therefore, hardly questionable. The difficulty of compressing it is, however, extreme. The author who attempts to do so, must continually keep in view a triple object, must aspire at once to clearness, brevity, and accuracy; a combination so difficult, that its difficulty may, it is hoped, be fairly pleaded in excuse for some of the deficiencies and imperfections which the reader may discover in the following pages."

After a luminous and elegant introductory account of the rapid growth and development of mercantile law, the author thus announces the convenient and comprehensive plan of his work:—

> "This treatise will be divided into four books. The first, concerning Mercantile *Persons*; the second, Mercantile *Property*; the third, Mercantile *Contracts*; the fourth and last, Mercantile *Remedies*; a method which appears the simplest and most comprehensive; since it includes, under a few heads, the description of those

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by whose intervention trade is carried on; of that which they seek to acquire by so employing themselves; of the arrangements which they are in the habit of adopting, in order to do so effectually; and of the mode in which the proper execution of those arrangements is enforced."

A striking evidence of the value of this work, the soundness of his opinions, and the importance attached to them in the highest judicial quarters, was afforded by the very first number of the Reports of the Court of Exchequer, published after his death, where (in *Tanner* v. *Scovell*, 14 *Meeson and Welshy*, 37,) the Lord Chief Baron, after time taken to consider an important question of mercantile law, delivered the judgment of the Court in expressed conformity with the doctrine which Mr. Smith has laid down in his "Mercantile Law," and in opposition to the opinion of the late very learned Mr. Justice Taunton!

To retrace our steps, however, for a moment: Mr. Smith at length despaired of getting business under the bar, and tired of sitting a prisoner at chambers, in vain expectation of it. His rooms and mine were directly opposite to each other, on the same floor; and rarely or never was a knock heard at his door, except that of some friend coming either to ask his able and willing assistance, or chat away a weary half hour. Towards the close of 1833, he announced to his friends that he contemplated trying his fortune at the bar, and was easily persuaded, with that view, to commence attendance at a professional debating society, called "The Forensic," which, confined to barristers and students for the bar, and established so long ago as 1815, has numbered among its members almost every lawyer of eminence who has appeared since that year, including Sir William Follett and Mr. J.W. Smith. He entered this society on the 29th January, 1834; and I well recollect his first essay at addressing it. It was upon the discussion of a legal question. He was evidently very nervous when he rose, for the colour quite deserted his cheek. His manner was cold, dry, and formal, and sufficiently uninteresting, and uninviting. We were all, however, soon struck by the book-like precision of his language, the clearness and closeness of his reasoning, and the extent of his legal knowledge. He spoke for about ten minutes; and, having risen amidst a half-suppressed titter, sate down amidst earnest cries of "Hear, hear, hear!" He afterwards spoke pretty regularly, especially upon legal questions; and those who, in due course, were appointed beforehand to argue against him, felt it expedient to come particularly well prepared! Shortly before he was called to the bar, he said to me, with a timid, dejected air, "It is a bold step; but I really don't see what else is to be done. Why should I sit any longer perishing in chambers? Besides, my 'Mercantile Law' will be out in a month or two, and if it succeed, it may *possibly* give me a lift—so I shall try it." He was accordingly called to the bar on the 2d May, 1834, selecting the Oxford Circuit and the Hereford and Gloucester Sessions. "There are only two ways," I heard him say, (quoting the well-known dictum of a late able judge,) "of getting on at the bar, Pleading or Sessions. I have failed in the former, I shall now try the latter. *Flectere si nequeo superos, Acheronta movebo!*" I was, I confess, amongst those of his friends who were not sanguine as to his prospects of success at the bar, regarding him as unlikely to attract favourable notice in court practice. Shortly after he had attended at the Sessions, however, he began to obtain a little employment in petty cases there; and, contrary to expectation, became very successful in defending prisoners: his acuteness, vigilance, ingenuity, and legal knowledge—particularly of the law of evidence—became more apparent in every succeeding case intrusted to him. In spite of the dry formality of his manner, he soon attracted the *understanding* of his hearers, exhibiting great caution and judgment in dealing with the evidence, his tenacious memory here standing him in great stead. His start at sessions, however, seemed likely to lead to nothing, on the civil side at the assizes—where his reception was sufficiently disheartening. He attended regularly, nevertheless, both assizes and sessions; during his stay in town labouring with indefatigable
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energy in the acquisition of law. In 1835, he composed a lucid little treatise on the Law of Practice, entitled, "An Elementary View of the Proceedings in an Action at Law," distinguished by simplicity, correctness, and condensation, and calculated to give students a perspicuous view of an extremely dry and troublesome subject. This also has become a standard book. In 1836, he wrote another little work—one upon Patent Law, explanatory, in a practical way, of a statute which had just before been passed, and had effected important alterations in that department of law. He told me that "he did not like to throw a chance away," and this "might possibly get him some briefs in Patent cases;" but I suspect that in this he was disappointed. In the same year he and I occupied our long vacation in preparing together a work entitled "Select Extracts from Blackstone's Commentaries, carefully adapted to the use of schools and young persons." We both took great pains with this book, and it has had a large sale: but for some whimsical reason or other, he would not allow his name to appear, though particular in retaining a share in the copyright.

Neglected and discouraged though he was, he continued to prosecute his studies with patient energy, appearing to me scarcely ever to spend an idle moment. He attended very frequently the Courts at Westminster, and on returning to chambers would spend the rest of the day in reading the constantly-accumulating Reports, and noting their more important contents in his favourite text-books. He constantly sat up till a very late, or rather early hour in the morning, and would frequently, on awaking, lie reading in bed till noon, when he would rise and take a sparing breakfast. I recollect calling upon him one gloomy day in December, about the time of which I am writing, to ask him to accompany me home to dinner, as he generally did once or twice a-week. He suffered a martyrdom from tooth-ache; and on this occasion had passed a miserable night from that cause, not having slept at all, and his swollen face betokened the violence of the fit. He had, nevertheless, got up much earlier than usual, to oblige one of his friends, for whom he had promised to draw some very pressing and difficult pleadings, which he was finishing as I entered. When he had despatched his clerk with them, he requested me to sit down and take a cup of tea

with him, as he was suffering, both from pain, and fatigue, and *ennui*. I never saw him in so desponding an humour. He promised to dine with me on the morrow, provided I would sit with him for an hour "gossiping," for he said that he could not sleep, he could not sit still, he could not read or write. I complied with his request, and stayed with him a long time. In the course of conversation, I recollect him saying, that "He supposed he was not to get on in the law; that he could not fight against the want of a connexion." I reminded him that it was surely premature to hold such language, and that he must bide his time,—when he interrupted me by saying, shaking his head, "Ah, but while the grass grows the steed starves." Presently he said, rather suddenly, "Should you be surprised to hear of my entering the church?" "The church!" I echoed with surprise.—"What do you see so wonderful in the notion of my going into the church?" said he gravely. "Do you think me unfit for it?"—"Not at all; but what I wonder at is, that you should dream of quitting the bar."—"Why not, if I find that it will not afford me a living? Let me tell you, that I am very partial to the study of Divinity, and have read a good deal of it, much more than you would suppose. I think I should like composing sermons, though it is very possible that they might not be popular; and I suppose you will not deny that Divinity is a nobler study than law?" He said much more in the same strain, which led me to believe that the subject had for some time occupied his thoughts, and that he had begun seriously to contemplate quitting the bar—at all events, if another year should leave him as little likely to succeed in obtaining practice, as that which was on the eve of closing. Many of even his intimate friends were unaware of his partiality
[Pg 143] for Divinity, and the extent to which he had studied it; for he was very reserved on such matters.

I once told him that I had read the whole, of "Pearson on the Creed;" at which, in his usual cold dry way, he replied, "So have I, and very carefully. I liked it much. And I'll tell you another book that I have read still more carefully, both in Latin and English—Mosheim's 'Ecclesiastical History.'" I have heard him say the same of Hooker's "Ecclesiastical Polity." We have often discussed the merits of Jeremy Taylor, Barrow, and South; the last of whom was a favourite of his. He had a surprising knowledge of the Old and New Testaments. One of his oldest and ablest friends, and whom he appointed one of his executors, recently alluded, in conversation with me, to this circumstance, adding, "Smith *read* the Bible as few but he could read it; and *remembered* it, as very few but he could remember it." I have occasionally myself had evidence of his exact knowledge of very recondite portions of the Old Testament; but, as already intimated, he was always cautious and sparing in scriptural allusions or quotations. Since writing the foregoing sentences, a learned friend has informed me, that Mr. Smith, about two years before his death, had entered into a prolonged and ardent discussion with him on the subject of the *Apostolical Succession*, insisting that no one who did not assent to that doctrine, was in reality, or could be conscientiously, a minister of the Church of England. Again and again, during a considerable interval of time, whenever they met, Mr. Smith pertinaciously renewed the discussion,—his friend for some time doubting whether Mr. Smith had any other motive than to amuse himself with the matter as one of mere logical exercise, but being at length satisfied that he was sincerely expressing his own opinions. To a brother of this gentleman, Mr. Smith became closely attached, on discovering the extent and depth of his knowledge of divinity, a subject on which they conversed whenever they could, Mr. Smith exhibiting, on all such occasions, the utmost zest and energy. I have already intimated the extent of his acquaintance with general literature; to which it may be here added that he possessed a correct and very extensive knowledge of history, ancient and modern. He knew it, *and its true uses*; and was equally conversant with its minute details, and its general scope and bearing, as illustrative of the practical operation of political principles and doctrines. He always, in short, appeared to me to be a man, whose first anxiety in all matters was to obtain a thorough knowledge of details, of facts; and then experienced delight in contemplating and reflecting upon them with a view to the discovery or detection of some leading principle of action or conduct involved in them. Such grave matters, however, did not alone occupy him; for I never saw a more eager and indiscriminate reader of even the ephemeral trash loading the shelves of circulating libraries. Scarcely a novel, play, or magazine appeared, which he did not take up, and, whenever they happened to be mentioned, show as complete a knowledge of them as if they had been worthy of it. I have often laughed at him on these accounts; he generally receiving my sallies with a sort of piqued silence, or simply saying, "It amuses me." I think that this circumstance is well accounted for by Mr. Phillimore—that Mr. Smith's over-tasked mind found light and easy narrative, of any kind, a relaxation.

Early in the year 1835 appeared a work on legal education, in which was enforced the advantage to the student and practitioner, of early mastering, as so many *nuclei* of future legal acquisitions, a few of the "*leading cases*" in the Law Reports, which suggested to Mr. Smith the idea of writing a book under the name of "Leading Cases." He was engaged upon it from about the middle of 1835 till the early part of 1837. There was no book of the kind extant. The idea was felicitous; but much learning and judgment were requisite to work it out practically. Mr. Smith proved himself, however, fully equal to the undertaking. Though in 1835 and 1836 he composed and published, as we have seen, two other minor professional works, he was all the while quietly elaborating this more important performance, the first volume of which (in large 8vo) he published in March
[Pg 144] 1837. His plan was, to select from the recognised Law Reports some of the chief Cases which had been decided in the Common Law Courts, and which were of such superior importance as to have become "Leading Cases," *i.e.* in his own words, "involving, and being usually cited to establish some point or principle of real practical importance." Each of these he made the basis of an elaborate disquisition, in which, to continue his own explanation, "in order that the consequences of each 'Case' might be understood, and its authority estimated as easily as possible, NOTES" were "subjoined, in which were collected subsequent decisions bearing on the points reported in the text, and in which doctrines having some obvious connexion with them," were "occasionally

discussed," ... "without allowing them to digress so far from the subject matter of the text, as to distract the reader's mind from that to which they ought to be subsidiary." It is difficult to speak in terms too highly commendatory of this masterly performance—one quite of a judicial tone of investigation—and which, immediately upon its appearance, arrested the attention of all persons competent to form an opinion on the subject, as a sterling and permanent addition to the highest class of legal literature, and entitled its author to be regarded as really a first rate lawyer. Almost all the judges, and the most eminent members of the bar, wrote to him in terms of warm respect and approbation; and to this moment evince the same appreciation of the excellence of the work by quoting it, not more frequently in the arguments of counsel than in the most elaborate judgments delivered by the bench. It is indeed difficult to know which most to admire—the great extent and unerring accuracy of his law, or the clearness and precision of his reasoning, rendering simple and easy of apprehension the most obscure and perplexing subjects. The "Cases" were selected with great judgment out of the many thousands contained in the Reports; and whether he confirms, or questions, or illustrates the doctrine established by the case upon which he is annotating, he exhibits the same modest freedom, masterly ease, accuracy, and subtlety of discrimination, distinctness of thought, and complete familiarity with the progress of legal decision. Every note, in short, is a model of legal analysis; and the style, also, is pure, simple, terse, and perspicuous. He dedicated this work to his former tutor Mr. Blick: and I recollect our having a long discussion upon the original terms of the dedication; which were these, "To Richard Granger Blick, Esq., this work is inscribed by his obliged friend and pupil." I suggested the insertion of the word "*former*," before "pupil:" without which, I said, it might appear that the work had been written by one still in *statu pupillari*. He was a man always difficult to convince of the impropriety of any thing on which he had once determined. He quitted my chamber unconvinced by what I had said: but the dedication afterwards appeared in accordance with my suggestion. I recollect being highly amused by the pertinacious ingenuity with which he defended his own view of the case. The fame of this work was not, however, confined to this country, but soon reached the United States of America, where it immediately met with the most flattering reception, and is at this moment accounted an established text-book, and quoted as an authority by their best writers and judges. I recollect Mr. Smith one day coming to me, and asking me, with a quaint mixture of mystery, pleasure, and embarrassment, if I would "be sure not to mention to any one what he was going to tell me:" and on my promising him that I would not, he showed me a letter which he had just received from that eminent American jurist, Mr. Justice Story, himself one of the most elaborate and successful, legal writers of his age, and whose works are continually cited by both Bench and Bar in their country, with the utmost respect in this country, in which are contained the following.

"I consider your work among the most valuable additions to judicial literature which have appeared for many years. The 'Notes' are excellent, and set forth the leading principles of the
[Pg 145] various cases in the most satisfactory form, with an accuracy and nicety of discrimination equally honourable to yourself and to our common profession. I know not, indeed, if any work can be found which more perfectly accomplishes the purpose of the author.... I hope that your life may long be spared, so that you may be able to devote yourself to similar labours for the advancement of the learning and honour of the profession." Alas! both Mr. Justice Story and Mr. Smith, each a great ornament to his country, died within a few months of each other. When I congratulated my friend on this encomium, from so competent and eminent a judge, he replied modestly—"*Laudari à laudato viro* is certainly pleasing."

So great was the demand for this work, that Mr. Smith's publisher urged him to proceed as quickly as possible with the second volume, which he had, in his preface to the former one, announced his intention of doing, in the event of the first portion of his labours meeting with the approbation of the profession. He accordingly at once set to work upon the second volume; and although he was beginning to have serious calls upon his time, owing principally to his having accepted the appointment, in November 1837, of Common Law Lecturer to the Law Institution, such were his energy and industry, that by the 12th of May, 1838, he had succeeded in bringing out the first part of the second volume, which was fully equal in execution to the first. While, however, he was receiving with his usual modesty the congratulations of his friends on this solid addition to his reputation, he received a sort of *checkmate*, which embarrassed and utterly confounded him; occasioning him infinitely greater annoyance and mortification than he ever experienced in his life. A highly respectable firm of law booksellers, the publishers of his "Compendium of Mercantile Law," and to whom he had also offered the publication of his "Leading Cases," which they had declined, without the slightest intimation of any objection to the principle of selecting the "Cases," which he had explained fully to them, suddenly took it into their heads, that in thus selecting some few cases from "Reports" published by them, as mere texts for his masterly legal discussions, he had been guilty of PIRACY! and actually filed a bill in Equity against him and his publisher, to restrain them "from printing, selling, or publishing any copies of the first part of the second volume." I never saw Mr. Smith exhibit such intense vexation as that occasioned him by this proceeding: he felt at once his own honour impugned, and that he might have seriously compromised the character and interests of his publisher. Such, however, was the confidence in the justice of his case felt by the latter, that he resolved to resist this attack upon his own rights and those of Mr. Smith to the very last; and he did so, at his own expense, and with triumphant success. The Vice-Chancellor of England, (Sir Launcelot Shadwell,) after an elaborate argument, refused to grant the desired injunction—expressing his very decided opinion "that on the substance of the case, and on the conduct of the plaintiffs, (the publishers in question,) they were not entitled to the injunction which they had asked." Against this decision the plaintiffs immediately appealed to the present Lord Chancellor, Lord Cottenham, who, after

another very elaborate argument, and taking time to consider, delivered a luminous judgment confirming the decision of the Vice-Chancellor, triumphantly vindicating the propriety of both author and publisher's conduct, and supporting the right which Mr. Smith had thought proper to exercise; and his lordship dismissed the appeal with costs.[5] Thus ended, what has always appeared to me a very absurd, and as the event proved, expensive experiment, on the part of the plaintiffs. Only one of them now carries on the business, and is a gentleman of such high respectability, and also liberality in his dealings with the profession, that I feel satisfied he had
[Pg 146] really very little part in this most unsatisfactory proceeding. Mr. Smith's right to continue his selections from the Reports, for the purpose of annotation, having been thus established, and the excellence and importance of his labours conspicuously made known (had that, indeed, been necessary) to the entire profession, he at once proceeded with, and in due time completed the remaining portion of the second volume; and for the sake of legal science, it is to be lamented that there this admirable work ended. Mr. Smith felt no exultation at the defeat of this most thoughtless and unjustifiable attack upon him, nor evinced any pleasure in the friendly congratulations showered upon him. His sensitive mind had, indeed, been thoroughly shocked by the imputation which had been sought to be fixed upon him; and the only feeling on the subject which he ever expressed to me, or appeared to entertain, was one of calm indignation. I must say that in this I think he was abundantly justified. He repeatedly told me that he should never write another book, for "that he had had quite enough of it." As it happened, he never did; nor do I think that he would ever have done so, even had his career not been cut short by death. Whenever works of solid interest and importance in general literature appeared, Mr. Smith was very eager to peruse them, and seldom failed in doing so. I recollect him one day borrowing from me the first volume of Mr. Hallam's, "Introduction to the Literature of Europe in the 15th, 16th, and 17th Centuries," which was published alone early in 1837. He read it with great interest, and reviewed it very ably in this Magazine—his only contribution to its pages, in the No. for May, 1837.

He was about the same time reading largely in the State Trials, and frequently conversed with me upon their interesting character, wondering that they had so seldom been made really available for the purposes of amusing literature. He himself selected one of the trials as one possessed of peculiar capabilities, and intended to have completed it for this Magazine, but was prevented by his other labours. These lighter occupations, however, were soon interfered with by his appointment, as already intimated, to be Common Law Lecturer to the Law Institution in Chancery Lane, in November, 1837. This he owed entirely to his own merit, and the reputation which his writings had already gained him in the profession. I knew that fears were entertained by the directors of that important institution, lest his unpopular *manner* should stand in the way of his usefulness as a lecturer; but aware of his rare intellectual and legal qualifications, they wisely resolved to try an experiment, which completely succeeded. I recollect accompanying him, at his own request, to deliver his first lecture, at the close of 1837. He was somewhat fluttered when he made his appearance before his audience, but at once commenced reading with apparent calmness, a very able introductory lecture, which soon arrested attention, and caused the committee who sat before him to congratulate themselves on their selection. He held this appointment till March, 1843, during which time he delivered a great number of lectures to increasingly attentive auditories; and as he read over several portions of them to me, I am able to say that, in my humble judgment, they were of the highest value, for their clear, close, and correct exposition of some of the most difficult branches of the law. He had a great talent for communicating elementary information; and even the most ignorant and stolid of his listeners could scarce avoid understanding his simple and lucid explanations of legal principles. One series of his lectures on "The Law of Contracts," has just (1846,) been published[6] *verbatim* from his MSS. as they were delivered, and fully justifies the opinion here expressed. He never designed them for publication, but solely for delivery to the attorneys' and solicitors' clerks, for whom the lectureship was founded; yet it is doubtful whether there be any book extant in which the difficult
[Pg 147] and extensive subject of contracts is, and that within the space of ten short lectures, comparably treated. The most youthful student, with only moderate attention, can acquire from it, in a short time, correct general notions calculated to be of infinite service to him, while able practitioners will regard it as at once concise, accurate, and practical, and evincing a thorough mastery of the subject in all its branches. In the words of his editor, "The lectures embody the chief *principles* of that branch of the law, and will be found equal to any of the former productions of the author for that clear, concise, and comprehensive exposition of his subject, which has characterised his works, and ensured the vitality of his reputation; popularising a branch of law which peculiarly affects the ordinary business of life; divesting it of the superfluities with which it is often encumbered; educing the great maxims, and broad rules by which it is moulded, and unravelling the perplexity in which an occasional conflict of judgments had from time to time involved it." I am not aware that Mr. Symonds had any personal knowledge of Mr. Smith, so that the more valuable is his concluding eulogium,—"That the profession already ranks him as among the most gifted of its writers, and most learned of modern lawyers." As an example of the ease and precision with which he elucidated the most difficult subjects, and brought them to the level of youthful capacities, I select the following brief passage on a most practically important subject, that of the "consideration" essential to support a valid simple contract, according to the civil law and that of England.[7] After explaining the doctrine of "*Nudum pactum*," he thus proceeds:—

"Now, with regard to the question,—*What does the law of England recognise as a consideration capable of supporting a simple contract?* the short practical rule" [after adverting to a well-known passage in Blackstone, for which he substitutes his own definition] "is, that *any benefit accruing to him who makes the promise, or any loss, trouble, or disadvantage undergone by, or*

charge imposed upon, him to who it is made, is a sufficient consideration in the eye of the law to sustain an assumpsit. Thus, let us suppose that I promise to pay B £50 at Christmas. Now there must be a *consideration* to sustain this promise. It may be that B has lent me £50; here is a consideration by way of *benefit* or *advantage* to me. It may be that he has performed, or has agreed to perform, some laborious service for me; if so, here is a consideration by way of *inconvenience* to *him*, and of advantage to me at the same time. It may be that he is to labour for a third person at my request; here will be *inconvenience* to him, without advantage to *me*: or it may be that he has become surety for some one at my request; here is a *charge* imposed upon him: any of these will be a good consideration to sustain the promise on my part....

"Provided there be *some* benefit to the contractor, or *some* loss, trouble, inconvenience, or charge imposed upon the contractor, so as to constitute a *consideration*, the courts are not willing to enter into the question whether that consideration be ADEQUATE in value to the thing which is promised in exchange for it. Very gross inadequacy, indeed, would be an index of fraud, and might afford evidence of the existence of fraud; and fraud, as I have already stated to you, is a ground on which the performance of any contract may be resisted. But if there be no suggestion that the party promising has been defrauded, or deceived, the court will not hold the promise invalid upon the ground of mere *inadequacy*; for it is obvious, that to do so would be to exercise a sort of tyranny over the transactions of parties who have a right to fix their own value upon their own labour and exertions, but would be prevented from doing so were they subject to a legal scrutiny on each occasion, on the question whether the bargain had been such as a prudent man would have entered into. Suppose, for instance, I think fit to give £1000, for a picture not worth £50: it is foolish on my part; but, if the owner do not take me in, as the phrase
[Pg 148] is, no *injury* is done. I *may* have my reasons. Possibly I may think that I am a better judge of painting than my neighbours, and that I have detected in the picture the touch of Raphael or Correggio. It would be hard to prevent me from buying it, and hard to prevent my neighbour from making the best of his property, provided he do not take me in by telling me a false story about it. Accordingly, in the absence of fraud, mere *inadequacy* of consideration is no ground for avoiding a contract."[8]

Those who are acquainted with the practical difficulties of this subject, will best appreciate the cautious accuracy, and yet elementary simplicity and clearness, which characterised his teaching: he being then, be it remembered, little more than twenty-eight years of age.

His writings having thus led to his being placed in a situation where he had ample opportunities for exhibiting legitimately to the profession his great legal acquirements and abilities, it was not long before he became sensible of making his way, but gradually, nevertheless, into business. He had given up practising at sessions some time before, and resolved thenceforth to address himself entirely to civil business in London, and at the Assizes. The late Mr. Robert Vaughan Richards, Q.C.,[9] then one of the leaders of the Oxford Circuit, and himself an eminent lawyer and accomplished scholar, was one of the earliest to detect the superior qualifications of Mr. Smith, and lost no fair and legitimate opportunity of enabling him to exhibit his abilities, by naming him as an arbitrator, when the most important causes at the Assizes had been agreed to be so disposed of; and he invariably gave the highest satisfaction to both parties—the counsel before him, in arbitrations both in town and country, finding it necessary to conduct their cases as carefully as if they were before one of the astutest judges on the bench. Though many important causes were thus referred to him, and were attended by some of the most experienced members of the bar, I am not aware of any instance in which his decisions were afterwards reversed by, or even questioned before, the courts. When once he had obtained a fair "start" on his circuit, he quickly overcame the disadvantages of a person and manner which one *might* characterise more strongly than as unprepossessing. Few cases of great importance were tried, in which Mr. Smith was not early engaged; and the entire conduct of the cause, up to the hour of trial, confidently intrusted to his masterly management. Amongst many others may be mentioned the great will case of *Panton v. Williams*, and that of James Wood of Gloucester, and other well-known cases. He was, without exception, one of the ablest *pleaders* with whom I ever came into contact: equally quick, sure, and long-headed in selecting his point of attack or defence with reference to the ultimate decision, skilfully escaping from difficulties, and throwing his opponent in the way of them, and of such, too, as not many would have had the sagacity to have foreseen, or thought of speculating upon. A recent volume of the Law Reports contains a case which, though his name does not appear in it, attests his appreciated superiority. It involved a legal point of much difficulty, and so troublesome in its facts as to have presented insuperable obstacles to two gentlemen successively, one under the bar, the other at the bar, and both eminent for their knowledge and experience. Their pleadings were, however, successfully demurred to; and then their client was induced to lay the case before Mr. Smith, who took quite a new view of the matter, in accordance with which he framed the pleadings, and when the case
[Pg 149] came on to be argued by the gentleman, (an eminent Queen's Counsel,) who has recently mentioned it to me, he succeeded, and without difficulty. "I never," said he, "saw a terribly bepuzzled case so completely disentangled—I never saw the real point so beautifully put forward: we won by doing little else than stating the course of the pleadings; the court holding that the point was almost too clear for argument." I could easily multiply such instances. Mr. Smith had a truly astonishing facility in mastering the most intricate state of facts; as rapidly acquiring a knowledge of them, as he accurately and tenaciously retained even the slightest circumstances. He seldom used precedents, (often observing that "no man who understood his business needed them, except in very special occasions;") and, though a rapid draughtsman, it was rarely, indeed, that he laid himself open to attack in matters of even mere formal inaccuracy, while he was lynx-

eyed enough to those of his opponents. When *he* was known to be the party who had demurred, his adversaries began seriously to think of *amending*! When his cases were ripe for argument *in banc*, he took extreme pains to provide himself with authorities on every point which he thought it in the least probable might be started against him by either the bench or the bar. I told him, on one of these occasions, that I thought "he need not give his enemy credit for such far-sighted astuteness."—"Oh," said he quickly, "never undervalue an opponent: besides, I like turning up law—I don't forget it, and, as Lord Coke says, it is sure to be useful at some time or another." In court, he was absorbed in his case, appearing to be sensible of the existence of nothing else but his opponent and the bench. He was very calm, quiet, and silent, rarely, if ever interrupting, and then always on a point proving to be of adequate importance. He did not take copious or minute notes on his brief, but never missed any thing of the least real significance or moment. When he rose to speak, his manner was formal and solemn, even to a degree of eccentricity calculated to provoke a smile from the hearers. His voice was rather loud and hard, his features were inflexible, his utterance was exceedingly deliberate, and his language precise and elaborate. His motions were very slight, and, such as he had, ungraceful: for he would stand with his right arm a little raised, and the hand hanging down passively by his side for a long time together, except when a slight vertical motion appeared—he, the while, unconscious of the indication—to show that he was uttering what he considered very material. When a question was put to him by the judges, he always paused for a moment or two to consider how best he should answer it; and if it *could* be answered, an answer precise and pointed indeed he would give it. He afforded, in this instance, a contrast to the case of a gentleman then at the bar, about whom he has often laughed heartily with me. "Whenever," said he, "the judges put a question to ——, however subtle and dangerous it may be, and though he evidently cannot in the least degree perceive the drift of it, before the words are out of their mouths, he, as it were, thrusts them down again with a confident good-humoured volubility, a kind of jocular recklessness of law and logic, which often makes one wonder whether the judges are more inclined to be angry or amused; nay, I have once or twice seen one of them lean back and laugh outright, poor —— looking upon that as an evidence of his own success!" How different was the case with Mr. Smith, is known to every one who has heard him argue with the judges. Nothing consequently could be more flattering than the evident attention with which they listened to him, and most properly; for he never threw away a word, never wandered from the point, and showed on all occasions such a complete mastery of his facts, and such an exact and extensive knowledge of the law applicable to them, as not only warranted but required the best attention of those whose duty it was to decide the case. His manner was very respectful to the bench, without a trace of servility; and to those associated with him, or opposed to him, he was uniformly courteous and considerate. When he had to follow his leader, or even two of them, he would frequently give quite another tone to the case, a new
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direction to the argument, and draw his opponents and the judges after him, unexpectedly, into the deeper waters of law. He was also distinguished by a most scrupulous and religions fidelity and accuracy of statement, whether of cases or facts, and documents, especially affidavits. The judges felt that they might rely upon every syllable that fell from him; that he was too accurate and cautious to be mistaken, too conscientious to suppress, garble, mislead, or deceive, with whatever safety or apparent advantage he might have done so. I have heard him say, that he who made rash and ill-considered statements in arguing in a court of justice, was not worthy of being there, and ought to be pitied or despised, according as the fault arose from timidity and inexperience, or confirmed carelessness or indifference, or fraudulent intention to deceive. It was in arguing before the court *in banc*, that Mr. Smith so much excelled; being equally lucid in stating and arranging his facts, logical in reasoning upon them, and ready in bringing to bear on them the most recondite doctrines of law. He was certainly not calculated to have ever made a figure at Nisi Prius; yet I recollect one day that one of the present judges, then a Queen's Counsel, was talking to me in court as Mr. Smith entered, and said, "What think you? your friend Smith has been opposing me to-day in a writ of inquiry to assess damages in a crim. con. case." I laughed. "Ay, indeed,—I thought myself that if there was a man at the bar more unfit than another for such a case, it was Smith; but I do assure you that he conducted the defendant's case with so much tact and judgment, that he reduced my verdict by at least £500! He really spoke with a good deal of feeling and spirit, and when the Jury had got accustomed to him, they listened most attentively; and the result is what I tell you."

Following the course of his professional progress, in 1840 Mr. Smith was appointed a revising barrister for one of the counties on his circuit, by Mr. Baron Alderson, who was personally a stranger to him, and named him for the office solely on account of his eminent fitness for the post. He held it for several years, giving unmixed satisfaction to all parties, until precluded from further retaining it, in reference, I believe, to a rule of etiquette respecting seniority, prevailing at the bar of the Oxford circuit.

I recollect that, on one occasion, while he was waiting, apparently in vain, for the chance of professional employment, and not long before the occurrence of that moment of despondency already mentioned, when he contemplated quitting the profession, he and I were walking in the Temple Gardens, and he said, "Now, if I were to choose my future life at the bar, I should, of all things, like to have, and should be delighted with, a first-rate pleading business; not made up of many petty things, but of a few very important cases,—of 'heavy business,' in short. I feel that I could get on very well with it, and that it is just the thing suited to me. It would exercise my mind, and also secure me a handsome income, and, before long, an independence. What I should do *then* I don't know." His wishes were amply gratified a few years afterwards, as the reader must have already seen. So rapidly, indeed, did the calls of private practice increase upon him, that he was forced, early in 1843, to resign his lectureship at the Law Institution, having, in fact,

got fairly into the stream of his desired "first-rate pleading business" to an extent which heavily taxed both his physical and mental energies. Whatever was brought to him, he attended to thoroughly, never resting till he had completely exhausted the subject, and contemplated it from every point of view. Even at this time, however, it would be incredible to what an extent he obliged his friends at the bar, principally by preparing for them arguments, and sketching for them "opinions" on their cases, and these, too, generally of special difficulty and importance. Some of the most admirable arguments delivered by others of late, at the bar of the House of Lords, had been really prepared by Mr. Smith. In one instance, indeed, I recollect hearing the ablest living lawyer and advocate mention, that in a particular cause of great magnitude, not
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having found it possible even to open his ponderous brief before he was called upon to argue, he had time, before he rose, barely to glance over a very brief "epitome" of the facts, and of the *real*, though unsuspected point in which the case ought to be decided, which had been prepared for his assistance by Mr. Smith. In confident reliance upon his accuracy in matters both of fact and law, the counsel in question boldly opened the case, implicitly adopting, and ably enforcing Mr. Smith's view of it, and succeeded in obtaining the judgment of the House. Mr. Smith never spoke, however, of these his subsidiary labours to others, nor liked ever to have any allusion made, to the subject. It was impossible that he could get through all this business without sitting up during most of the night; and I know that, for the last three or four years of his life, he was rarely in bed before two, and sometimes three, and even four o'clock, having to be, nevertheless, at Westminster or Guildhall as early as ten o'clock, or half-past nine, on the ensuing morning. While thus arduously engaged, he kept a constant eye upon the progress of the decisions of the various courts, as bearing upon his "Mercantile Law," and "Leading Cases," interleaved copies of which always lay on his table before him, and received almost daily MS. additions. Thus it was that he was able, in 1841 and 1843, to present new editions of his "Leading Cases," and "Mercantile Law," greatly enlarged and improved, and in many instances, especially in the "Leading Case," entirely remodelled. Nor was he, with all this, so absorbed as to forget literature; for, amidst his piles of opened law-books, you might often see a well-used copy of some classic English, French, Spanish, or Italian author, either prose or poetry, which he would read with equal zest and attention, as his pencil-marks in such volumes even now attest. As for "Don Quixote", and "Gil Blas," I really think he knew them almost by heart, in the originals. He was also very fond of Tacitus, Cicero, and Demosthenes, from all of whom, as well as the other leading classics, but especially the two latter, he could quote to a surprising extent, and with signal accuracy—a fact well known to all his friends. Of this, indeed, Mr. Phillimore[10] has given a striking instance, in his sketch of Mr. Smith in the "Law Magazine." After observing that "his memory was, indeed, astonishing, and the feats which he performed with it were incredible; that the writer had heard him repeat, successively, scene after scene from a French vaudeville,—the Record in an Action filling up the "&c.'s," and a passage from a Greek orator, without the least apparent difficulty or hesitation," Mr. Phillimore proceeds to say, that the passage in question "was one of the finest in the Greek language, being in the speech of Æschines, which the most celebrated effort of the genius of Demosthenes was required to answer; when, after adjuring the Athenians not to raise a trophy to their own loss and shame, nor awaken in the minds of their confederates the recollection of their misfortunes, he proceeds—'ἀλλ' ἐπειδὴ τοις σώμασιν οὐ παρεγένεσθε, ἀλλὰ τᾶις γε διανοίαις αποβλεψατ' αὐτῶν ἐις τὰς συμφορασ,' &c., down to the words, 'ἐπισκὴπτοντας μηδενι τρόπῳι τὸν τῆς ἐλλάδυς αλειτήριον στεφανοῦν,' the writer well remembering that Mr. Smith insisted particularly on the extraordinary force and beauty of the word, 'ἐπισκὴπτοντας.'" I, also, have often heard him quote long passages from the Greek dramatists, particularly from "Aristophanes," really *impromptu*, and with as much facility and vivacity as if he had been reading English. I have already intimated that he read many of the new publications of the day. One of these was Mr. Macaulay's "Lays of Ancient Rome," with which he was much amused, saying that "some of them were very clever and spirited;" and, after reading them, he sate down one evening and wrote a humorous parody on them, which he showed me, entitled, "Lay of Gascoigne Justice," prefaced by an "Extract from a Manuscript of a Late Reporter," who says, "I had observed numerous traces, in the old reports and entries, of the use of *Rhythm* in the
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enunciation of legal doctrines; and, pursuing the investigation, I at length persuaded myself that, in the infancy of English law, the business of the court was transacted *in verse*, or, at least, rhythm, sometimes without, but on grand and solemn occasions with, the aid of music; a practice which seems to have been introduced by the ecclesiastical advocates." After a humorous argument in support of this notion, he concludes: "The following attempt to restore certain of these *Lays of Ancient Law* is conceived, as the original lays themselves probably were, partly in bad English, partly in Dog-Latin." Then follows the "Lay of Gascoigne Justice, Chanted by Cooke and Coke, Serjeants, and Plowden, Apprentice in the Hall of Serjeants' Inn, A.D., 15—." The subject of the Lay was a certain highway exploit of Prince Harry, Poins, and Peto. Poins gets into trouble, being brought incontinently before Gascoigne Justice, "presiding at the Bailey." The concluding verses contain a just satire on certain gross defects in the administration of criminal justice, which have been only very recently remedied.

"When Poins he spied, ho, ho! he cried,
The caitiff hither bring!
We'll have a quick deliverance,
Betwixt him and the King:

And sooth he said, for justice sped
In those days at a rate
Which *now* 'twere vain to seek to gain,
In matters small or great.

* * * *

For sundry wise precautions,
The sages of the law
Discreetly framed, whereby they aimed
To keep the rogues in awe.

For lest some sturdy criminal
False witnesses should bring—
His witnesses were not allowed
To swear to any thing.

And lest his oily advocate
The court should overreach,
His advocate was not allowed
The privilege of speech.

Yet such was the humanity
And wisdom of the law!
That if in his indictment there
Appeared to be a flaw—

The court assigned him counsellors,
To argue on the doubt,
Provided he himself had first
Contrived to point it out.

Yet lest their mildness should perchance
Be craftily abused,
To show him the indictment they
Most sturdily refused.

But still that he might understand
The nature of the charge,
The same was in the Latin tongue
Read out to him at large.

'Twas thus the law kept rogues at awe,
Gave honest men protection,
And justly famed, by all was named,
Of '*wisdom the perfection*!'

But *now* the case is different,
The rogues are getting bold—
It was not so, some time ago,
In those good days of old!"

It may be gathered from what has gone before, that Mr. Smith's mind was one of equal *activity* and strength. His physical energies might flag, but never those of his mind. He was always ready to pass from protracted and intense professional study and exertion, to other kinds of mental exercise—"from gay to grave, from lively to severe"—either reading general literature, or amusing himself with slight affairs such as the foregoing; or, as soon as a little leisure had recruited his spirits, entering with infinite zest into superior conversation on almost any topic that could be started. He was for a long time shy and distant to strangers; but was quite a different person at the tables, and in the company, of his old friends and companions. There certainly never sate at *my* table a man who, when in the humour, could supply for hours together such genuine fun and amusement as Mr. Smith. Our little children were always very glad to see him, for he was patient and gentle with them, and contrived really to entertain them. Towards ladies, his manner was always most fastidiously delicate and courteous. There was, if I may so speak, a smack of days gone by—a kind of antique and rather quaint gracefulness of demeanour and address, which I used frequently to contemplate with lively interest and curiosity. When he returned from dining out, to his chambers, he would light his candles, and, instead of going to bed, sit up till a very late hour; for not only had he much to get through, but was a bad sleeper. A few years before his death, he had become a member of the Garrick Club, which was ever after
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his favourite resort, and was also frequented by several other members of the bar. He was delighted to take a friend or two to dinner with him, and would entertain them most hospitably, and with increasing frequency, as his means became rapidly more ample. He was also fond of the theatres, taking special delight in comedies and farces, however broad, and even pantomimes. With what solemn drollery he would afterwards dwell on the feats of Clown and Pantaloon! I am here, however, speaking of several years ago; for latterly he said, "It was a very hard thing to find any thing to laugh at in a pantomime, however much one tried!"

During the years 1842, 1843, and 1844, his practice continued steadily increasing, and that, too, in the highest and most lucrative class of business—not only before special juries at Nisi Prius, and the Courts in Banc and in Error in the Exchequer Chamber, but in the Privy Council and the House of Lords. Before the last tribunal, in particular, he appeared as one of the counsel in the O'Connell case, on behalf of Mr. O'Connell and his companions. His time was now incessantly

occupied, by day and night; his slight intervals of relaxation necessarily becoming fewer and fewer. His evenings, indeed, were almost always occupied with arbitrations, consultations, or preparing those pleadings and writing those opinions which his constant attendance in the Courts prevented his *then* disposing of. His friends saw with pain how grievously he was over-tasking his strength, and earnestly importuned him to give himself more intervals of relaxation—but in vain. For nearly two years before his death, his haggard countenance evidenced the direful havoc which he was making of a constitution never of the strongest. Sir William Follett and he were both sitting at the bar of the House of Lords, on one of the latest days of the hearing of Mr. O'Connell's case, each within a yard or two of me. Two death-doomed beings they looked, each, alas! having similarly provoked and accelerated his fate. On the same afternoon that Sir William Follett leaned heavily and feebly on a friend's arm as he with difficulty retired from the bar, I went home in a cab with Mr. Smith, who sate by me silent and exhausted, and coughing convulsively. I repeatedly conjured him to pause, and give his shattered health a chance of recovery, by retiring for a few months, or even for a year or two, from the excitement and wasting anxieties and exertions of business; but he never would listen to me, nor to any of his friends. "It is all very well," he said to me several times, "to talk of retiring *for a while*; but what is to become of one's business and connexion in the mean time? You know it will have melted away for ever." He had, however, been persuaded to consult a physician of experienced skill in cases of consumption; who, after having once or twice seen him, sent a private message to the friend who had prevailed on Mr. Smith to call upon him; and on that friend's attending the physician, he pronounced the case to be utterly hopeless; that it might be a matter of months, even; but he ought to be prepared for the worst, and apprised of his situation. His friend requested the physician to undertake that duty, assuring him of his patient's great strength of mind and character: but he declined. Mr. Smith spent the long vacation of 1844 with his brothers and sisters in Ireland. They were shocked at his appearance, and affectionately implored him not to return to England, or attempt to resume his professional duties; but in vain. While staying in Ireland, he regretted the fast flight of time, evidently clinging to the society of his brothers and sisters, to the latter of whom he was most devotedly attached; but bleak, bitter, blighting November saw him again established at the Temple, and fairly over head and ears in the business of the commencing term. He attended the courts as usual; went out in the evenings to arbitrations and consultations as of old; dined also at the Garrick as before, and sat up as late at nights as ever. We all sighed at this deplorable infatuation; but what could we do? He was a man of inflexible will, and a peculiar idiosyncracy. Remonstrance and entreaty, from the first useless, at length evidently became only irritating. Not a judge on the bench, nor a member of the bar,
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but regretted to see him persist in attending the courts; where he sat and stood, indeed, a piteous spectacle. He resolved on going the Spring Circuit in 1845, being retained in some of the heaviest cases tried there. Shortly before this, the friend already referred to resolved to perform the painful duty of telling him, that in his physician's opinion there was not a ray of hope for his recovery; a communication which he received with perfect calmness and fortitude. To his brother's entreaties, about the month of June, that he would either go abroad, accompanied by one of his brothers or sisters, or allow the latter to come and live with him, in a house a little removed from town, he steadily turned a deaf ear. He evidently knew that it was useless; and spoke of his desperate state as calmly as he would have done in referring to the case of a mere stranger. It is believed that his sole reason for refusing to permit his sister to come over, was his fond and tender regard for her—a reluctance to permit her to witness him waste away, injuring in vain her own health and spirits. About this time, he said to his brother very quietly, but sadly, that "he feared his sisters would soon have to bear a severe shock!" He sat in his chambers, which were within only a few yards' distance from the Temple Church, on the day of Sir William Follett's funeral. He heard the tolling of the bell, and from his window[11] he could have seen much of that solemn ceremonial. What must have been his feelings? This was on the 4th July; and five days afterwards, (viz. on the 9th,) poor Mr. Smith appeared, I believe for the last time in the Court of Exchequer, during the post-terminal sittings in Trinity vacation, to argue a demurrer! I was present during part of the time. What a dismal object he looked, while addressing the Court! I think we drove up to the Temple together. He had argued the case of Bradburne *v.* Botfield, (reported in 14 Meeson and Welsby, 558,) the last time, I believe, that his name appears in the Reports. It was a very nice question, as to whether certain covenants in a lease were joint or several: his argument was successful, and the Court gave judgment in his favour. The next day he said to me, speaking of this occasion, "The judges must have thought me talking great nonsense: I was so weak, that it was with very great difficulty I could keep from dropping down, for my legs trembled under me all the time violently, and now and then I seemed to lose sight of the judges." Yet his argument was distinguished by his usual accuracy, clearness, and force of reasoning. Nobody could prevail upon him to abstain from going the summer circuit. He went accordingly, and unless I am mistaken, held several heavy briefs. When the northern circuit had closed, I joined my family at Hastings; and found that poor Mr. Smith was staying alone at the Victoria Hotel, St. Leonards. I called upon him immediately after my arrival. His appearance was truly afflicting to behold. Consumption had fixed her talons still deeper in his vitals. He sat in an easy chair, from which he could not rise without great effort; and he expressed himself as delighted that I, and another of his oldest friends, happened to have established ourselves so near him. He was quite alone—no friend or relative with him; several briefs, &c. lay on his table, together with the most recent numbers of the Reports, several law-books, and works on general literature. A Bible also lay in the room, with several papers placed within the leaves. Nothing could exceed the attention paid him by the landlady and her daughter, and the servants; but he gave them very little trouble. His cough was much aggravated, as were the wasting night-sweats; and he could walk only a few steps without assistance. Soon after having got to Hastings, I was summoned

away to attend a court-martial at Leeds, which kept me there for upwards of a fortnight. On my return, Mr. Smith expressed a lively anxiety to hear from me a detailed account of "how the military managed law." He seemed never tired of hearing of those "curious proceedings," as he styled them. I spent nearly two hours a day with him during the remainder of my stay, [Pg 155] accompanying him in long drives whenever the weather permitted. Weak though his body was, his mind was as active and strong as ever. I saw several as heavy "sets" of papers, from time to time, forwarded by his clerk from London, according to Mr. Smith's orders, as I had ever seen even in his chambers. When I implored him to send them back, and take a real holiday, he answered simply, "No; they *must* be attended to,"—and he did so: though I saw him once unable from weakness to lift a brief from his knees to the table. I never beheld so calm and patient a sufferer. He never repined at the fate which had befallen him, nor uttered a word showing impatience or irritability. When we drove out together, he generally said little or nothing the whole time, lest his cough should be aggravated, but was very anxious to be talked to. Once he suddenly asked me, when we were driving out, "Whether I really ever intended to permit him to see the sketch of Follett, which I was preparing." I parried the question, by asking him, "Whether he thought Sir William Follett a great lawyer."—"Certainly," said he, "if there *be* such a character as a great lawyer. What thing of importance that only a great lawyer could do, did not Follett do? He *necessarily* knew an immensity of law; and his tact was a thing quite wonderful. I was a great admirer of Follett.... I once heard him say, by the way, that either he had applied for the place of a police magistrate, or would have accepted it, if it had been offered, soon after he had come to the bar; so that it is quite a mistake to suppose that he was all at once so successful.... And I can tell you another little fact about Follett: though perhaps no man took so few notes on his brief, during a cause: this was not always so; for, when he first came to the bar, he took most full and elaborate notes of every case, and prepared his arguments with extreme care. I have seen proofs of this." Shortly before his leaving town, he purchased a copy of Thirlwall's (the Bishop of St. David's) History of Greece, in eight volumes, "to read over at the sea-side;" and he did so: telling me that "he liked it much,—that it had told him many things which he had not known before." This copy his brother presented to me after Mr. Smith's death, and I value it greatly. One morning I found him much exhausted; but soon after I had taken my seat, he said, "You can oblige me by something, if you will do it for me. I recollect that there is generally lying on your table, at chambers, 'Bell's Principles of the Law of Scotland.' Now I am very anxious to read the book, as I expect to be in one, if not two, Scotch appeal cases, in the House of Lords, next session!—Will you do me this favour?" Of course I immediately procured the book to be forwarded to him, and it afforded him uncommon pleasure for many days. He read it entirely through with deep attention, as his numerous pencil marks on the margin attest, as well as several notes on the fly-leaf, of leading points of difference between our law and that of Scotland. At page 35, §76, the text runs thus:—"Tacit acceptance may be inferred from silence, when the refusal is so put as to require rejection, if the party do not mean to assent; as when a merchant writes to another, that he is against a certain day, to send him a certain commodity, at a certain price, unless he shall previously forbid." Opposite to this, Mr. Smith has written in pencil, "*Surely one man cannot throw the duty of refusal on another, [in] that way?*" In the course of a little discussion which we had on this subject, I said, "Suppose the parties have had previously similar transactions?"—"Ah," he answered, "that might make a difference, and evidence a *contract* to the effect stated; but as nakedly enunciated in the text, I think It cannot be the law of Scotland, or law any where." He made many interesting and valuable remarks from time to time on Scotch law, and expressed a high opinion of the work in question, referring to every portion of it as readily as though it had been his familiar text-book for years. I often found him reading the numbers of the Queen's Bench, Common Pleas, and Exchequer Reports; and he once said, "I have a good many arrears to get through, in this way, before the beginning of term!" One day I saw a [Pg 156] prodigious pile of law papers lying on his table, which had just arrived from London. "Why, what are these, my dear Smith?" said I earnestly—for he lay on the sofa in a state of miserable exhaustion. After some minutes' pause, he replied, "It is a very troublesome case. I have to reply or demur to some very harassing pleas of ——."—"But why not postpone them till near the end of October?" "When I am not fatigued, papers amuse me, and occupy my attention." I offered to him my services. "No, thank you—it would fatigue me more to explain the previous state of matters, with which I am familiar, than to draw the pleadings"—and he did it himself. On another occasion, I saw him sitting in his easy chair, deadly pale. When I had placed myself beside him, he said in a faint tone, but calmly and deliberately, "This morning a very serious thing has happened to me," and he mentioned a new and very alarming feature in his complaint, which, alas! fully justified his observation; and during the day he allowed me to request Dr. Duke, who was attending a patient in the hotel, to see him. He did—and on quitting him, told me that of course the case was hopeless; that his friends should be sent for, and he would not answer for his life for a few weeks, or even days. Two or three days afterwards, Dr. Duke saw him again, and had left him only half-an-hour when I called. He was writing a letter to an old friend (one of his executors,) and his face wore an expression of peculiar solemnity. Laying down his pen, and leaning back in his chair, he gently shook my hand, and, in an affectionate manner, said, "Warren, I have just had a startling communication made me by Dr. Duke; he has told me plainly that I cannot live much longer,—that recovery is utterly out of the question,—and that I am nearer death than I suppose." After a pause, I said, "He has been faithful, then, my dear Smith. It was his duty; and I trust he did it in a prudent manner."—"Perfectly," he replied. Profound gloom was in his features, but he was perfectly calm. Presently he said, covering his face with his attenuated hand, "I have none to thank but myself; I have killed myself by going the last circuit, but I could not resist some tempting briefs which awaited me! I now regret that I did not allow my sister to come over, months ago, and go with her to the South of France; but of course wishing *now* is useless." Again I entreated him to allow her to be sent for. "My dear Warren," said

he very decisively, "you and B. have often asked me to do so. I beg you to do so no more. I have private reasons for declining to follow your advice." His voice slightly faltered. His "private reasons" have already been adverted to—they were, his tender love for one whom he would not shock by showing himself to her in the rapid progress of decay! From that day I never saw the semblance of a smile upon his face, nor any appearance of emotion, but only of solemn thoughtfulness. A few days afterwards I said to him, "Well, if it be the will of God that you should never return to your profession, it is certainly consolatory for you to reflect how great a reputation you justly enjoy at the bar, and in how short a time you have gained it. Your name will live." He made no answer for some minutes, but shook his head, and then said, "I have done nothing worthy of being remembered for; but you are very kind for saying so." Even after this, the mail every now and then brought him fresh "papers" from town; and Miss ——, the daughter of the landlady, and who attended him with the utmost solicitude, one evening burst into tears, as she showed me a fresh packet; adding, "It is really heart-breaking to have to take them in to him: he is so weak that he feels a difficulty in even opening them!" It was so, indeed! The two old friends whom he had named as executors, came down to St. Leonards two or three times, and spent several days with him. As the time for our family's return to town approached, he evidently regarded it with uneasiness, and almost daily said, "Must you *really* go by the 15th?... And —— is also going before that: then I shall be left quite alone, and shall certainly feel dull." A friend of mine, a lady, who resides near St. Leonards, having requested me to introduce her to him, in
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order that when we were gone she might come and see him, I asked him if he would allow me to do so? "Indeed," said he, faintly, and with a slight flush, "I should not only feel it a compliment, but extremely kind." The lady in question accordingly drove down very kindly almost daily, bringing him grapes and flowers, which he said he felt to be a very delicate attention: and so anxious was he to evince his sense of her courtesy, that he insisted on driving, when very feeble, on a bleak day, to leave a card at the lady's residence, nearly three miles off, with his own hand. When I took my leave of him, he seemed, I thought, a little moved; but said calmly, "If the weather breaks up, I shall return to the Temple: and it is possible that I may take lodgings in another part of the town; but to court I *must* go, at whatever inconvenience—for I have cases there which I must personally attend to!"

Towards the close of October he followed us to London, alone, and was sadly fatigued and exhausted by his journey. He went at once to his chambers; which he never, with one exception, quitted till his death; lying stretched in his dressing-gown upon the sofa, a large table near him being covered with briefs, cases, and pleadings, which he attended to almost as regularly as if he had been in perfect health. Yet he found it difficult to sit up, his hand trembled when holding even a small book, and his cough was fearfully increased in frequency and violence, and he could get little or no sleep at nights. The reader may imagine the concern and astonishment with which I heard, that about a fortnight after his return, he had actually gone to dine at the Garrick Club! Sitting at his table there, as a friend who saw him told me, "more like a corpse than a living being; in short, I almost thought it must be his ghost!" He left his rooms, however, no more; having his dinner sent in, till within the last few days of his life, from a neighbouring tavern. He had several consultations held at his chambers, in cases where new trials were to be moved for; his leaders, (one of whom was Mr. Sergeant Talfourd,) considerately waving etiquette, and coming to their dying junior's chambers. They were, as may be supposed, most reluctant to transact business with one in his state, but he insisted upon it. He earnestly requested me not to mention at Westminster, or elsewhere, how ill I thought him; "for if you do, my clients will send me no business, and then I shall have nothing to amuse my mind with." Towards the end of the term, he observed to me one morning,—"See how very kind my clients are to me! I suspect they have heard that I cannot go to court, so they send me a great number of pleas, demurrers, and motion papers, which I have merely to sign, and get half a guinea: I think it so considerate!" About the last day of the term, I happened myself to be his opponent, in one of those minor matters of form, a motion for judgment as in case of a nonsuit, on account of my client's not having gone to trial at the preceding assizes. Mr. Smith was lying in a state of great exhaustion on the sofa; but mentioned the "rule." I told him that I had brought my brief with me,—"A peremptory undertaking, I suppose," said he, languidly, "to try at the next assizes?"—"Yes, and I will sign my own papers, and yours too, to save you the trouble,—or your clerk shall?"—"No, thank you," said he, and with difficulty raised himself. "Will you oblige me by giving me a pen?" I did so, and with a trembling hand he wrote his name on the briefs, saying, in a melancholy tone as he wrote, "It is the last time I shall sign my name with yours. Even if you *perform* your undertaking, *I* shall not be at the trial." About a week afterwards I found him finishing the last sheet of a huge mass of short-hand writer's notes of an important case in which he was concerned, and he was grievously exhausted. It was in vain to remonstrate with him! An early and devoted friend of his, and I, called upon him daily two or three times, and sat with him as long as our engagements would permit us. We found his mind always vigorous; and though he could converse little, from weakness, and its irritating his cough, his language was as exact and significant as ever, and he liked to hear others talk, especially about what was going on at
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Westminster. I was sitting silently beside him one afternoon, only a fortnight before his death, when a friend came in, and, after we had sat some time together, asked me a question which had just arisen in his practice. "Don't you think," said he, "that, under these circumstances, we may read the word '*forthwith*,' in this act of parliament, to mean, 'as soon as reasonably may be?'" Our poor friend, who had not spoken before, and lay apparently asleep, instantly raised his head, and with some quickness observed, "Ah! if you could only read an act of parliament *in any way you liked*, what fine things you could do!" The reader is not, however, to suppose that Mr. Smith's mind was exclusively occupied with business, and legal topics. On the contrary, I am certain that he both read and thought much, and anxiously, on religious subjects. I saw the Bible constantly

open, and also one or two religious books; in particular, Mr. Wilberforce's "Practical Christianity" lay on his table and on his sofa. He seemed, however, to feel no disposition to *converse* on such topics, with any one. If any one attempted to lead conversation in that direction, he would either be silent, or in a significant manner change the subject. He had a favourite copy of Dante lying often near him, and it may be interesting to state, that he has left, underscored in pencil, the two following verses in the third canto, (*Del Purgatorio*,) expressive of faith in the great mysteries of Christianity,—

"Matto è chi spera che nostra ragione,
Possa trascorrer la 'nfinita via,
Che tiene una sustanzia in tre persone.

State contente, umana gente, al quia:
Che si potuto aveste veder tutto,
Mestier non era partorir Maria."

It may not be necessary to say it, but I am persuaded that he was a firm believer in the truths of Christianity, and a conscientious member of the Church of England. One day, within about a fortnight of his death, he said, "There is a work which I have often heard you speak of, and which, it does so happen, I never read, though I have often wished to do so; I mean Paley's *Horæ Paulinæ*. I may say almost that I know his *Evidences* off by heart. Now, will you do me the favour of procuring me a copy of the other book, in as large type as you can, and as soon as you can, for," he added with a slight sigh, after a pause, "I have not much time to lose?" I immediately procured him the book in question; and about three days afterwards he said to me, "I have read the Horæ Paulinæ; it is a book of extraordinary merit; I very much wonder that I never read it before." I asked him if he had read "Butler's Analogy." "Oh yes, of course, several times, and know it well," he replied, rather quickly. Life was visibly ebbing fast away during the first week in December. He grew weaker and weaker almost hourly, and scarcely ever rose from his sofa, where he always lay in his dressing-gown, except to go to his bed-room, which adjoined and opened into his sitting-room. He would even then allow no one to be in his chamber with him during the might! not even his attentive and attached laundress, or his clerk! I once very strongly urged upon him to allow the former to sleep in the chambers. "Either she leaves my chambers at her usual hour," said he, peremptorily, "or I do." We felt it, however, impossible to allow this; and, without his being aware of it, his clerk and laundress by turns continued to spend the night in one of the adjoining rooms. It was well that such was the case, for he began to get delirious during the nights. About ten days before his death, a great and marked change came very suddenly over him: his eyes assumed a strange glazed appearance, and his voice was altogether altered. His mind, however, continued calm and collected as ever. He moaned continually, though gently, assuring us, however, repeatedly that he felt no pain, "but an exhaustion that is quite inconceivable by *you*." Not many days before his end, he gave us a signal proof of the integrity of his reasoning faculties. Two of his friends, I and another, were sitting with him, and he told us, as he often latterly had, that he heard strange voices in the room. He asked the one who sat next
[Pg 159] him if there were not strangers at that moment in the room speaking? When assured that there were not, he said very earnestly, "Will you, however, oblige me by looking immediately under the sofa, and tell me whether there is really no one there?" His friend looked, and solemnly assured him that there was no one there. "Now," said he, with some difficulty, after a pause, and suddenly looking at us, "how extraordinary this is! Of course, after what you say, I am bound to believe you, and the voices I hear are consequently imaginary: yet I hear them uttering *articulate sounds*; they are human voices; they speak to me intelligibly. What can make that impression upon the organ of hearing—upon the tympanum? How is it done? There must be some strange disorder in the organs. I can't understand it, nor the state of my own faculties!" Then he relapsed into the state of drowsy, moaning, half-unconsciousness, in which he spent the last fortnight of his life. For a few days previously, no more briefs or papers were taken in by the clerk: but one, a case for an opinion, which had been brought about a week before, Mr. Smith immediately read over with a view of answering it. In consequence of a communication from the physician, we at once summoned Mr. Smith's two brothers, the one from Dublin Castle, and the other (an officer on board the Devastation Steam Frigate) from Portsmouth. Both of them came as quickly as possible, and remained to the last in affectionate attendance upon their afflicted brother. About three days before his death, he was asked if he wished to receive the sacrament. "Yes," he immediately replied, "I was about to ask for it, but feared I was too ill to go through with it. I request it may now be administered to me as soon as can be, for I am sensible that I have no time to lose; *and I beg that the rubric may be strictly complied with in all respects*." This he said specially with reference to the prescribed number ("three, or two at the least") of communicants beside himself. The Rev. Mr. Harding, father of one of his intimate friends, being near at hand, immediately attended, and administered that sacred and awful rite: Lieutenant Smith, I, and another, partaking of the sacrament with our dying friend. He was in full possession of his faculties. He could not rise from the sofa, but made a great effort to incline towards the clergyman, lying with his hands clasped upon his breast. When the name of our Saviour was mentioned, he inclined his head with profound reverence of manner. It was, indeed, a very solemn and affecting scene, such as will never be effaced from my memory. When it was over, Mr. Smith gently grasped the hand of Mr. Harding, and faintly thanked him for his kindness in so promptly attending. He was unable, at night, to walk to his bed; to which he was assisted by his brother and a friend. The dark curtain was now rapidly descending between him and this life. He never rose again from bed; but lay therein the same moaning yet comparatively tranquil state in which he had been during the week. On the morning of the day of his death, I went early to sit

beside him, alone; gazing at his poor emaciated countenance, with inexpressible feelings. Shortly after I left, his oldest friend took my place; and, after a while, to his great surprise, Mr. Smith, on recognising him, asked if a particular "case,"—"Exparte ——" was not still in chambers? On being answered in the affirmative, he requested his friend to get pen, ink, and paper, and he would dictate the opinion! His friend, though conceiving him to be wandering and delirious, complied with his request; on which Mr. Smith slightly elevated himself in bed, and, to the amazement of his friend, in a perfectly calm and collected manner, but with great difficulty of utterance, dictated not only an appropriate, but a correct and able opinion on a case of considerable difficulty! When he had concluded, with the words, "the case is practically remediless," he requested that what had been written might be read over. It was done, and he said, on its being concluded, "There is only one alteration necessary—strike out the words '*on the case*,' leaving it '*action*,' simpliciter;" thereby showing an exact appreciation of a point in the case, with reference to the suggested form of action, of much difficulty! After this effort he rallied no more, but lay in
[Pg 160] a dozing state all day; his friend, his brother, and myself, by turns, sitting at his bedside. He appeared to suffer no pain. I sate with him till about six o'clock, gazing at him with mournful intensity, perceiving that the struggle was rapidly drawing to a close. Being compelled to leave, I intended to have returned at eight o'clock; but, alas! a little before that hour, tidings were brought me that at shortly after seven o'clock our poor friend had been released from his sufferings. A few minutes before he expired, none being present but his brother and the laundress, he gently placed his left hand under his left cheek, and, after a few soft breathings, each longer than the preceding one, without apparent pain, ceased to exist upon earth. I immediately repaired to his chambers, and joined his brother and his oldest friend. They were sitting in mournful silence in his sitting room. Around us were all the evidences of our departed friend's very recent occupancy—his spectacles lay on the table;—many briefs, some of which I had seen his own feeble hands open only a few days before, so remained, as well as various books; among which were two large interleaved copies of his "Mercantile Law" and "Leading Cases," with considerable MS. additions and corrections in his own handwriting. When I looked at all these, and reflected that the prematurely wasted remains of one of my earliest and most faithful friends lay, scarce yet cold, in the adjoining room, I own that I felt it difficult to suppress my emotions.

Quis desiderio sit pudor, aut modus
Tam cari capitis?

He died on the 17th December, 1845. On looking among his papers, there was found a will which he had executed so long before as the year 1837, for a reason assigned in that document, viz., that on the 3d of July in that year, was passed the important Act of 7 Will. IV., and 1 Vict. c. 26, which rendered it necessary for all wills to be signed by the testator in the presence of two or more attesting witnesses, none having till then been necessary in the case of wills of personal estate, which alone Mr. Smith left behind him. This document contains some characteristic touches. It begins in this old fashioned and formal style:—

"In the name of God, Amen!

"I, John William Smith, of the Inner Temple, barrister-at-law, being minded to make my last will and testament before the act passed in the first year of the reign of Her present Majesty, (whom God long preserve,) entitled 'An Act for the Amendment of the Law with respect to Wills,' shall have come into operation, do make this my last will and testament; that is to say," &c. &c.: and he proceeded, after giving some trifling mementoes to his friends, to bequeath all his property to his two executors, in trust for his sisters. He directed that his coffin should not be closed till after decay should have visibly commenced in his body; a precaution against the possibility of premature interment: which he always regarded with peculiar apprehension. He proceeded to direct that he should be buried in the burying-ground around the Temple church, a right which he always contended was possessed by every member of the Inn. With this request, however, it was impossible for the Benchers to comply, though anxious, by every means in their power, to do honour to his memory. He was, therefore, buried, on the 24th December, 1845, at Kensal Green. Had it been deemed desirable by his brothers and executors, a great number of the members of the bar would have attended his funeral. As it was, however, sixteen only of those most intimate with him followed his remains to their last resting-place. A small stone, placed at the head of his grave, merely mentions his name, age, and profession, and the day of his death; and adds, that a tablet to his memory is erected in the Temple church. On the ensuing Sunday, the Benchers of the Inner Temple caused the staff, or pole, surmounted with the arms of the Inn, carved in silver, and which is always borne before the Benchers into church, and placed at the corner of their pew, to be covered with crape, and the vergers to wear scarves; a tribute of respect which had never before then, I believe, been paid to any but deceased Benchers. They expressed anxiety to
[Pg 161] pay every honour to the memory of so distinguished a member of the Inn, and cordially assented to the request that a tablet should be placed in the Triforium, where one of white marble now stands, bearing the following fitting inscription, written by his friend, Mr. Phillimore, of the Oxford circuit:—

JOH: GVL: SMITH

IN. STVDIIS. HVMANITATIS. AC. LITTERARVM.
A. PVERITIA. SUMMA. LAVDE. VERSATO.
LEGVM. ET. CONSVETVDINIS. ANGLIÆ.
TVM. JVRIS. NEGOTIANTIBVS PROPRII.

PERITISSIMO. VT. SCRIPTA. QVÆ. MAGNAM.
ETIAM. TRANSMARINAS. APVD. GENTES.
AUCTORITATEM. CONSECVTA. SUNT. TESTANTVR.
MEMORIA. DILIGENTIA. ACVMINE. DOCTRINA.
NECNON. FIDE. ET. BENEVOLENTIA. SINGVLARI.
A. FORO. VBI. QVOAD. VIXIT. INGENII. LAVDE.
CREVIT.
IMMATVRA. MORTE. ABREPTO.
H: L: S: E
NATVS. A.D. MDCCCIX. OBIT. IDIBVS. DEC. A.D.
MDCCCXLV.

Thus died, and thus was honoured in his, alas! premature death, John William Smith: leaving behind him a name of unsullied purity, and a permanent reputation, among a body of men noted for their severe discrimination in estimating character. He practised his profession in the spirit of a GENTLEMAN, disdaining all those vulgar and degrading expedients now too often resorted to, for the purpose of securing success at the bar. He waited, and prepared for, *his opportunity* with modest patience, and fortitude, and indomitable industry and energy. He possessed an intellect of uncommon power, consummately disciplined, and capable of easily mastering any thing to which its energies were directed. Having devoted himself to jurisprudence, he obtained a marvellously rapid mastery, both theoretically and practically, over its greatest difficulties, leaving behind him writings which have contributed equally to facilitate the study and the practice of the law, in an enlightened spirit. Had Providence been pleased to prolong his life, the voice of the profession would, within a very few years, have called for his elevation to the judicial bench, and he would have proved one of its brightest ornaments. Nor did he sink the scholar in the lawyer, but cherished to the last those varied, elegant, refined, and refining tastes and pursuits, which, having acquired him early academical distinction, rendered in after life his intercourse always delightful to the most accomplished and gifted of his friends and acquaintance, and supplied him with a never-failing source of intellectual recreation. Above all, his conduct was uniformly characterised by truth and honour, by generosity and munificence, hid from nearly all but the objects of it; and by a profound reverence for religion, and a sincere faith in that Christianity whose consolations he experienced in the trying time of sickness and death, and which could alone afford him a well-founded hope of eternal peace and happiness.

Inner Temple, 8th January, 1847.

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MODERN ITALIAN HISTORY.[12]

Upon the fifth day of February, 1783, the province of Calabria was visited with a terrific earthquake. "The sway of earth *shook* like a thing unfirm," thousands of houses crumbled to their base, tens of thousands of human beings were buried beneath ruins, or engulfed by the gaping ground. In the small and ancient town of Squillace, the devastation was frightful; amongst others, the spacious mansion of the noble family of PÉPÉ was overthrown and utterly destroyed. At the time of this calamity, Irene Assanti, the wife of Gregorio Pépé, was in daily expectation of being brought to bed. In vain was it attempted to find a fitting refuge for the suffering and feeble woman. The ruin that had overtaken her dwelling extended for leagues around; not a roof-tree stood in the doomed district; misery and desolation reigned throughout the land. A tent was hastily erected; and, under its scanty shelter, in a season of extreme rigour, the lady gave birth to a son, who was baptised by the name of William.

Soothsayers would have augured a stormy existence to the child who thus first saw light when "the frame and huge foundation of the earth shak'd like a coward." Such omens might have attended the birth of an Alexander, a Cæsar, or a Napoleon, marking the advent of one of those human meteors sent at long intervals to astonish and dazzle the world. In this instance, if the man born during Nature's most terrible convulsion, was not destined to exercise a material or lasting influence on the fate of nations, at least his lot was cast in troublous and agitated times; he took share in great events, came in contact with extraordinary men, passed through perils and adventures such as few encounter, and fewer still survive. The last sixty years, comprising the most interesting and important chapter in the history of Europe, perhaps of the world, have been prolific in sudden transformations and startling reverses of fortune. During that period of revolution and restless activity, we have seen peasants become princes, private soldiers occupying the thrones of great and civilized countries, obscure individuals in every walk of life raised by opportunity, genius, and the caprice of fate, to the most exalted positions. Some of these have maintained themselves on the giddy pinnacle on which fortune placed them. They are the few. Reverses, even more sudden and extraordinary than their upward progress, have cast down the majority from their high estate. The transitions have been rapid, from the palace to the prison, from the sway of kingdoms to the sufferings of emigration, from the command of mighty armies to the weariness and obscurity of a forced inactivity. Fortunes built up in a year, have been knocked down in a month; again reconstructed, they have been yet more rapidly destroyed. Such changes have been as numerous, often as strikingly contrasted, as the shifting visions of a magic lantern, or the fitful corruscations of a firework. Within a short half century, how often has the regal purple been bartered for the fugitive's disguise, the dictator's robe for a prison garb,

the fortunate soldier's baton of command for the pilgrim's staff and the bitter bread of exile. Notable instances of such disastrous fluctuations are to be found in the memoirs of the Neapolitan general Guglielmo Pépé.

One of the youngest of a family of two-and-twenty children, born of wealthy and highly descended parents, young Pépé was placed, before he was seven years old, in the royal college of Catanzaro. There, his father, anxious that his education should be complete and excellent, intended him to remain until the age of eighteen. The peculiar disposition of the boy proved a grave obstacle to the accomplishment of the paternal wish. Nature had destined him for a military career, and his tendency to a soldier's life was early manifest. To the studies that would have qualified him for a
[Pg 163] learned profession, he showed an insurmountable aversion; Latin he detested; on the other hand, geography, history, and mathematics, were cultivated by him with a zeal and eagerness that astonished his professors. He had just attained his fourteenth year, when two of his brothers, but a little older than himself, left the military college at Naples, and received commissions in the army. This redoubled the military ardour of their junior, who had already caught the warlike feeling with which the Neapolitan government strove at that time to inspire the nation. He urged his father to purchase him a commission; his father refused, and the wilful boy absconded from college. Brought back again, he a second time escaped, and enlisted in a regiment of riflemen. Again he was captured, and the poor Sergeant who had accepted the juvenile recruit, was thrown into prison for enticing away a pupil of the royal college. But this time Gregorio Pépé thought it advisable to yield to the wishes of his headstrong son, and allowed him to enter the military school. He remained there two years, and left it to join, as drill sergeant, a company of the newly raised national guard. This was in 1799. Towards the close of the previous year, the ill-disciplined and inefficient Neapolitan army, composed for the most part of raw and uninstructed levies, had marched into the Papal States; and, the French having evacuated it, had entered Rome without opposition. The triumph was very brief. Neither the Neapolitan troops, nor their leader, General Mack, were capable of contending successfully against the skilful officers and well-trained soldiers opposed to them. On the first alarm, the pusillanimous Ferdinand of Naples fled from Rome in disguise, and soon afterwards embarked for Sicily with his wife and court, carrying away "the wealth and jewels of the crown, the most valuable antiquities, the most precious works of art, and what remained from the pillage of the banks and churches, which had been lying in the mint either in bullion or specie." The amount of the rich treasure was estimated at twenty millions of ducats. The French still advanced, feebly opposed by the disheartened Neapolitans and their inefficient foreign leaders. Gaeta, the Gibraltar of Italy, was surrendered after a few hours' siege, by an old general so ignorant of his profession that we are told he was accustomed to seek counsel from the bishop of the town. Capua, the bulwark of the capital, was given up by Ferdinand's vicar-general, Prince Pignatelli, in consideration of a two months' truce, which lasted, however, but as many days. A condition of this disgraceful armistice was a payment of two and a half millions of ducats. The money was not forthcoming; and the French commander, General Championnet, marched upon Naples. After three days' obstinate combat, maintained around and in the city by the lazzaroni, victory remained with the assailants. They were aided by the republican or patriot party, who delivered up to them the fort of St. Elmo. By this party, then a very small minority in Naples—much the greater part of whose population, ignorant, fanatical, and worked upon by wily priests, were frantic in their hatred of the French, and of the Jacobins, as they called the liberal section of their own countrymen—the triumph of the invaders was looked upon as a temporary evil, trifling when compared with the advantages that would result from it. Amongst the most enthusiastic liberals was young Pépé, who had already conceived that ardent love of liberty, which, throughout life, has been his mainspring of action. He hailed with delight the publication of the edict by which Naples was erected into the Parthenopean Republic. He was eager to enter the new army, whose organisation had been decreed, but his tender age made his brothers oppose his wish, and he was fain to content himself with a post in the national guard.

The new republic was destined to a very short existence. The provisional government, consisting, in imitation of the French system, of six committees, displayed little activity and still less judgment. It neglected to conciliate and win over the popular party, which remained stanch to the Bourbons and absolutism; it took little pains to convince the bigoted multitude of the advantages and blessings of a free constitution. The treasury was bare, the harvest had been bad,
[Pg 164] the coast was blockaded, and their difficulties were aggravated by the heavy taxes imposed, and rigorously levied by Championnet for the support of his army. These impositions, and a decree for the disarming of the people, produced discontent even amongst the friends of the new institutions. Nevertheless, Championnet, by showing an interest in the rising Republic, had gained a certain degree of popularity, when he was recalled to Paris to be tried by a court-martial, for his opposition to the exactions of a French civil commissary, "one of those voracious blood-suckers, whom the French government was wont to fasten upon the newly formed republics which it created, and upon which it bestowed the derisive title of independent." General Macdonald succeeded Championnet; the commissary, maintained in his functions, had full scope for extortion, and the Republican government, unable, for want of money, to organise an army that might have given permanence to its existence, became daily more unpopular, and visibly tottered to its downfal. Meanwhile, on the opposite coast of Sicily, Ferdinand, his adherents and allies, were any thing but idle. They issued proclamations, lavished money, spared no means to excite the people to revolt against the French and their favourers. Every support and encouragement was given to the disaffected, and at last Cardinal Ruffo landed in Calabria, and by proclamations issued in his name, and in that of Ferdinand, promised the property and estates of the patriots to those who should take up arms for the holy cause of the king. Apulia was

overrun by four Corsican adventurers; the other provinces were infested by bands of ruffians, mostly the outpourings of the prisons and galleys, which had been thrown open by the furious populace when preparing to defend the city against the French. A miller, by name Mammone, was one of the most ferocious and dreaded leaders of these banditti. His cruelties, as related by General Pépé, almost exceed belief. "He butchered in the most dreadful manner all who fell into his power, and with his own hands murdered nearly four hundred of them, chiefly Frenchmen and Neapolitans. Blood-thirsty by nature, he seemed to revel in shedding blood, and carried his cruelty to such a pitch, that when seated at his meals, he delighted in having constantly before him a human head newly divided from the trunk and streaming with blood. This monster, the perpetrator of so many horrors, was, nevertheless, greeted by King Ferdinand and his Queen Caroline, in the most affectionate manner by the title of 'dear general,' and of 'faithful supporter of the throne.'"

After long and unaccountable delay, two columns were formed for the pursuit of the Bourbonites, and a regular civil war began. At first the Republicans, supported by the French, had the best of the fight, and the strong towns of Andria and Trani were taken, after a vigorous defence, with great loss to the royalists, and no inconsiderable one to the assailants. But the Austrians and Russians now prepared to drive the French from northern Italy, and Macdonald, compelled to keep his army together, was unable to follow up these successes. Cardinal Ruffo's forces increased; he besieged and took several towns, and overran entire provinces, his ferocious followers committing, as they proceeded, the most terrible excesses and acts of cruelty. At last, in the month of May, Macdonald evacuated the Neapolitan territory, placing French garrisons in the castle of St. Elmo and in the fortresses of Capua and Gaeta, and leaving the handful of republicans to defend themselves as best they might against the vast majority of the nation that supported the cause of the king. Against such odds, the enthusiasm of the liberals, ill assisted by a feeble and vacillating government, was unable successfully to contend. Nevertheless, they still struggled on; fresh troops were raised, and in a sort of sacred battalion, composed of officers, young Pépé, who had just completed his sixteenth year, was appointed serjeant-major. In this capacity he first saw fire, in a skirmish with a band of armed peasants. But the enemy gained
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ground, the limits of the Republic grew each day narrower, until at last they were restricted to the capital and its immediate environs. Cardinal Ruffo's army, now amounting to forty thousand men, backed by detachments of foreign troops, and by regiments landed from Sicily, had improved in discipline and organisation, and, flushed with their successes, ventured to attack Naples. They encountered an obstinate resistance. General Schipani, an officer of distinguished bravery but little skill, commanded the body of troops of which Pépé's battalion formed a part, and occupied the most advanced of the Republican positions, between Torre dell' Annunziata and Castella-mare. The Cardinal's troops cut him off from Naples, and whilst gallantly endeavouring to force a passage through them and assist the city, his little band, fifteen hundred in number, was assailed by a body of Russians, and by a thousand Calabrians under the command of Pano di Grano, a returned galley slave, and Ruffo's favourite officer. In a narrow road a desperate contest ensued, and terminated in the defeat of the Republicans. Pépé received a bayonet thrust and a sabre cut, and although he escaped at the time, was soon afterwards captured with some of his comrades, by a party of peasants armed with scythes. This was the commencement of the young soldier's misfortunes. Suffering from hunger, thirst, and wounds, he was imprisoned in a damp and unwholesome warehouse, and subjected to the brutality of his peasant guards, who called in their women to gaze at the ill-fated patriots, as if they had been strange and savage animals caught in a snare, and to be viewed as objects of mingled curiosity and loathing. On the following day, when a detachment of the Cardinal's troops came to take charge of the prisoners and escort them to the capital, they were so exhausted with fatigue, loss of blood, and want of food, that before they could move, it was necessary to supply them with bread and water. This meagre refreshment taken, they were stripped to their shirts, manacled in couples, and marched off to Naples. Although informed of it by their captors, many of them had refused to credit the downfal of the city. "This illusion was soon dispelled by the mournful spectacle which presented itself to our gaze, and which I believe has very rarely been equalled. Men and women of every condition were being barbarously dragged along the road, most of them streaming with blood, many half dead, and stripped of every article of apparel, presenting altogether the most deplorable sight the mind can conceive. The shrieks and howlings of that ferocious mob were such, that it seemed composed, not of human beings, but of a horde of wild beasts. They cast stones and every species of filth at us, threatening to tear us to pieces." The Iazzaroni, instigated by the priests,—at Naples, as every where, the steadfast partisans of absolutism,—were the chief perpetrators of these atrocious misdeeds. Scarcely a party of patriot prisoners passed through the streets without some of its number being torn from the hands of the escort and sacrificed to the blind fury of the benighted populace. And it was a question if death were not preferable to the barbarous treatment reserved for the survivors. Twenty thousand men, half-naked, many of them wounded, were crowded into the halls of the public granary, now converted into a temporary prison. Heat, filth, and vermin, were the least of the evils endured by these unfortunates, amongst whom were noblemen, priests, officers of high rank, many literary men, several Celestin monks, and, to crown all, a number of lunatics. The Hospital of Incurables had been held out by the medical students against the royalists, and when the latter took it, they sent both sane and insane to prison, where some of the madmen were detained on suspicion of feigning lunacy. "One of these poor wretches was the cause of a most disastrous scene, which we witnessed. Having struck one of the royal officers on the face, the latter called out, 'to arms!' and as soon as he was surrounded by his followers, he rushed furiously upon the lunatic, whom he clove in two by a sabre stroke. During this time the sentinels placed in the street to guard the royal granary, fired musket-shots at the windows, and the bullets, rebounding from the ceiling of the building,

[Pg 166] wounded and killed several amongst us." The horrors of their situation, and the pangs of hunger and thirst were so great, that some of the sane amongst the prisoners nearly went mad. It was not till the third day that a scanty ration of bread and water was distributed. This spare diet and the absence of covering had one good effect, in preserving them from fever, and causing their wounds to heal rapidly. Their republican enthusiasm continued unabated, at least as regarded the younger men. "We had four poets amongst us, who sang by turns extemporary hymns to freedom." After twenty-two days passed in the granary, Pépé and a number of his companions were placed on board a Neapolitan corvette. Here they were, if any thing, worse off than in their previous prison. In a short time they were taken on shore again and lodged in the Vicaria prison, whence, each day, one or other of them was conveyed to the scaffold. Pépé was summoned before the Junta of State, where the bold sharpness of his replies irritated his judge, who consigned him to the *Criminali*, dark and horrible dungeons, appropriated to the worst of criminals. Three men loaded with fetters, and entirely naked, were his companions in this gloomy cavern. Two of them were notorious malefactors, "the third recalled vividly to my mind Voltaire's Lusignan in the tragedy of Zaire, which I had been perusing a few days before. His body was covered with hair, his head bald, a long and thick black beard contrasted forcibly with his ruddy lips and pearly teeth." His name was Lemaître, Marquis of Guarda Alfieri, and he had been several years imprisoned for participation in a republican conspiracy.

At last, after six months of the most painful captivity, Pépé, and seven hundred others sentenced to exile, were put on board three small vessels, and after a voyage of twenty-two days, during which their numbers were thinned by a destructive epidemic, were landed at Marseilles. There the first thing they learned was the arrival of Buonaparte from Egypt, and his enthusiastic reception in France. During his absence nothing had gone well, and the French nation looked to him to redeem their disasters. Italy was again in the hands of the Austrians. To aid in their expulsion, the formation of an Italian legion was decreed, and this Pépé hastened to join. Upon reaching Dijon, where it was organising, he found that every corps had its full compliment of officers. As a supernumerary he was ordered to a depot, where he would receive lieutenant's half-pay until his services were required. Like many others of the exiles, he preferred serving as a volunteer to remaining idle, and accordingly joined a company of riflemen intended to be mounted, but who, from the scarcity of horses, were for the most part on foot. At the beginning of May, 1800, the legion, consisting of six thousand men, marched into Switzerland, and crossed the St. Bernard. They were detached from Napoleon's army during the battle of Marengo, but distinguished themselves at the fight of the Jesia, and in the Valteline, until, by the truce which followed that memorable campaign, Pépé again found himself without employment, and in depot at Pavia. His restless spirit would not tolerate repose, and he entered the service of the Tuscan republic, where he continued until the truce of Luneville. An amnesty for Neapolitan political refugees being a condition of the treaty between France and Naples, he might now have returned home; but his hatred of the Bourbons indisposed him to such a step, and he resolved to enter the French army serving in Egypt. Murat was then commander-in-chief of the French troops in central Italy, and to him the young officer applied for a commission. He received that of a captain, and was about to start for Alexandria when his purse was emptied at a faro table. This compelled him to visit Naples for fresh supplies, and owing to the delay, before he could embark, the French had received orders to evacuate Egypt.

Notwithstanding the presence of the French troops, who by the treaty concluded at Florence, on terms ignominious for Naples, occupied several Neapolitan provinces, the patriot party again
[Pg 167] began to conspire against Ferdinand, and in their machinations Pépé, in spite of his youth, soon took a prominent share. His aversion to the Neapolitan Bourbons was only equalled by the indignation with which he saw his native land garrisoned by foreigners, feeding upon its fatness. Murat, who at first had viewed him with favour, soon looked upon him as a dangerous political agitator. At Rome he was imprisoned, but obtained his release through the interest of a friend. All warnings were unavailing; he was foremost in every plot, until at last he was arrested at Naples and sent to the Fossa del Maritimo. He gives a striking description of this horrible place of confinement. Opposite to the city of Trapano in Sicily, at a distance of thirty miles, is the small island or rather the barren rock of the Maritimo, "a Sicilian anagram of Morte-mia, a name quite characteristic of the horror of the place. Upon a point of this island stands a castle where, in former days, watch was kept for the approach of the African pirates who infested the Sicilian coasts. Upon a platform of the castle, situated at the north, a deep cistern had been made in the rock. Towards the middle of the seventeenth century, the water had been emptied from this cistern in order to transform it into a prison for a wretched youth who had murdered his own father in the most barbarous manner, but who was too young to be condemned to death." In this den, which since 1799 had been used as a state prison, Pépé and five other political offenders were confined. It was six feet wide and twenty-two long; only in the centre could they stand upright: it was so dark that a lamp was kept constantly burning; the rain entered through the only opening that gave air; and two prisoners, who had already been there some time, declared that they had counted twenty-two species of insects. Fortunately for him, Pépé was not kept long in this dismal cell, although his next prison, a dungeon cut in the rock, in the very deepest vault of the castle of St. Catherine, on the island of Favignana, was but little preferable. Here, however, he obtained books, and was able to complete his education, which had been interrupted by the revolution. "My passion for study," he says, "was carried to such an extent, that I felt pain and regret whenever I did not devote to it, either in reading or writing, fourteen hours a-day. During the three years of my imprisonment, my application was unremitting, and I owe to it that I did not fall into the habits, so common to prisoners, of smoking and drinking."

Most graphically told, the chapters relating to General Pépé's imprisonment, are as amusing as

any romance. More than once did he and his fellow-captive muse over an escape, and ponder its possibilities. These were very remote. At last they devised a plan, which they thought would ensure their transfer to a less rigorous confinement, whence they might find means of flight. Twenty galley slaves were imprisoned in the castle. At night they occupied the same apartment with Pépé; in the day-time they were set to work in different parts of the fortress. These men were easily persuaded to adopt an ingenious plan of escape devised by Pépé, who, with his friend, was to remain behind, "upon the plea that, as the government attached far more importance to the custody of state prisoners, than to that of common criminals, our company would prove more dangerous than useful to them." The fact was, that the chances were a hundred to one against the escape. Nevertheless it was accomplished, although the fugitives, with one exception, were promptly retaken. Pépé and his companion now made a merit of not having participated in it, and wrote to their friends at Naples, entreating them to urge their release. This would hardly have been obtained but for the outbreak of hostilities. Ferdinand, without waiting to see the result of the struggle between Austria, Russia, and France, declared against the latter power. He soon had reason to repent his precipitation. The crushing campaign of Austerlitz, followed by the march of Massena upon Naples, sent him and his court flying into Sicily. In the confusion that ensued, Pépé was set at liberty. Embarking at Messina, he once more landed in his native province of Calabria, and reached Naples, a wiser and better man than he
[Pg 168] had left it. Three years' study and reflection had cooled the rash fervour of his youthful aspirations. His desire for his country's freedom was unabated, but his Utopian visions of a republic had lost much of the brilliant colouring that had dazzled his boyish imagination. Prudence told him that it was unwise, by aiming at too much, to risk obtaining nothing. He was not singular in this modification of his views. The great majority of the liberal party had also moderated their pretensions; and in Naples, as in France, the word republic was now seldom spoken but in derision. Pépé was content that the desired changes should come more gradually than would have suited him before three years of thought and dungeon-life had sobered and matured his judgment. And henceforward we find his endeavours directed, steadily and unceasingly, to the establishment of free institutions under a constitutional monarchy.

By the grace of his brother the king-maker, Joseph Buonaparte was now upon the throne of Naples. On arriving in that capital, Pépé was presented to the minister of war, General Dumas. "From my extreme anxiety to produce the well or ill digested theories I had imbibed in prison, I was very loquacious, and urged so strongly the danger threatened to Calabria by the impending landing, not only of the British, but of all Cardinal Ruffo's banditti levies, who had acquired consequence in 1799, that he ordered a militia to be raised throughout the country." By Dumas, the young theorist, whose predictions, however, were not ill-founded, was presented to King Joseph, of whom he speaks in no very favourable terms. He admits him to have been courteous and affable, not deficient in information, and to have established many of those institutions which pave the way to liberty; but he blames him for neglecting his ample opportunities of establishing his power on a solid basis, and acquiring the affections of his subjects. The higher classes—of which, in Naples, contrary to what is the case in many countries, the liberal party consists—were devoted to Joseph, until he disgusted them by various parts of his conduct, and especially by the introduction of a horde of Frenchmen, who monopolised the most lucrative posts, both civil and military. He also gave offence by his luxurious and expensive manner of living. The sumptuousness of his table was proverbial throughout the kingdom, and, having left Madame Joseph in France, he permitted himself considerable license in other respects, living a very free life amongst the young beauties of his court, whom he used to take with him on his hunting excursions under the name of *cacciatrici*. It is probable that Neapolitan morality might have found little ground for censure in these Sardanapalian indulgences, but for the heavy expenses they entailed upon Neapolitan pockets, and, indeed, they were most unjustifiable in a country impoverished by wars and revolutions.

Personally, Pépé had no reason to complain of the king, who gave him a lieutenant-colonelcy and charged him with the organisation of the militia in Upper Calabria. Eager to serve his country, the newly made field officer hurried to his post. The English had not yet landed, but some of Ruffo's former followers had been put on shore, and laboured, not unsuccessfully, to induce the peasantry to revolt. Pépé soon found himself in action. Surprised in the town of Scigliano, he shut himself up in a house with two-and-twenty French soldiers, and there made a desperate defence against an overpowering force of the insurgents. Compelled to surrender, he received from his captors intelligence of the battle of Maida. So persuaded was he of the invincibility of the French, that at first he could not credit their defeat. He gives a brief account of the action, founded upon the report of French officers of rank present at it, and upon details collected from the inhabitants of Maida and Nicastro. It smells of its French origin. At the battle of Maida there were barely thirteen thousand men in the field, of which the larger portion, by some twenty-five hundred, were French. But the victory was as complete and as creditable to the handful of victors, as it could have been had those numbers been multiplied by ten. And the action was especially
[Pg 169] interesting as the first, during the late war, in which the superiority of British bayonets over those of any other nation, was proved and established beyond the possibility of dispute,—the first of a long succession of triumphs, the Alpha of the series of which Waterloo was the Omega. Destitute of cavalry, and fiercely attacked by a superior force of horse and foot, the British grenadiers stemmed the tide of the foeman's pride, and showed the men who had overrun half Europe, that they had at last met their masters. By General Pépé, Regnier's army is represented as worn out by fatigue, and as attacking their opponents at the termination of a succession of forced marches, without any interval for repose and refreshment. It is well authenticated that this was the case with but a small portion of the French force, which joined the main body during

the night preceding the action. The bulk of Regnier's division, numerically superior to the British, had been encamped upon the heights of Maida at least twenty-four hours previously to the battle. General Pépé says nothing of the brilliant charge with the bayonet that first broke the French ranks, and by which the victory was half won. "The English," he says, "who had constantly practised firing at a target in Sicily, and who were become skilful marksmen, directed their shot so ably that they caused great havoc in the French ranks, killing and wounding many. General Regnier now ordered the second line to advance and defile through the first, and as the movement is extremely difficult of execution under an enemy's fire, the French army fell into confusion, and Regnier was obliged to retreat." A retreat which history calls a precipitate flight. General Pépé's version of the affair reads like the bulletin of a vanquished commander trying to make the best of his disaster. The General, although he inveighs against the French when they interfere with the independence of his *cara patria*, betrays a leaning to them on mere campaigning questions. This is not unnatural. Both in Italy and Spain he fought by their side and witnessed their gallantry. With regard to the English, however his subsequent residence in this country and intimacy with various Englishmen may have modified his opinion of them, they were certainly in no good odour with him forty years ago, at least as a nation. They supported the cause he detested, that of an absolute King; and to their greatest naval hero, he attributes the death, not only of Carraciolo, but of a long list of Italian patriots. His book is written in something of a partisan spirit, nor could it well be otherwise, with so fervent a politician. His account of many events and circumstances differs widely from that given by his former companion in arms, Colletta, whom he speaks of with contempt and dislike, and frequently accuses of misstatement and wilful falsehood. "Men," he says, "of loose morals, and so corrupt that they reflected contempt and abhorrence upon those who associated with them. Such were Catalani d'Azzia and the historian Pietro Colletta." That party feeling influenced Colletta, to the prejudice of the impartiality of his writings, is pretty generally admitted. But does General Pépé feel that his own withers are unwrung? Can he, hand on conscience, declare himself guiltless of exaggeration? Probably he believes himself so; there is evidence in his memoirs of honesty of purpose, and of a wish to do justice to all; but the best of us are led astray by our predilections, and it is right to be on one's guard against the colouring given to men's actions, and to great events, by the political prejudices of an ardent partisan.

Delivered into the hands of Pano di Grano, the ex-galley slave, now a royalist chief, Pépé was kindly treated, and, being carelessly guarded, effected his escape. Recaptured, he was about to be shot, when an order for his release was obtained from Sir John Stewart, who offered him, he informs us, the command of an English regiment, if he would change sides and serve King Ferdinand. He blames that general for having been in such haste to re-embark his troops, thus abandoning the insurgents to their fate; and is of opinion, that if he had continued to advance, [Pg 170] flanked by the Calabrian bands, his forces would have increased, and he would have reached Naples. On the departure of the British, Massena commenced vigorous operations for the suppression of the insurrection, and Pépé was actively employed in the organisation of the Calabrian patriots. Massena promised him the colonelcy of a light infantry regiment about to be raised; but upon the Marshal being summoned to Germany by Napoleon, the project was given up, and Pépé could not even get employment in his rank of lieutenant-colonel. Disgusted at this injustice, and preferring foreign service to residence in his own country, where he had the mortification of seeing the French paramount, he embarked for Corfu as major on the staff.

After a year's absence, during which he narrowly escaped death by shipwreck and met with various other adventures, Pépé returned to Naples. It was in 1808: Napoleon had created his brother King of Spain, and given the Neapolitan crown to the Grand Duke of Berg. *Soldat avant tout*, Murat's first care was the amelioration of the army, then in a deplorable state. To this end he sent for all the Neapolitan officers employed in the Ionian islands. Pépé was amongst the number. Presenting himself before King Joachim, he exhibited his testimonials of service, and claimed the rank of colonel. The king replied, by appointing him one of his orderly officers, as a proof of the good opinion he had of him. "I recollect that I was so engrossed by admiration of the elegance of his appearance, and the affability of his address, that I omitted expressing my thanks. He talked to me a great deal about the Neapolitan army, and manifested a confidence in us that even exceeded my own; and, God knows, that was not small. His conversation filled me with such delight, that, had it not been for fear lest he should mistake my ardour of patriotism for courtier-like flattery, I could have fallen at his feet and worshipped him. It seemed to me that I beheld in him the Charles XII. of the Neapolitans."

Murat was the very man to become at once popular with an excitable and imaginative people. His handsome person, his dash and brilliancy, his reputation for romantic and chivalrous courage, his winning smile, and affable manner, prepossessed the Neapolitans in his favour, and they joyfully received him in exchange for Joseph. But the dashing commander was not of the stuff of which kings should be made; still less was he the man to found and consolidate a new dynasty, and reduce to order a fickle and divided nation. Strong-handed, but weak-headed,—a capital man of action, but valueless at the council-board,—Murat's place was at the head of charging squadrons. There he was a host in himself; in the cabinet he was a cipher. He was not equal even to the organisation of the troops whom, in the field, he so effectively handled. His good nature rendered him unwilling to refuse a favour, and, as there were no fixed and stringent regulations for the appointment and promotion of officers, the higher posts of his army were often most inefficiently occupied. "He could never resist the supplications of the courtiers, still less the entreaties of the ladies about the court."—(*Pépé's Memoirs*, page 262.) And again, "Murat was a Charles XII. in the field, but a Francis I. in his court. He would have regarded the refusal of a favour to any lady of the court, even though she were not his mistress, as an indignity." His *débonnaire* facility was

so well known, that people used to way-lay him in the street with a petition and an ink-stand, and he often signed, without inquiry, things that should never have been granted. "One day he was returning from the Campo di Marte, when a woman, in tears, and holding a petition in her hand, stood forward to present it to him. His horse, frightened at the sight of the paper, kicked and reared, and ended by throwing his majesty some distance from the spot. After swearing roundly, in the French fashion, Joachim took the paper and granted its request—the life of the woman's husband, who was to have been executed the following day." As his orderly officer, and subsequently, when promoted to a higher military grade, as his aide-de-camp, General Pépé saw a great deal of Murat, and we are disposed to place great faith in his evidence concerning that splendid soldier but poor king. His feelings towards Joachim were of a nature to ensure the
[Pg 171] impartiality of his testimony: as his military chief, and as a private friend, he adored him; as a sovereign he blamed his acts, and was strenuously opposed to his system of government. He seems never to have satisfactorily ascertained the king's real feelings towards himself: at times he thought that he was really a favourite, at others, he imagined himself disliked for his obstinate political opposition, and for the pertinacity with which he urged Murat to grant the nation a constitution. It is probable that Joachim's sentiments towards his wrong-headed follower, whom he used to call the *tribune*, and the *savage*, were of a mixed nature; but, whether he liked him or not, he evidently esteemed and valued him. No other officer was so constantly employed on confidential, important, and hazardous missions, both previously to the battle of Wagram, when the Anglo-Sicilians menaced Naples with an invasion, and at a later period, when Murat entertained a design of landing in Sicily. In this project the king was thwarted by the chief of his staff, the French general, Grenier, a nominee of Napoleon's, who, with three French generals of division, strongly opposed the invasion of Sicily, acting, as General Pépé believes, on private instructions from the emperor. "The great aim of Napoleon was, so to divert the attention of the English, as to cause them to withdraw part of their forces from Spain and the Ionian islands, whilst that of Joachim was, simply to get possession of Sicily." In pursuance of this design, the king established himself, with 22,000 men, in and around the town of Scylla. His own head-quarters were upon the summit of a hill, in a magnificent tent, containing one large saloon and six small chambers. "The tricolor banners, streaming on its summit, seemed to defy the English batteries on the opposite shore, which discharged bombs and shot that not only could reach the king's tent, but even fell beyond it. One day, three balls descended into the tent, where I was dining with the other officers of the king's household, although it was situated farther back than that of Joachim." From this exposed position Murat gazed at Sicily through a telescope, and tried to persuade himself that it was his. But English ships and men continued to arrive at Messina, rendering his enjoyment of his nominal possession each day less probable. So sharp a look-out was kept by the British fleet, that it was impossible to obtain intelligence from Sicily. The vessels could be counted; but the amount of land forces was unknown, and this Murat was most anxious to ascertain. He ordered Pépé to take two of the boats called *scorridore*, to land in Sicily during the night, and bring off a peasant, a soldier, or even a woman; any thing, in short, that could speak. The expedition was so dangerous, that Pépé expected never to return, and made all arrangements respecting the disposal of his property, as if condemned to certain death. The two naval officers whom he warned for the duty, looked at him with horror and astonishment, and asked what he had done, that the king wanted to get rid of him. To add to the peril, it was a bright moonlight night. Instead of perishing, however, he was fortunate enough to capture an English boat, having on board eight smugglers, spies of General Stewart. Murat's impatience was so great, that he came into the saloon of his tent, with only his shirt on, to receive his successful emissary; and General Pépé confesses, that if the king was delighted at receiving news, he himself was no less so, at having escaped with life and liberty. At last the invasion was attempted by a division of Neapolitan troops, and totally failed. Part of the invaders were taken prisoners: the remainder only escaped by favour of the strong current, which prevented the English from coming up with them. Murat returned to Naples, having spent a vast deal of money on these very expensive and fruitless operations. To Napoleon alone had they been of any use. He had "succeeded in conveying the necessary provisions to the Ionian islands whilst the seas were free from the enemy. At the same time, he had not to contend in Spain with that portion of the British forces which had been sent to protect Sicily."

In the stir and excitement of campaigning, Pépé managed to endure the presence of the French,
[Pg 172] whom he disliked, not because they were *Frenchmen*, but in their quality of foreigners, and of intruders in his country. He felt them to be a necessary evil, in the absence of an efficient native army, which Murat, impatient of his dependence on Napoleon,—who, according to his custom, treated him rather as a subject than as a sovereign,—perseveringly endeavoured to organise. Had the king's talents been equal to his decision and industry, he could not have failed of success. As it was, his efforts had little result. Pépé observed this with pain, and his exaggerated feelings of nationality again obtaining the ascendency, he determined once more to expatriate himself. He reminded Murat of an old promise to give him the command of one of the Italian regiments then serving in Spain. The king reproached him slightly with wishing to leave him; but, on his urging his request, and pleading a desire to improve himself in his profession, he appointed him colonel of the 8th of the line, formed out of the remnants of three regiments, food for powder, furnished to Napoleon by Naples. At the end of 1810, Pépé took his departure, passed through France, and reached Saragossa. There he met his brother Florestano, on his way back to Naples, where he received, on the recommendation of Marshal Suchet, and by the express desire of Buonaparte, the rank of major-general for his good services in the Peninsula. The career of this distinguished officer is highly interesting. At the siege of Andria, in 1799, he was shot through the breast whilst scaling the walls at the head of his company of grenadiers. Without being mortal, the wound was extremely severe, and the surgeon who attended him, and

who was esteemed the most skilful in Naples, cut his chest completely open, in order the better to treat it. An India-rubber tube was inserted in the centre of the gash to receive the oozing blood. So terrible was the operation, that the surgeon wished him to be held down by four strong men. To this Florestano refused to submit, and bore the anguish without a movement or a murmur. He was then told that the greatest care and regularity of living were essential to his existence. His answer was, "that he preferred a month's life of freedom to an age of solicitude about living;" and with this ghastly gaping wound he lived, in spite of the predictions of his leech, through fifteen campaigns. In command of a brigade of cavalry, he took share in the Russian expedition, and, on the night of the 6th December 1812, it fell to him to escort Napoleon from Osmiana to Wilna. Out of two regiments, not more than thirty or forty men arrived. The emperor's postilion was frozen to death, and had to be replaced by an Italian officer, who volunteered his services. The two colonels of the brigade had their extremities frozen, and Florestano Pépé shared the same fate, losing half his right foot, and only reaching Dantzic through the assistance of a devoted aide-de-camp. But, even thus mutilated, the heroic soldier would not abandon his beloved profession, and, during the final struggle against the Austrians in 1815, he was made lieutenant-general, by Murat, upon the field of battle.

On assuming command of his regiment, Colonel Pépé was as much struck by its martial aspect, as he was vexed at its clumsy manœuvres, and low moral condition. Both men and officers lacked instruction. The former were most incorrigible thieves. Plundering was a pretty common practice with the French armies in Spain, even in Suchet's corps, which was one of the best disciplined: and the Italians, anxious not to be outdone in any respect by their allies, were the most accomplished of depredators. They had come in fact to hold theft meritorious, and designated it by the elegant name of *poetry*. This slang term had become so general, that it was used even by the officers; and the adjutant of Pépé's regiment, in reporting a marauder to him, calls the man a *poet*. The prosaic application of a couple of hundred lashes to the shoulders of this culprit, served as a warning to his fellows, and soon the crime became of rare occurrence. The officers, although deficient in the theory of their profession, "were brave and honourable men, and had shown their valour, not only against the enemy, but in numerous duels, fought with the French, justifying
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fully, a saying of Machiavel, that the courage of the Italians, when opposed man to man, is far superior to that of other nations." The example of their new commander was not likely to break the officers of the eighth infantry of their duelling propensities. In the course of General Pépé's memoirs, he refers to at least half a score encounters of the kind, in which he was a principal. With the exception of two, which occurred when he was only seventeen, and of his final one—as far as we are informed—with General Carascosa, fought in England, in 1823, these single combats were invariably with foreigners, with whom the general seems to have been very unenduring. Not that provocation was wanting on the part of the French, more than sufficient to rouse the ire of the meekest. The insolence of Napoleon's victorious legions exceeded all bounds; nor was it the less irritating for being often unintentional,—the result of a habit of gasconading, and of a settled conviction that they were superior in valour and military qualities to all the world besides. A certain General F. could find no higher praise for Pépé's battalions, when they had gallantly attacked and beaten a Spanish corps, than was conveyed in the declaration that they ought, in future, to be regarded, not as Neapolitans but as Frenchmen! A compliment which to patriotic Italian ears, sounded vastly like an insult. Attributing it to stupidity, Pépé did not resent the clumsy eulogium. But it was very rare that he allowed slights of that kind to pass unnoticed, nor could he always restrain his disgust and impatience at the fulsome praise he heard lavished upon Napoleon. The officers who had gained rank and wealth under the French emperor, exalted him above all the heroes of antiquity, and breathed fire and flames when their Italian comrades supported the superior claims to immortality, of an Alexander, a Hannibal, or a Cæsar. "I believe Colonel Pépé loves neither Napoleon nor the French!" angrily exclaimed a French general during one of these discussions. "I replied instantly, that I was serving in the army of Arragon, but that I made no parade of my affections." Words like these were, of course, neither unheeded nor forgotten, and were little likely to push their utterer upwards on the ladder of promotion. But at no period of his life did General Pépé trust to courtier-like qualities for the advancement which he well knew how to conquer at point of sword.

After two years passed in Spain, and with the reputation of one of the best colonels in Suchet's army, Pépé returned to Naples. Murat, who had just come back from Russia, received him kindly, and made him a major-general. Notwithstanding this, he entertained serious thoughts of quitting the service. He had left Spain full of political hopes; and now the independence which Napoleon's disasters had given to Murat rendered their realization more than ever improbable. His discontent was participated in by many of his countrymen, especially by the Carbonari, which sect was greatly on the increase, fostered by the Bourbonites, who, for their own purposes, sought to sow dissensions in Naples. "I looked upon this sect," says General Pépé, "as a useful agent for the civilisation of the popular classes; but, at the same time, I was of opinion that, as it was necessary to force the king to grant liberal institutions, it was needful to make use of the army to avoid, as much as possible, all disorders of the state." The Abruzzi were the focus of the Carbonaro doctrines, and thither the general had been despatched with his brigade. When there, he learned Murat's departure for Dresden, to command Napoleon's cavalry. "Such was the eccentricity of Joachim, that a few days before quitting Naples, he had been in treaty with England to proclaim the independence of Italy, that nation engaging to furnish twenty thousand men and a considerable sum of money for this purpose. The ratification of the treaty only reached Naples after the departure of the king." Caroline Buonaparte, regent of Naples during her husband's absence, hated Pépé for his liberal principles and declared opposition to the French party, and showed him marked distrust. October came; Leipsic was fought, Napoleon retreated

[Pg 174] towards the Rhine,—Murat returned to Naples. Deprived of the support of his brother-in-law, whose star was visibly on the decline, it was time he should think and act for himself. In this critical conjuncture, he displayed, as usual, a grievous want of judgment. With a strong Bourbonite party against him, he could not make up his mind to conciliate, by concession, the liberal section of his subjects. On the other hand, Ferdinand, under the guidance of England, had given a constitution to Sicily, and promised to extend a similar boon to the Neapolitans if they would restore him to his continental dominions. In this promise, it is true, the patriot party, with the horrors of 1799 fresh in their memory, placed little confidence. General Pépé attributes much of Murat's undecided and injudicious conduct to Napoleon's treatment of him. "The emperor," he says, "one day exalted him to the skies, and the next would humble him to the very dust, condemning every thing he did, not only through the public papers, but in his private correspondence." On this head, the general gives very curious particulars, derived from the Duke of Campo Chiaro, chief of the police, and minister under Murat. The dilemma in which King Joachim found himself might have perplexed a wiser man. It was an option between turning his arms against his country and his benefactor, and losing his crown, which he could not hope to retain if he declared against the allies. After negotiating at one and the same time with all parties, he finally, at the commencement of 1814, concluded a treaty of alliance with Austria. But his mind was in an unsettled and wavering state; and he made no secret to those French officers who still followed his fortunes, of the good will with which he would once more fight beside, instead of against, his old companions in arms. "The Austrians so firmly expected this *volta-facia*, that they attempted, with one of Nugent's regiments of hussars, to take him prisoner at Bologna." At times, Pépé fancied that the king was about to comply with the wishes of the patriot party, grant a liberal constitution, and proclaim the independence of Italy. His hopes of this were particularly strong, when he found himself appointed to organise and command a legion, to consist of men from all the provinces of Italy, and of whose officers he was to have the nomination. That so important a trust as this should be confided to a man noted for his democratic principles, of whom the king never spoke but as the tribune and the *tête de fer*, and who had been more than once suspected of an intention to revolt, was indeed a symptom of a change in Murat's views. But it all ended in smoke. Pépé drew up the plan of the legion, and submitted it to the king, who took no further notice of it. He was engrossed in watching the final struggle between Napoleon and the allies.

On the 19th April, when about to besiege Piacenza, news reached Murat of the fall of Paris, and of the treaty of peace concluded with the viceroy of the kingdom of Italy. The war was suspended, and the Neapolitan army retired southwards. At Rimini, General Pépé, who commanded the rear guard, fell in with the Pope, then proceeding to Rome, and was admitted to an interview. Never oblivious of his political principles, he took an opportunity of saying, "that it would be worthy of an Italian pontiff to collect about him the sons of Italy, and to drive the foreigners out of his native land." His holiness listened attentively, but made no reply. When Murat was informed of this bold suggestion of Pépé's, he exclaimed, "He will not leave even the Pope quiet," and this saying became a standing joke against the tenacious patriot. A few days afterwards, General Ambrosio, another of the liberal party, had been advocating to the Pope the advantages of a constitution for Italy, "when a crippled gentleman was brought to the carriage door, who requested the pontiff to bestow his blessing upon him, that he might recover the use of his limbs. The Pope, turning towards Ambrosio, said, 'You see, General, where we are; Italy is still far from the period you so ardently desire.'" Ambrosio and his friends, especially Pépé, were of the contrary opinion, and conspired to compel Murat to grant them a constitution. Seventeen general officers were implicated in the plot, but when the moment for action came, the majority faltered,
[Pg 175] Pépé was left in the lurch, and became the scapegoat. Urged to fly to Milan, he refused to lower himself in the opinion of his countrymen by seeking refuge amidst the oppressors of Italy. He was ordered to the castle of St. Elmo, there to appear before a court-martial, but on reaching Naples, the placable Murat had forgotten his anger, and received him kindly. "I treat all my subjects, and you in particular, like my children," were his first words. In the interesting conversation that followed, Pépé urged the king to grant a constitution, as the surest means of securing the affections of his subjects and consolidating his throne. Murat replied, that he should long since have done so, but that such a proceeding would draw upon him the implacable animosity of Austria. And he declined relying, as his unceremonious counsellor urged him to do, upon the courage of six millions of Neapolitans and the natural strongholds of the country. He was never offended at Pépé's frankness, for he had faith in his personal attachment. "It is certain," says the General, "that, after my country, I was most truly attached to Joachim, and I would have given my life for him." Subsequent events proved this, and showed Murat that the man who, boldly and to his face, had blamed the conduct of the king, was the firm friend of the depressed and unhappy fugitive. In the closing scene of Joachim's reign, when the disbanded Neapolitans, badly led, and in some instances deserted by generals who should never have held the rank, fled before the hosts of Austria, the sympathy and friendship of his plain-spoken follower were amongst the last and best consolations of the falling monarch. Very bitter must have been Murat's reflections at that moment; the conviction was forced upon him that his misfortunes resulted chiefly from his own want of judgment and too great facility; captivity or exile stared him in the face; the sunny smile which, even in moments of the greatest peril, rarely left his countenance, was chased by shame and self-reproach, and tears stood upon his cheeks. "I could not restrain my own, and, instead of speaking, I advanced, took his hand, and kissed it. Oh! how touched he was by this act of respectful affection on my part! Who knows but at that moment he recollected the words I had addressed to him in his palace, 'Whenever you shall find yourself in a situation of danger, you will learn to distinguish your real friends from the friends of your fortune.'" A very few days after this affecting scene, on the night of the 20th May, Murat crossed over in disguise to Ischia, and

embarked for France. On the 23d, took place the triumphal entry of the Austrians into the city of Naples.

The particulars of Murat's last mad act, his landing in Italy at the head of thirty men, and of his consequent capture and tragical death, have been related by many writers, and General Pépé could add little in the way of facts to what was already known. He makes some interesting reflections on the subject, and traces the supreme ill-luck by which Joachim was pursued in his last desperate venture. On the return of the Bourbons to France, two of his followers, who had accompanied him from Naples, hired a vessel to convey him to England or America. But, as fate would have it, the place of rendezvous was misunderstood. Murat missed his friends, and, being in hourly peril of his life, put to sea in a boat. Landed in Corsica, the affectionate welcome he met from thousands of the inhabitants, many of whom had formerly served under him, cheered his drooping spirits, and inspired him with the idea of a descent in Italy. He had two hundred and seventy followers, hardy Corsican mountaineers, and had they landed with him, General Pépé is of opinion that he would soon have raised a force sufficiently strong to maintain the campaign, and extort favourable conditions from Austria, as far, at least, as regarded his life and liberty. But the six small vessels in which he left Ajaccio were scattered by a tempest, and he was driven, with but a tithe of his followers, to the very last port he ought to have made. The inhabitants of Pizzo, whose coasting trade had been ruined during the war, were glad of peace on any terms, and looked upon Murat as a firebrand, come to renew their calamities. They assailed the adventurers and drove them to the shore. But when Joachim would fain have re-embarked, he
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saw his ship standing out to sea. The treacherous commander had betrayed him for the sake of the valuables he had left on board. And Murat, the chivalrous, the brave, remained a prisoner in the hands of his former subjects, scoffed at and reviled by the lowest of the people. Five days afterwards, twelve bullets in the breast terminated his misfortunes. It was a soldier's death, but had been better met on the battle-field. There, amidst the boom of artillery, and the din of charging squadrons, should have terminated the career of the most dashing cavalry officer of modern times, of one who might well have disputed with Ney the proud title of the "*brave des braves*."

We have purposely dwelt upon the earlier portion of General Pépé's work, to the exclusion of its latter chapters. We can take but little interest in Neapolitan history since 1815, in the abortive revolutionary struggles and manœuvres of the Carbonari and other would-be liberators. Nor do the ample details given by the general greatly increase our respect for Italian patriotism; whilst we trace more than one discrepancy between the conclusions he draws and the results he exhibits. He holds his countrymen to have been long since ripe for a constitutional government and free institutions, and yet he himself shows us that, when a revolution was achieved, and those great objects attained, the leading men of his party, those who had been foremost in effecting the change, proved traitors or dupes, and that the people, organised in militia and national guards, displayed so little self-devotion, such small zeal in defence of their newly acquired liberties, as to be utterly disheartened by the very first conflict with their treacherous king's supporters, and to disperse, never again to reassemble. Such was, the case in 1821, and in vain does General Pépé try to justify his countrymen by attributing their weakness and defection to the machinations of the evil-disposed. The truth, we believe, is to be found in the final words of his own proclamation, addressed to the national guards after the disastrous encounter, in the vain hope of once more rousing them to resistance. "Your women," he said, "will make you blush for your weakness, and will bid you hasten again to surround that general whose confidence in your patriotism you should have justified better than you did on the 7th of March, when you fought at Rieti."

His darling Constitution overthrown, Pépé wandered forth an exile. But hope never deserted him. Baffled, he was not discouraged. He sought on all sides for means to renew the struggle. And truly some of his projects, however creditable to his intrepidity and zeal, say little for his prudence and coolness of judgment. What can be thought of his application in 1823 to Mavrocordato for a thousand chosen Greeks, with whom he proposed to land in Calabria! Of course the chief of the new Greek government civilly declined leading a thousand of his countrymen for any such desperate venture. In 1830 the general's hopes were raised high by the success of the French revolution. His active brain teemed with projects, and in his mind's eye he again saw the tri-colored banner floating from St. Elmo's towers. Vain delusions, not destined to realization. The feeble attempts of the Italian patriots were easily suppressed, and Pépé retired to Paris, to mourn the fate of his beloved and beautiful country, doomed to languish in Austrian servitude and under Bourbon despotism.

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FRENCH PLAYERS AND PLAYHOUSES.[13]

In these dull days of latter winter few of our readers will quarrel with us for transporting them to the gayest capital in Europe, the city of pleasure, the Capua of the age. In London, at least, there is just now little to regret; it wears its dreariest, dirtiest, and most disconsolate garb. The streets are slippery with black mud and blacker ice, a yellow halo surrounds the gas lamps, even the Bude lights look quenched and uncomfortable; cabmen, peevish at the paucity of fares, curse with triple intensity the wood pavement and the luckless garrons that slide and stumble over it; the blue and benumbed fingers of Italian grinders can scarcely turn the organ handles; tattered

children and half-starved women, pale, shivering, and tearful, pester the pedestrian with offers of knitted wares, and of winter nosegays, meagre and miserable as themselves. The popular cheerfulness and merry-making of Christmas time are over, and have not yet been succeeded by the bustle and gaiety of the fashionable world. London is abandoned to its million of nobodies; the few thousands whose presence gives it life are still on the list of absentees.

Mark the contrast. But a minute ago we were in London—dull, empty London—and behold! we are in Paris—gay, crowded, lively Paris—now at the height of its season, and in full swing of carnival dissipation. By a process of which, since the days of Scheherazade, we alone possess the secret, we have flown over Kent, skimmed the Channel, sped across the uninteresting plains of Picardy, and are seated at dinner—where? In the spacious saloon of the *Hotel des Princes*, at the succulent table of the *Café de Paris*, or in the gaudy and dazzling apartments of the *Maison Dorée*? No matter. Or let us choose the last, the *Maison Dédorée* as it has been called, its external gilding having ill resisted the assaults of winter's snows and summer's parching heat. But although, as Mr. Moore of Ireland has informed us, all that's bright must fade, it follows not that the substantial deteriorates with the superficial. And the cookery of the *Maison Dorée* has improved as its gilding has rubbed off, until even the *Café de Paris* and the far-famed *Trois Frères* must veil their inferior charms before the manifold perfections of this Apician sanctuary. Here, then, we establish ourselves, in this snug embrasure, whence we have a full view of the throng of diners, whilst plate glass and a muslin curtain alone intervene between us and the broad asphalt of the Boulevard. A morocco book, a sheet of vellum, and a pencil, are before us. We write a dozen lines, and hand them to our companion; he reads, nods approval, and transfers the precious document to the smug and expectant waiter. The sharp eye of that Ganymede of the Gilt House had at once detected our Britannic origin, conspicuous in our sober garb and shaven chins; and doubtless he anticipated one of those uncouth bills of fare, infamous by their gastronomical solecisms, which Englishmen are apt to perpetrate, for he smiles with an air of agreeable disappointment as he glances at our judicious *menu*. No cause for wonder, most dapper of *garçons*! 'Tis not the first time, by many, that we have tabled our Napoleons on your damask napery. Schooled by indigestion, like Dido by misfortune, we have learned to order our dinner, even at Paris; and are no more to be led astray in the labyrinth of your interminable *carte*, than you, versed in the currency of Albion, are to be deluded by a Brummagem sovereign, or a note of the Bank of Elegance. So, *presto*, to work! our blessing and a double *pourboire* your promised reward. And, verily, he earns them well. The *potage à la bisque* is irreproachable; the truffles, those black diamonds of the epicure, are the pick of Perigueux; the chambertin is of the
[Pg 178] old green seal, the sparkling *ai frappé* to a turn, and, whilst we tranquilly degustate and deliberately imbibe, the influence of that greatest achievement of human genius, a good dinner, percolates through our system, telling upon our moral as upon our physical man. We feel ineffably benevolent: doubtless we look so; for yonder old gentleman with the white hair, red ribbon, and ditto face, dining, *tête-à-tête* with himself, and who is now at his eleventh dish—a tempting but inexplicable compound, which Ortila himself would be puzzled to analyse—contemplates us, in the intervals of his forkings-in, with a benign and admiring look. Our trusty friend and *vis-à-vis* turns his head, and we behold ourselves reflected in the opposite mirror. 'Tis as we thought: our physiognomy is philanthropical in the extreme. Quite the "mild, angelic air," that Byron talks of, when describing a gentleman in very different circumstances.

But we have no time to dwell upon our personal fascinations, or to speculate upon the cause of their increase within the last half hour; no eyes have we save for that Lucullian *salmi* steaming before us; and, like ourselves, all around us are absorbed in absorbing. Though every table is full, there is little noise in the crowded apartment. Men go to the *Maison Dorée* to eat, not to chatter. Without, too, there is a lull, after the bustle and racket of the afternoon. The day has been splendid—crisp, bright, and invigorating, and all the dandies and beauties of Paris have been abroad, driving in the Champs Elysées, galloping through the leafless avenues of the Bois de Boulogne, basking in the winter sun upon the cheerful Boulevards. The morning's amusements are over; those of the night have not yet begun. It is the moment of the interlude, the hour of dine, and Paris is busied in the most important of its diurnal acts. But, alas for the briefness of earthly joys, and the limited capacity of mortal stomachs! Sad is it that not even in this Golden Mansion can a feeble child of clay dine twice. We long for the appetite of a Dando, for the digestion of the bird of the desert, to recommence our meal, from the soup to the *fondu*. Vain are our aspirations. The soft languor of repletion steals over us, as we dally with our final olive, and *buzz* the Lafitte. Waiter! the coffee. At the word, the essence of Mocha, black as Erebus, and fragrant as a breeze, from the Spice Islands, smokes beneath our nostrils, the sparkling glasses receive the golden *liqueur*, and—WE HAVE DINED.

Good dinners and amusing theatricals enter largely into the pleasurable anticipations of English visiters to Paris. The fame of French cooks and actors is universal; all are eager to taste their productions, and witness their performances. Let a tyrannical royal ordinance or sumptuary law close the playhouses and cut down the bills of fare from a volume to a page, and a sensible diminution will ensue in the influx of foreigners into France. However great the desire to visit Versailles, stare at the Vendôme column, and ramble round the Palais Royal, those attractions, if put into the scale, will frequently be found less weighty than a vaudeville, a dinner at Véry's, and a breakfast at the renowned Rocher. In their expectations, both gastronomical and theatrical, strangers in Paris are often disappointed. We refer, of course, to tyros; not to the regular birds of passage who consider a month or two in the French metropolis as essential a part of their annual recreations as Ascot or the moors. These, of course, are well versed in Parisian mysteries, both of the drama and the dining room. But to the novice, a guide is necessary, whether through the crowded columns of a *restaurateur's* complicated *carte*, or amidst the fair promises held out by

the two dozen playbills posted each morning at eleven o'clock upon the walls and pillars of Paris. For want of it, many a Johnny Newcome finds himself, after much bewilderment and painful deliberation, masticating an unsatisfactory dinner or witnessing a stupid play. We have often wondered that, amongst the multitude of Paris guide books, not one was to be found containing minute instructions to the stranger as to the dinners he should order, and the plays and actors he
[Pg 179] should see; giving, in short, a series of bills of fare, culinary and histrionic. This deficit has at last been supplied, at least as regards things theatrical. A book has been published which should find a place in the portmanteau of every Englishman starting for the French capital. Partly a compilation from French works, and partly the result of the author's own experience, it contains the general history of each of the Paris theatres, biographical and critical sketches of the actors, lists and anecdotes of the principal musicians and authors who compose and write for the stage, and, finally, an enumeration of the best performers at each theatre, and of the pieces in which they are seen to the greatest advantage. We need say no more to demonstrate the utility of the work to those going abroad. And by those remaining at home, its lively pages will be found a mine of amusing anecdote and curious information. Abounding in racy and pungent details, sometimes valuable from their connexion with historical characters, and as illustrations of the manners and morals of the times, the history of the French stage might almost be indefinitely prolonged; and, amidst the multitude of materials, it required some ingenuity to select, as Mr. Hervey has done, those most suitable to the taste of the day, and to pack them into a single volume.

Less than a century ago Paris contained but four theatres. These were, the French Comedy, the Royal Academy of Music or Grand Opera, the Italian Comedy, where vaudevilles and comic operas were performed, and the Theatre de la Foire. The two last named were the ancestors of the present Opera Comique. "Up to 1593," says Mr. Hervey, "the actors of the Théatres de la Foire St. Germain and St. Laurent consisted of dogs, cats, monkeys, and even rats, some of the latter animals being so admirably trained as to dance a grand ballet on a table, whilst one in particular, a white rat from Lapland, executed a saraband with surpassing grace." In 1716 the manager of one of these theatres obtained leave to give musical performances. This was the origin of the Opera Comique, which, forty years later, was amalgamated with the Italian comedy at the Hôtel de Bourgogne, whence, in 1783, the united companies transferred themselves to the Salle Favart. To the four theatres above enumerated, a few others were added during the reigns of Louis XV. and his successor, but they were of little note, and the increase in the number of theatrical establishments was unimportant until the revolution. Then license was universal, and no special one was required to open theatres. In 1791 a prodigious number were established, and, for some years afterwards, nearly fifty, large and small, existed in Paris. In the time of the empire twenty-eight of these remained, until Napoleon issued an edict reducing them to ten. At the present day the French capital contains twenty-two theatres, including the new Théatre Montpensier, the privilege for which was conceded to Alexandre Dumas at the request of the prince whose name it bears. Besides these there are a number of petty playhouses outside the barriers, at Batignolles, Belleville, and similar places, and Mr. Hervey informs us that a license has just been granted for a third French opera-house. Play-loving as the population of Paris undoubtedly is, it must be admitted that ample provision is made for its gratification.

The natural classification of the more important of the Parisian theatres, about fifteen in number, is under four heads: opera—tragedy, comedy, and drama—vaudeville—melodrama. The first division includes the French opera, the Italians, the Opera Comique; the second, the Français and the Odeon; at the Porte St. Martin and Ambigu Comique, melodrama is the staple commodity, varied, however, with performances of a lighter kind; whilst vaudevilles, broad farces, and short comedies constitute the chief stock in trade of the remainder. At many of the theatres an entire change in the style of the performances is of no unfrequent occurrence. We have known the Gaité in the dolefuls, and the Porte St. Martin abandoning its scaffolds, trap-doors, and other melodramatic horrors, for fun, farce, and ballet. As a regular thing, dancing is only to be seen at
[Pg 180] the Grand Opera. The license of each theatre specifies the nature of the performances allowed it, but this is a matter difficult exactly to define, and the rule is easy of evasion. A better check, perhaps, is the jealousy with which one theatre beholds another infringing on its attributes. Thus, some years ago, at the Français, where the performances should be confined to tragedy, high comedy, and drama, a play interspersed with songs was brought out. The Vaudeville viewed this as a usurpation of its privileges, and forthwith produced a piece called "La Tragédie au Vaudeville," saying that if the Français sang vaudevilles, the Vaudeville was justified in singing tragedy.

There are in Paris four Theatres Royal, subsidised by the French government to the extent of about twelve hundred thousand francs, or nearly £50,000. Rather more than the half of this sum goes to the Grand Opera, nor is it too much, if we consider the enormous salaries paid to the singers and dancers at that theatre, and the low prices of admission; the best place in the house costing less than a pit-ticket at the Italian opera in London. The Opera Comique receives nearly ten thousand pounds a-year, the Français eight, the Odeon four. The other theatres do as well as they can without subsidies, and, as in this country, are losing or profitable concerns according to the skill of the manager, to the merits of the actors and plays produced; and, oftener still, according to the caprice and good pleasure of the public. Their prices of admission are generally higher in proportion than those of the larger theatres. It must be admitted that their performances are often more amusing.

Although one or two attempts were made at earlier periods, the permanent establishment of the opera in France cannot be traced further back than the reign of Louis XIV., when Cardinal

Mazarine had the happy idea of introducing it, in hopes of amusing that most unamuseable of monarchs. The novelty found great favour, both with sovereign and courtiers. Performances took place in the king's private apartments; the Marquis of Sourdeac, a man of immense wealth and considerable mechanical skill, constructed a theatre in his Norman castle, and brought out the "Toison d'Or," with words by Corneille. At last an opera company was regularly installed in a building in the Rue Vaugirard, and here, upon one occasion, when the King was present, the Prince of Condé, and other great nobles, danced upon the stage amongst the actors. "The first opera in which female dancers were introduced was the Triumph of Love, played at St. Germains before Louis XIV. On the occasion of this brilliant *fête*, several ladies of the court were amongst the performers, and it was resolved that they should in future be replaced by professional *danseuses*, the female characters in the ballet having previously been sustained by men." Lully, the celebrated composer, was manager of the opera house, where he amassed a very large fortune. He made himself greatly dreaded by his orchestra, whom he used to belabour over the head with his fiddle. In this manner he is said to have broken scores of violins, and one unlucky clarionet-player, in particular, who was never either in time or tune, cost him a vast number of instruments. They shivered like glass upon the obdurate noddle of the faulty Orpheus, and Lully swore he had never met with so vile a musician, or so hard a head. After a time it was discovered that the offender wore a leaden lining to his periwig. Louis XIV. never ceased to take a most paternal interest in his opera company. He went so far as to regulate and write out with his own hand, the salaries allowed to the performers. Those were not days when a singer was better paid than the general of an army, or a minister of state; when each note of a tenor's voice was worth a corresponding one, and of no small figure, issued from the Bank of France. The salary of a first rate tenor or barytone, was then less than is now given to a chorister or walking gentleman. Sixty pounds were the highest yearly sum granted by Louis XIV. to the best opera singer. The first female dancer received thirty-six pounds! We are quite sure, that the waiting maid of an Elssler
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or a Taglioni, would turn up her nose at such a pittance. Louis XIV. was gathered to his fathers, and soon after his death matters improved a little. Still the pay was poor enough. But what of that? Those were the palmy days of the heroes and heroines of the foot lamps. For the disciples of Thespis, Paris was a paradise. True, when dead they were refused Christian burial, but they cared little about that, sinners that they were, for, whilst living, courted, flattered, and cherished, they amassed, or more often spent, princely fortunes. During the dissolute half century preceding the revolution, they were at the summit of their prosperity. High born dames, even princesses of blood royal, culled their favourites from amongst the knights of the buskin; actresses, dancers, mere figurantes, saw the wealthiest and proudest languishing at their feet, and contending for their smiles. That was the time when Vestris, the God of Dance, as he called himself, said publicly, and with the most perfect conviction, that there were only three great men in Europe, the King of Prussia, M. de Voltaire, and himself! "There are roses as well as thorns in my profession," said he to a friend who expatiated on the happiness of being a public favourite. "I assure you, sometimes I think I would rather be a mere captain of cavalry than what I am." "Old chronicles," says Albert Cler, in a spirited sketch of the French opera, "tell us of the extraordinary luxury, in carriages, liveries, furniture, and jewels, displayed by the goddesses of the opera. The Prince d'Henin passed a contract with Sophie Arnould, by a clause of which he engaged to supply her with a new equipage every month. A nymph who flourished in the time of the Directory, the celebrated Clotilde, enjoyed, thanks to the munificence of an Italian prince and of a Spanish admiral, an income of two millions, and managed, notwithstanding this royal revenue, to get into debt to the tune of some five hundred thousand francs yearly." Earlier than this, by fifty years, the Camargo and the Sallé were all the rage. The latter, Mr. Hervey tells us, paid a visit to London, and there, at one of her performances, gold and bank-notes were showered upon the stage, to the amount of £800. Her annual salary at the French opera was less than £150. The suppers of Mademoiselle Guimard, another of the fairy-footed sisterhood, whose bust, bequeathed by her to the opera, is still the principal ornament of the dancers' green-room, were renowned throughout Europe. They occurred thrice in the week; the first was attended by the most distinguished courtiers and nobles, the second by artists and by men of letters and learning, the third, which deserved the name of an orgie, by the prettiest women she could collect.

Few of the amateurs, who, armed with double-barrelled telescopes, contemplate from box or stall the agile bounds and graceful evolutions of the houris of the ballet, have any conception of the amount of labour and torture gone through, before even an approach to perfection in the Terpsichorean art is accomplished. Alberic Second, the very witty author of a very amusing book (albeit in thorough French taste) "Les Petits Mysteres de l'Opera," to whose pages Mr. Hervey confesses himself largely indebted, gives many curious details on this subject. An immense amount of courage, patience, resignation, and toil, is necessary, to become even a middling dancer. The poor children—for dancing, above all things, must be learnt young—commence with the stocks, heel to heel and knees outwards. Half an hour of this, and another species of martyrdom begins. One foot is placed upon a bar which is grasped by the contrary hand. This is called *se casser*, to break one's self. After this agreeable process come the thousand and one steps, essential to an opera dancer. "Such," says an imaginary *danseuse* from whom M. Second professes to receive his information, "are the agreeable elements of the art of dancing. And do not suppose that these rude fatigues are of short duration. They are perpetual, and on that condition only does a dancer retain her activity and suppleness. A week's idleness must be atoned for by two months' double labour. The opera-dancer realises the fable of Sisyphus and his rock.
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She resembles the horse, who pays with his repose, his flesh and his liberty, the rapid victories of the racecourse. I have seen Mademoiselle Taglioni, after receiving a two hours' lesson from her father, fall helpless upon the floor, and allow herself to be undressed, spunged, and again attired,

without the least consciousness of what passed. The agility and wonderful bounds with which she, that same evening, delighted the public, were at this price." Besides these terrible fatigues, dancers often run serious personal risks. So, at least, says the author of the "Petits Mysteres" who, as a journalist and frequenter of the *coulisses*, is excellent authority. He cannot resist a joke, but it is easy to sift the facts from their admixture of burlesque exaggerations. "By dint of incurring simulated dangers, the dancer accustoms herself to real peril, as a soldier in war time becomes habituated to murder and pillage. She suspends herself from wires, sits upon pasteboard clouds, disappears through trap doors, comes in by the chimney and goes out by the window. In the first act of the Peri there is so dangerous a leap, that I consider Carlotta Grisi risks her life every time she takes it. Let M. Petipa be once awkward, or even absent, and Carlotta will break her head upon the boards. I know an Englishman who attends every performance of this ballet. He is persuaded it will be fatal to Carlotta, and would not for the world miss the catastrophe. It is the same man who, for three years, followed Carter and Van Amburgh, always hoping that a day would come when the animals would sup with their masters, and upon their masters." Considering the preparatory ordeal and frequent perils of their profession, dancers fairly earn the money and honours paid to them. Crowned heads have condescended to treat them as equals. At Stuttgart, we are told, Taglioni, towards the commencement of her career, won the affections of the Queen of Wurtemberg, who shed tears at her departure. At Munich, the King of Bavaria introduced her to his Queen, with the words, "*Mademoiselle, je vous présente ma femme*." "At Vienna she was once called before the curtain twenty-two times in one evening, and was drawn to her hotel, in her own carriage, by forty young men of the first Austrian families." Every one remembers the enthusiasm excited by Fanny Elssler amongst the matter-of-fact Yankees. During her last engagement at the French opera her salary was eighty thousand francs a-year. Taglioni and Elssler personify the two styles into which the present school of dancing is divided, the *ballonné* and the *tacqueté*. The former is lightness combined with grace, when the dancer seems to float upon air. The *tacqueté* is vivacity and rapidity; little quick steps on the points of the feet.

The principal singers now engaged at the French opera are Duprez and Gardoni, tenors; Baroilhet, the barytone; Brémond and Serda, who have succeeded, if they could not replace, the celebrated bass, Levasseur; and Madame Stoltz. Duprez is well known in England as a singer of great energy and admirable method, but whose powers have grievously suffered from over-exertion. Halevy and Meyerbeer should be indicted as the assassins of his once beautiful voice. The five tremendous acts of Robert le Diable, and the stunning accompaniments of the author of the Juive, are destructive to any tenor. In Paris, Duprez is still a favourite, especially in Guillaume Tell, considered his crack part. Gardoni, who has now been two years on the opera boards, has replaced him in some of his characters. This young singer has a very fresh and melodious voice, great taste and feeling, but lacks power, and, it is to be feared, will share the fate of most of his predecessors, and soon succumb to the thundering orchestra of the Academie Royale.[14] As Mr. Hervey very justly observes, there is no medium for a tenor at the French opera. He must either
[Pg 183] scream, in order to be heard above the music, or be wholly inaudible. Baroilhet is unquestionably the best of the present opera company. His acting and singing are alike good, and his voice, of a less delicate texture than a tenor, has preserved its vigour and freshness. It would be unfair to estimate his abilities by his performance, some two years ago, at the London Opera-house. He was then in ill health, and was heard to great disadvantage. He has been fifteen years on the stage, but only the last five of them have been passed at Paris. He previously sang at various Italian theatres, chiefly at the San Carlo. Donizetti's Roberto Devereux and Belisario were composed expressly for him. Madame Rosine Stoltz, whose portrait, a very fair resemblance, is prefixed to Mr. Hervey's sketch of her operatic career, is a highly dramatic singer and an excellent actress, but her voice, of unusually extensive range, has a metallic sharpness which to our ear is not pleasant. She possesses a good stage face and figure, and her performance is most effective both in tragic and comic parts, although she is usually preferred in the former. We believe she has never sung in England, perhaps on account of the short respite allowed her by the French opera—but one month in the year. She is said to be a god-daughter of the Duchess of Berri. Various notices of her life have been published, but there is little agreement between them. It is generally understood that her early years were unprosperous, and that she endured much suffering and misfortune. If so, she learned mercy from persecution, for she is now noted for her benevolence, and for the generous assistance she affords to the needy amongst her comrades.

Notwithstanding the efforts and merits of these three or four singers, the French opera is in a declining state. A numerous company is not always synonymous with a strong one. The present manager, M. Léon Pillet, has been accused of disgusting, dismissing, or omitting to engage, some of the best singers of the day. Poultier, the Rouen cooper, a tenor of the Duprez school, is cited as an instance. He was engaged by a former management at a thousand francs a-month for eight months in the year, but, although much liked by the public, he was kept in the background, owing partly, it was reported, to his own unassuming character, and partly to certain green-room intrigues and jealousies. During his vacation he starred in the provinces, earning four or five times the amount of his Paris salary. In his native town he was carried in triumph, and treated to an interminable serenade, whose performers, according to the deposition of our friend, M. Second, relieved each other every two hours, and kept up their harmony for a whole day and night. Roger, of the Opera Comique, is another singer whose proper place is at the Grand Opera, he is young, handsome, a good actor, and since Duprez' decline, the best French tenor extant.

At Paris theatres, and especially at the opera, the next best thing to having a good company is to

have a good *claque*. Such, at least, is the theory of the actors and managers of the present day. The more rusty the tenor, the more wrinkled the prima donna, the greater the need of an army of iron-fisted, brazen-visaged hirelings to get artificial applause, and inoculate the public with their factitious enthusiasm. In this latter respect they now rarely succeed. The device is stale, the trick detected, and yet the practice is maintained. It takes in no one. Even raw provincials and newly imported foreigners are up to the stratagem before they have been a week in Paris. The press inveighs against it; audiences, far from being duped, often remain silent when most pleased, lest they should be confounded with the *claqueurs*. But no manager dares to strike the first blow at this troublesome abuse. There is a regular contractor for the opera *claque*, receiving so much a month from each actor. Duprez has always refused to submit to this extortion, but he is, or was, the only exception to the rule. The contractor has an organised regiment under his orders, mustering sixty strong. Every opera night, before the opening of the doors, they assemble at a low coffee-house in the Rue Favart, to receive his orders for the evening, and thence follow him
[Pg 184] to the theatre, into which they are admitted through a private entrance. Some of them are paid for applauding—these are the chiefs, the veteran clappers; others applaud for a free admission, whilst a third class are content to do their best for the good of the house, and to pay half-price for their tickets. The distribution of these *bravo*-battalions, these knights of the chandelier, as they are called, from the post of their main body being in the centre of the pit, requires much skill and judgment. The captain of the *claque* is an important personage, respected by his subordinates, courted by the actors, and skilled in the strategy of his profession, which yields him a handsome income. A tap of his cane on the ground is the signal for applause. The *chatouilleur*, or tickler, a variety of the genus *claqueur*, is in vogue chiefly at the smaller theatres. His duty is to laugh, and, if possible, infect his neighbours with his mirth. He stands upon a lower grade of the social step-ladder than the *claqueur*; very unjustly, as it appears to us, his scope for the display of original genius being decidedly larger. How delicately may he modulate his merriment, and control his cachinnations, establishing a regular gamut, rising from the titter to the guffaw, abating from the irrepressible horse-laugh to the gratified snigger. He may himself be a better actor than those for whose benefit his mirth is feigned. And when, with aching ribs and a moist pocket-handkerchief—for an accomplished *chatouilleur* must be able to laugh till he cries—he retires from the scene enlivened by his efforts, it is with the proud consciousness that his contagious chuckle, as much as author's *jokes* or *buffo's* comicalities, has contributed to set the theatre in a roar.

Boileau said that

> Le Français, né malin, créa le vaudeville,

and Boileau was right, although, when he wrote the line, he referred to a particular style of satirical song, and not to the farces and comedies, intermixed with couplets and snatches of music, that have since borne the name. The Frenchman not only created the vaudeville, but he reserved to himself its monopoly. Essentially French, it is inimitable on any other stage. Of the many attempts made, none have succeeded in catching its peculiar spirit. The Englishman has his farce, the German his *possenspiel*, the Spaniard his *saynete*, but the vaudeville will only flourish on French soil, or, at least, in the hands of French authors and actors. Piron and Lesage were its fathers; their mantle has been handed down through succeeding generations, worn alternately by a Piis and a Barré, by a Panard, whom Marmontel called the La Fontaine of the vaudeville, and a Desaugiers, until, in the present day, it rests upon the shoulders of Scribe, and his legion of rivals and imitators. With the exception of the four theatres royal and the Italian opera, there is not a playhouse in Paris where it is not performed, although in each it takes a different tone, to which the actors, as they change from one stage to another, insensibly adapt themselves. Thus the four principal vaudeville theatres have each their own style. There is an immeasurable distance between the vaudeville *grivois*, the laxity, not to say the positive indecency, of the Palais Royal—supported by the *double-entendres* of Ravel and Madame Lemenil, and the buffoonery of Alcide Tousez—and the neat and correct little comedies of the Gymnase, so admirably enacted by a Ferville, a Numa, and a Rose Chéri. To the latter theatre, the Parisian matrons conduct their daughters; the former they themselves hesitate to visit. The substance is not invariably more praiseworthy at the one than at the other, but the form is always more decorous.

In discussing the vaudeville, the theatre bearing that name naturally claims the precedence, to which the excellence of its present company also gives it some title. Until the year 1792, there existed at Paris no theatre specially appropriated to this style of performance, which was given at the Comédie Italienne. It attracted crowds; and Sedaine, the composer, vexed to see it preferred to his comic operas, wrote a couplet against it, exhibiting more spleen than poetical merit. The attack, however, together with the refusal of a small pension which he had claimed from the
[Pg 185] Italian Comedy, to whose treasury he had brought millions of francs, irritated Piis, the vaudevilliste then in vogue, the Scribe of his day. In conjunction with Barré and a few actors, he opened a theatre in the Rue de Chartres. The enterprise was crowned with complete success, and an able company was soon assembled. Mr. Hervey has collected some droll anecdotes of the actors who flourished under this management, although they lose part of their point by translation. Chapelle, a short stout man, "with eyes that were continually opening and shutting, thick black eyebrows, a mouth always half open, and a pair of legs resembling in shape the feet of an elephant," was remarkable for his credulity, and his comrades took particular delight in mystifying him. "Seveste, who had just returned from fulfilling an engagement at Rouen, told the unfortunate dupe that, during his stay in that town, he had succeeded in taming a carp so perfectly, that it followed him about like a dog; adding, that he was much grieved at having lost it. 'How did that happen?' said Chapelle, greatly interested. 'Why,' replied Seveste, 'one evening I

took it to my dressing-room at the theatre; as I was going home after the performance, a terrible storm came on, and my poor carp, in trying to leap a gutter, fell in and was drowned.'—'How very unlucky!' cried Chapelle; 'I always thought a carp could swim like a fish!' As he grew older, however, Chapelle, weary of being continually hoaxed, made up his mind to believe nothing, and carried his scepticism so far as to reply to a friend's anxious inquiries after his health, 'Ask somebody else that question, my fine fellow; you can't take *me* in now.'" Another of the company, Carpentier, drank away his memory, forgot his old parts, and could learn no new ones. For a long time he did not act, but at last ventured to appear in a procession, as a barber who had nothing to say. The audience immediately recognised their old favourite, and applauded him for several minutes after he left the stage. Once more behind the scenes, he exclaimed, "Ils m'ont reconnu! Ils m'ont reconnu!" and burst into tears. "In one of his parts, Carpentier had some couplets to sing, of which the first ran as follows:—

Un acteur,
Qui veut de l'auteur
Suivre en tout
L'esprit et le gout,
Doit d'abord,
De savoir son rôle,
Faire au moins le petit effort.

Here he stopped short, and repeated the verse thrice, but could get no further; from that day a settled gloom came over him, and he soon committed suicide, by throwing himself out of a window."

The great guns of the present Vaudeville company are, Arnal, Bardou, and Felix; Madame Albert, lately become Madame Bignon, by a second marriage; and Madame Doche, sister of Miss Plunkett the dancer. It would be difficult to find five better actors in their respective styles. All of them, with the exception, we believe, of Bardou, have performed in London, and been received with enthusiasm as great as the chilly audience of the St. James's theatre ever thinks fit to manifest. Arnal, although he has formidable rivals at his own and other theatres, is unquestionably the first French comic actor of the day. Farce is his *forte*—we ask his pardon, and would say, comedy, vaudeville, *charge*, extravaganza, or any other names by which it may be fitting to designate the very farcical pieces in which he usually performs. There are no farces now upon the French stage; the term is voted low. Moliere, it is true, wrote and acted farces, until he glided into a higher style; but the more genteel authors and actors of the present time, will not so far condescend. They willingly produce and perform the most pitiful buffooneries, but then it is under a better sounding title. They look to the letter and not the spirit; admit the thing, but repudiate the name. *Les farceurs!* Arnal, of course, follows the fashion of the times, although too sensible a fellow, we suspect, to care a rush about the matter. For the last twenty years he has been the chief prop of the Vaudeville, where he performs for ten months out of the twelve, at a salary of fourteen hundred pounds, with *feux* or allowances of twenty francs for every act he
[Pg 186] plays in. His first appearance was in the tragic character of Mithridates, in which he convulsed his audience with laughter. Convinced by this experiment that tragedy was not his line, he turned his attention to low comedy, and enacted Jocrisse. "In this part," he says, in a very clever poetical epistle to his friend Bouffé, "I was allowed to be tolerably amusing, but all declared that I was much more comic in Mithridates." Off the stage there is nothing particularly funny in Arnal's appearance. The expression of his face, which is much marked with the small pox, is quiet and serious, and it is by this same seriousness that he makes his hearers laugh. When acting, nothing will extort a smile from him. Gifted with extreme self-possession and a ready wit, he now and then embroiders his parts, always with the happiest effect. The excessive dryness with which he gives out his jokes often constitutes their chief merit. To enumerate his crack characters, those which he may be said to have created, would be too long a task. The *Poltron* is one of his best, and the story goes that his valet, who had been a soldier, having seen him perform it, gave him warning the next morning, declaring that he could not possibly remain in the service of so inveterate a coward. Some of his happiest efforts have been made in little one-act drolleries for two performers; such as *Passé Minuit*, where he is ably seconded by Bardou. "In private life, Arnal is grave, taciturn, and fond of study; he is said to be a regular frequenter of the *Bibliothèque Royale*, and has published, besides his epistle to Bouffé, a collection of prettily versified tales and fables." The letter to Bouffé is an amusing, and witty sketch of his own career.

Happening, some seven years ago, to enter the ill-lighted, low-roofed theatre of a third-rate French town, full five hundred miles from Paris, we were struck and fascinated by the exquisite grace and feeling with which an actress of the name of Albert enacted the part of a blind girl in Frederick Soulié's painful drama of *Diane de Chivry*. The place of so accomplished a performer was evidently on the Parisian boards, and we learned with surprise, that she was on no mere starring expedition, but had quitted the capital, where she was idolised, with a view to a long stay in the provinces. It is rare that French actors who can obtain a decent engagement at Paris, consent to waste their sweetness upon provincials for more than a few nights in the year; and at the time, the motives of Madame Albert's self-banishment, which has only recently terminated, was to us a mystery. The explanation we subsequently heard of it, agrees with that given by Mr. Hervey, and is most creditable to the delicacy and good feeling of the actress who thus abandoned the scene of her early triumphs to submit herself to the caprices and clumsy criticisms of country audiences. She wished "to spare her husband—then engaged in a subordinate capacity at the Théatre Français, and who was seldom spoken of otherwise than as 'the husband of Madame Albert of the Vaudeville'—the mortification of seeing his own efforts

completely cast into the shade by those of his wife; and it was with the view of associating him in future with her own successes that she determined on refusing every proposal made to her by the different managers of the capital, a task she persevered in until his death enabled her to return without compunction to Paris, where her place had long been empty." Eclipsed and unnoticed in the metropolis, M. Albert, whose real name was Rodrigues, passed muster very well in country towns. Of his widow, who has been seen and appreciated in London, we need say nothing. All who have witnessed her delightful performances, will admit her to be one of the most charming actresses of the day. Voice, face, figure, every thing is in her favour; her popularity is as well established as her talent is versatile and perfect. "She is cited," says Mr. Hervey, "as one of those who, not more by their brilliant natural gifts than by their private worth, have become ornaments of the profession to which they belong, and who, whilst they can fairly claim universal admiration, are not less entitled to universal respect." There are few actresses upon any stage
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deserving of so high an encomium; there is perhaps not one of whom, as of Madame Albert, it may with truth be said, that in the several styles of comedy, vaudeville, and domestic drama, she is unsurpassed, if not unequalled.

Another pretty woman and excellent actress is the Belgian beauty, Madame Doche, to whose personal attractions the lithograph prefixed to her memoir does less than justice. She made her first appearance at the early age of fourteen, at the Versailles theatre, under the assumed name of Fleury. She is now only three-and-twenty, but her reputation as a first-rate actress has been established for the last half-dozen years. Of her it was said, when she acted at Brussels, her native city, that she was pretty enough to succeed without talent, and had enough talent to dispense with beauty. She was one of the first who, with Felix for her partner, danced the Polka upon the Paris stage, in the piece called *La Polka en Province*. The dance was then new, and her graceful performance of it excited enthusiastic applause.

From the *Vaudeville* to its neighbour and rival, the *Variétés*, the distance is short; to choose between them, in respect of excellence of acting, and amount of amusement, is very difficult. The founder of the *Variétés* was the witty Mlle. Montansier, who, previously to the first French Revolution, had the management of the Versailles theatre, as well as of several of the principal provincial ones. In 1790, she opened the house now known as the *Palais Royal*, for mixed performances, tragedy, comedy, and opera. There Mlle. Mars commenced her career. The prosperity of the company dates from 1798, when the celebrated Brunet joined it. Brunet was the theatrical joker of his time; and all stray puns and witticisms, good, bad, and indifferent, were attributed to him as regularly as, at a later day, and in another country, they have, been fathered upon a Jekyll and a Rogers. Many of his jests had a political character, and got him into serious scrapes. This, Mr. Hervey appears to doubt, but without reason. In various memoirs and reminiscences of the early years of the present century, we find recorded Brunet's stinging sarcasms, and the consequent reprimands and even imprisonments be incurred. "*L'Empereur n'aime que Joséphine et la chasse!*" was his exclamation when Napoleon's project of divorce was first bruited about; and for days Paris rang with the sharp jest. "*Le char l'attend!*" he cried, pausing before the triumphal arch on which stood the horses and empty chariot, the spoils of Venice. But the license of Monsieur Brunet's tongue was little relished by the imperial *charlatan, —le claqueur de la Grand Armée*, as he has been called. Corsican though he was, he had a thorough French susceptibility of ridicule, and well knew that, with his laughter-loving subjects, wit carried weight. The actor was summoned before the prefect of police, severely lectured, and admonished to abjure puns, if he would escape punishment. "*Mais que voulez vous que je fasse*," replied poor Brunet, in piteous accents, "*c'est mon metier de faire des calembourgs, j'y gagne ma*
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vie. Voulez vous donc que je scie du bois?"[15] And, in spite of menaces and imprisonment, he continued each evening to delight the audience of the Variétés with his highly spiced allusions to the men and events of the day. His reputation was European. "Brazier, in his *Histoire des Petits Théatres de Paris*, relates that, being one day, (March 31st, 1814) on guard at the Barrière St. Martin, a young Calmuck officer, who could hardly speak a word of French, asked him the way to Brunet's theatre." Aided by Tiercelin, the popular actor of the time, who took his types from the lowest classes of the people, Brunet ensured the prosperity of the theatre, until at last the actors at the Français, who had long complained of the preference accorded by the public to Brunet's performances, addressed repeated remonstrances to government, and declared that the taste of the nation was becoming corrupted, and the classic drama of Corneille and Racine despised. They were supported by Fouché and a section of the press, until at last Napoleon, who meddled greatly in theatrical matters, and one of whose sayings was, that if Corneille had lived in his time, he would have made him a prince, thought proper to interfere. Brunet's company was ejected from the Palais Royal, and took refuge, whilst the present theatre on the Boulevard Montmartre was building, in the Théatre de la Cité, on the left bank of the Seine. On the last night at the Palais Royal, (31st December, 1806,) the actors and actresses took their leave of the public on that side the river, in a series of appropriate couplets. One of these ran as follows:—

> Vous que l'tambour et tambourin
> A la gloir', au plaisir entraine;
> Quand vous avez passé le Rhin,
> Craindrez vous de passer la Seine?

This reference to the martial prowess of the "*grande nation*," of course nearly brought down the house, but it did not carry the audience over the water, at least for some time. At last a new and successful play proved a magnet of irresistible attraction, and produced a receipt of twelve thousand pounds in three months.

In June, 1807, the new Théatre des Variétés opened. Its situation, on a crowded central boulevard, is excellent, and its vogue, with a few brief intervals, has been constant. A large proportion of the best French comic actors of the present century have acted there during the thirty-nine years that have elapsed since its inauguration. Amongst these are reckoned Bosquier Gavaudan, the best couplet singer of his day,—remarkable for his distinct articulation, and who, "from constantly personating officers of rank, grew so accustomed to wear a red ribbon in his coat, that, even when sitting in his dressing-gown at home, he did not feel comfortable without one in his button-hole;" Mme. Barroyer, a flame of Charles X. before the Revolution, the protectress and one of the teachers of Mlle. Mars; Potier, pronounced by Talma to be the most consummate actor he ever knew; Vernet, the admirable comedian; and Odry, who has been called the French Liston, but who is preferred, by most of those whom a thorough knowledge of both languages renders capable of equally appreciating French and English farce, even to the great Paul Pry himself. Then came Frederick Lemaitre, the hero of the melodrama, and sometimes of the more elevated class of drama. He was ill supported at the Variétés, and consequently proved less attractive than he has since been at the Porte St. Martin. He is remarkable for the care with which he studies every detail of his characters, even to the most trifling points of dress and accessories. His love of consistency betrays him, at times, into what may be termed the pedantry of costume. "When playing Buridan, in the Tour de Nesle, he appeared as prime minister in the fourth act, clad in velvet, but with a plain woollen shirt, whereas the courtiers around him wore fine linen garnished with lace. On his being asked the reason of this apparent inconsistency, he replied, that he did not wear a linen shirt because at the epoch referred to in the piece, they were not in common use; 'Nay, more,' added he, 'a century afterward, Isabel of Bavaria was reproached with extravagance for having too much of linen in her *trousseau*." He was once hissed at Orleans, when performing the part of a starving and destitute man, for taking snuff out of a bit
[Pg 189] of paper. He had thought it improbable that the needy wretch he represented would carry a snuff-box. Guessing the cause of the public disapprobation, he produced a gold one, which was vehemently applauded.

Jenny Vertpré the miniature Mars, as she has been called, in compliment to her talent, and with reference to her diminutive stature, held more than one engagement at the Variétés. She has been a great rambler, having acted in Germany, Holland, and Belgium, and visited England as manager of a French company. She married Carmouche, a writer of vaudevilles, has left the stage, and teaches young actresses.

The present company at this pleasant theatre is rich in talent. It includes seven or eight actors and actresses, who may be justly termed excellent in their respective styles. At the top of the list stand Bouffé and Déjazet. Respecting the latter, we have but little to add to the opinion we expressed in a recent number of this Magazine. After a long and fatiguing career, and at an age when most actresses have either left the stage, or dwindled into duennas and other subordinate parts, she still affords more pleasure by her performances than nine-tenths of her youthful contemporaries. Her *making-up*, is admirable, and she and Madame Doche divide between the honour of being the best dressed women on the French stage. In the ball-room or the street she still looks young; for although her face depends upon paint, her figure is erect and juvenile, and one would hardly suspect her of being the mother of "Monsieur Eugene Déjazet, who has attained some celebrity as a musical composer, and of a daughter who appeared at the St. James's theatre, in 1844, under the name of Mademoiselle Herminie." Her generosity and excellent heart have endeared her to her comrades. Her wit and ready repartee are proverbial. Mr. Hervey quotes a few of her *bon mots*, but he might have made a better selection. It is true that, besides the difficulty of translation, he may have been hampered by the latitude the lady allows herself. He regrets that a collection of her smart sayings is not made, to be called Déjazetiana; and opines that it would rival in merit, and far surpass in bulk, the volume containing the sallies of the famous Sophie Arnould. Something of the sort has been published, under the title of the "Perroquet de Mademoiselle Déjazet," but to its authenticity or value we are unable to speak.

In the year 1821, a young man in his twenty-first year, by trade a carver and gilder, was engaged to act at the new theatre of the Panorama Dramatique, at the enormous salary of twelve pounds per annum. To augment this pittance, and to please his father, who was averse to his new profession, he employed himself between the acts in gilding frames in a small workshop behind the scenes. This ill-paid aspirant to histrionic fame was Marie Bouffé, "the most perfect comedian of his day," says Mr. Hervey, and we fully coincide in the verdict. Bouffé, is one of the most intelligent, accomplished, and agreeable actors we ever saw; subtle and delicate in his conceptions of character, energetic without rant, ever true to Nature, and of a rare versatility of talent. We have known several persons who fancied, partly perhaps on account of his name, that he only acted comic parts: they should see him obtain a *succès de larmes*, throw a whole theatre into tears, by his exquisite feeling and pathos in serious ones. No actor more thoroughly makes his audience forget that he is one. His identification with his part is complete. The two lines of characters he usually takes are old men and lads, even very young boys. And in both he perfectly succeeds. We are doubtful in which to prefer him. As the noisy, lively, mischievous urchen in the *Gamin de Paris*, and as the griping old miser in the *Fille de l'Avare*, he is equally excellent. His countenance is remarkable. A clever critic has said of him, that he has the physiognomy of a Mephistopheles and the eye of an angel. The observation is singularly happy. There *is* something Mephistophelian in the curve of his nose, and in the lines around his mouth. His command of expression is extraordinary; his eyes, especially, alternately flash fire and grow dim with
[Pg 190] melancholy or tenderness. His figure is short, thin, and frail; his general appearance sickly, and not without cause, for poor Bouffé is consumptive, and, to judge from his looks, not long for this world. The only actor upon the French or English stage with whom we can compare him is the

veteran Farren. But the comparison is to the advantage of the Frenchman, whose chief characteristic is his entire freedom from mannerism and stage trick. Mr. Farren is of the old and sterling school of actors, of which, unfortunately, so few remain. He stands first in his line upon the English boards, and deserves to be spoken of with all respect. Would that we had a dozen as good. But he has his faults, and the chief one is mannerism, certain peculiar ways that prevent the spectator from forgetting the actor in the person he represents, trifles, which it may be hypercritical to cavil at, but which nevertheless spoil the illusion, and compel the exclamation, "There is Farren." Take for example his favourite trick of scratching his upper lip with his forefinger. We have seen Bouffé many times—less frequently, certainly, than we have Farren—but we never perceived in him any of these peculiarities. His creations are original and new throughout; the mime disappears, and we have before as the gossiping old man, the rough shipboy, the simple-hearted recruit. We are really at a loss to point out a fault or suggest an improvement in Bouffé's acting. "If the public," says M. Eugene Briffault, "finds that he makes but little progress in the course of each year, it is because he is as near perfection as an actor can be." Many of Mr. Hervey's criticisms are excellent; none more so than the following:—"Bouffé's gaiety is frank and communicative, his pathos simple, yet inexpressibly touching; the foundation of his character is sensibility; he *feels* all he says. He never employs any superfluity of action for the purpose of producing effect, nor does he seek, by first raising his voice almost to a shriek, and then lowering it to a whisper, to *startle* his audience into a fit of enthusiasm; on the contrary, a studied sobriety, both of speech and gesture, is one of the peculiar features of his acting." When Bouffé visits England, we recommend some of our actors, who at present "imitate humanity so abominably," to attend his performances, and strive to profit by his example.

We have lingered at the Variétés, and must move onwards, rather against our will, and although much remains to be said concerning that amusing theatre and its actors. Hyacinthe's nose, alone, would furnish materials for a chapter, and of alarming longitude, if in proportion with the feature. The two Lepeintres would fill an article. They are brothers and rival punsters. The jokes of Lepeintre, Jenue have been printed and sold at the theatre door. His senior, who is no way inferior to him, either as a wit or an actor, said, with reference to himself, that he carried abundance, wherever he went, "*puisqu'on y voyoit le pain trainer* (Lepeintre âiné.)"

On the site of an old cemetery stands the theatre known as the Gymnase Dramatique. A suggestive fact for the moralist. Death replaced by Momus; the mourner's tears succeeded by the quips and cranks of an Achard, by the wreathed smiles of a Rose Chéri. Where the funeral once took its slow and solemn way, rouged processions pass, tinsel heroes strut, and vapour. Thousand-tinted garlands supplant the pale *immortelles* that decked the graves; the sable cloak is doffed, and motley's the only wear. Surely actors must be bold men to tread a stage covering so many mouldering relics of mortality. Not for Potosi, and the Real del Monte to boot, would we do it, lest, at the witching hour, some ghastly skeleton array should rise and drive us from the Golgotha, or drag us to the charnel-house beneath. But we forget that the good old days are gone when such things were, or were believed in, and that superstition is now as much out of date as a heavy coach upon the Great North Road. Spectres may occasionally be seen at the Gymnase, but they are very material, flesh-and-blood sort of goblins, well known as impostors, even to the scene-shifters. This need not prevent any aspiring young novelist, desirous of coming out in the ghastly and ghostly line, from profiting by our hint, and producing, after a little preparatory
[Pg 191] cramming with Mrs. Radcliffe and the Five Nights of St. Albans, what the newspapers call "a romance of thrilling interest" on the subject of the gay Gymnase and its grave foundation.

Built in 1819, the Gymnase "was originally intended, as its name denotes, to be a kind of preparatory school for dramatic aspirants, whence the most promising actors and actresses were to be occasionally transferred to the different royal theatres." For some years—from 1824 till the July Revolution—it was known as the *Théatre de Madame*, and was under the special patronage of the Duchess of Berri, whom the manager had propitiated by sending a part of his company to amuse her when bathing at Dieppe. At that time it ranked immediately after the theatres royal, taking the precedence of the Vaudeville and other minors. Shorn by the Revolution of its honours and privileges, its favour with the public suffered little diminution. For many years Bouffé performed there, and there achieved his greatest triumphs. At the Variétés he has not been so well catered for by the dramatists. The present company at the Gymnase is very good. Bressant, Ferville, Numa, Klein, and Achard, are excellent actors. In actresses, also, the theatre is well provided, and the whole tone of its company and performances is such as to render it one of the most correct and agreeable in Paris. But the gem of the Gymnase, its grand attraction, to our thinking, is that delightful little actress, Rose Chéri. Never, assuredly, was a pretty name more appropriately bestowed. Her plump, fresh, pleasant little face, reminds one of the *Rose*, and *chérie* she assuredly is by the hundreds of thousands whom her graceful and tasteful performance has enchanted. Mademoiselle Chéri, who is only one-and-twenty, made her "first appearance upon any stage" at the somewhat early age of five years. "She acted the part of *Lisette*, in the *Roman d'une Heure*, for the amusement of her parents, (the other two characters being sustained by two of her playmates;) and the talent displayed by her was so remarkable, that she was encouraged to repeat the essay in public at the theatre of Bourges, on which occasion her infant exertions were rewarded by the enthusiastic applause of the audience, and—which was probably still more to her taste—by a shower of *bonbons*." Either the applause or the *bonbons*, or both, decided her vocation, and she continued to act from time to time, until at length she became a regular member of a provincial company, whose manager was her father. In 1842, she went to Paris, where she soon took rank with the best *jeunes premières* of the capital. She has been justly called the most loveable actress upon the French stage; so graceful, so soft and womanly, displaying alternately such genuine feeling and nature, and such arch coquetry of

manner; always such great freshness of style. We were pleased to see her properly appreciated during her last visit to London, both by press and public. Trained to the stage from so early an age—although not, as Mademoiselle Déjazet is said to have been, born in a theatre—it is not surprising that Rose Chéri is in the highest degree self-possessed and at her ease. But if she is *sans peur* on the boards, she is also—most rare commendation for a French actress—*sans reproche* in private life. Such a Rose as this is indeed the pride of the garden.

Two words about the Palais Royal, and we have done; leaving the dramatic aristocracy of the theatres royal, and the smaller fry of the Boulevards, for some future opportunity of comment. The Français, although it reckons in its company several excellent comic actors, relies chiefly on tragedy, and will doubtless continue to do so, as long as it possesses Rachel, or until a comedian of very extraordinary talent starts up. And in French tragedies, even, heretical as it may sound, in the classic masterpieces of Corneille and Racine, we take far less pleasure than in the witty and sparkling comedies of many less renowned authors, to which the genius of the language so much better adapts itself. Nay, we confess to have more than once passed the Français without the least compunction, with *les Horaces* or *Andromaque* on the bills, and a crowd at the door, to
[Pg 192] commit ourselves, a few paces farther, to the friendly arms of a stall at the Palais Royal, and the mirth-inspiring influence of Tousez and Levassor, the most comical buffoon and admirable mimic on the French stage.

When the *Variétés'* company was expelled from the little theatre of the Palais Royal, it became the scene of all manner of bastard performances. Rope dancers, wooden puppets, even dogs were the actors. The most intelligent of these were the quadrupeds. Mr. Hervey gives the following analysis of a melodrama enacted by them:—

"A young Russian princess, held captive in a castle by a tyrant, has a lover, who has sworn to effect her rescue. On the rising of the curtain, the fair prisoner, a pretty spaniel, is discovered walking on the parapet of a tower; the lover, a very handsome dog, presently appears at the foot of the wall, barking most amorously. As for the tyrant, he is represented by a ferocious-looking bull-dog, with a smashed nose. On a given signal, the lover's army make their entrée, and scale the walls of the castle, which, after a gallant defence on the part of the garrison, is finally taken, and the princess delivered."

When the public had had enough of these canine comedies, the theatre was converted into a coffee-house. But the old dramatic prestige still hung about the place, and, after a time, the frequenters of the establishment were diverted, whilst sipping their punch and lemonade, with detached scenes and short vaudevilles, performed by two or three persons. Finally, in 1830, the house was rebuilt, and a regular license obtained; and from that date to the present day it has been a favourite resort of all lovers of a hearty laugh. Déjazet and Achard were long its chief support. They have left it; but others, little, if at all, inferior, have replaced them. Foremost amongst these stands Pierre Levassor, the best comic ballad-singer in France. Innumerable were the difficulties he had to overcome before he could fully gratify his passion for acting, and display his innate talent at a Paris theatre. His father, an old soldier of Napoleon's armies, opposed his propensity, which early manifested itself, in every possible way, and apprenticed him to a trade. During the revolution of 1830, young Levassor was on business at Marseilles, where a dinner was given to celebrate the event. "At the general request, he sang the song of the *Trois Couleurs*, with such immense success, that on the party adjourning after dinner to the theatre, a note was thrown on the stage, in which he volunteered to sing it in public, if agreeable to the audience. The offer was accepted; and both song and vocalist were loudly applauded." This incident was decisive of his future career. On his return to Paris he became an actor, and soon conquered great popularity. He is particularly clever in disguising himself, so as to be quite unrecognisable. With his dress he changes his voice, gait, and even his face; and will look the part of a decrepid old woman every bit as well as the more easily assumed one of a scapegrace student. His vivacity, good-humour, and fun, are inexhaustible. In the ludicrous extravaganzas, reviews of the past year, which nearly every carnival sees produced at the Palais Royal, he is perfectly irresistible. Powerfully aided by Grassot, Lemenil, Sainville, and Alcide Tousez, he keeps the house in an unceasing roar, even at pieces which, like the *Pommes-de-terre Malades* and the *Enfant du Carnaval*, are in themselves of very feeble merit. An excellent singer and clever actor, he is also a capital dancer and first-rate mimic, imitating with extraordinary facility every possible sound, whether the cries of animals or any thing else. And, off the stage, Levassor is as unassuming and gentlemanly as he is amusing and accomplished upon it.

Ravel is another droll dog, but quite in a different style from Levassor. The latter is all quickness, impetuosity, and *entrain*; Ravel is of a more passive style of comicality. At times he reminds us of two English actors, Buckstone of the Haymarket, and Wright, the Adelphi low comedian. He has something of Buckstone's odd monotony of manner, and, like him, often excites the laughter of an
[Pg 193] audience by his mere look or attitude. When Wright is not compelled to make a buffoon of himself in some stupid travestie, but is allowed fair scope for the display of his comic talents, which are really considerable, we prefer him to Ravel. He is a steady and improving performer. In *Paul Pry*, and some other stock pieces, his acting is quiet and excellent. Many of Ravel's characters have been taken by him in the English version. Ravel is seldom seen to greater advantage than as a soldier. He exactly renders the mingled simplicity and cunning of the conscript; the tricks of the barrack-room grafted upon clownish dulness. The piece called the *Tourlourou*—the French nickname for a recruit—founded on a novel of Paul de Kock's, was one of his triumphs, and another was *Le Caporal et la Payse*, Englished as "Seeing Wright." In short, he occupies a high position amongst the half-dozen drolls who, night after night, send home the audience of the

Palais Royal brimful of mirthful reminiscences.

In this imperfect sketch of some of the leading French theatres and actors, we have taken little opportunity of censure. We could notice but a few, and have selected from the most worthy. In Paris, as elsewhere, *pumps*, to use a green-room term, are plentiful. But in the higher class of theatres they are in the minority; and moreover there is a neatness and *tact* in the performance of French actors, which, in the less prominent characters, at least, goes some way to atone for the absence of decided talent. A French comedian may be tame, he may be incorrect in the conception of his part; he is rarely vulgar or ridiculous. We refer, of course, to the actors allowed to figure on the boards of the half-score good theatres in Paris. There is no lack of inferior ones, where the laugh is more often at the performer than at the performance. But most even of these will repay a visit, if not for the sake of the actors, for that of the audience. Despised by the fashionable and pleasure-seeking, they afford a rich field to the observant man. He must not, it is true, be squeamish, and fear to let the unsavoury reek of *tabac-de-caporal*, or the odours of potato brandy and logwood wine come betwixt the wind and his nobility. Neither must he dread contact with the mechanic's blouse, with the cotton gown of the grisette, or the velveteen vest of the *titi* of the Boulevards; he must even make up his mind to see his neighbour, dispensing with his upper garment, exhibit his brawny arms in shirt sleeves of questionable purity. If he dare encounter these little imaginary contaminations, he will find entertainment in the humours of the Boulevard du Temple; in the pantomimes of the Funambules—once the scene of poor Debureau's triumphs—and in the ten-franc vaudevilles of the Petit Lazari.

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THE REIGN OF GEORGE THE SECOND.[16]

Walpole, in giving his history to the world, renounces the title of an historian. He proclaims himself simply a compiler; his volumes, *Memoires Pour Servir*; and his chief purpose, simply, to give his own recollections, day by day, of the men and things passing before his eyes. Yet what historian has ever told his story with more spirit, ever sketched his characters with more living truth, or led our curiosity onward through the labyrinth of political intrigue, parliamentary struggle, and national vicissitude, with so light, and yet so leading a hand? A part of this charm arises from the interest which he himself took in his performance. He evidently delighted in the revival of those scenes in which he had once figured, and the powerful portraiture which, in his study, realized the characters of the eminent men whom he had seen successively depart from the political world. In this lies the spell which makes Walpole the favourite of all the higher order of readers in our age, and will make him popular to the last hour of the English language.

We read Gibbon like a task. We are astonished at his learned opulence, his indefatigable labour, and his flood of rich and high-wrought conception; but we grow as weary of him, as if we walked through an Indian treasury, and rested the eye only on heaps of gold. With all our great historical writers, the mind feels a sense of their toil, and, however it may be endured for the sake of its knowledge, *our* toil, too, is inevitable, and the crop must be raised only by the sweat of our own brow.

But the pages of Walpole give us the knowledge without the toil, and, instead of bending to the tillage, we pluck the fruit from the tree as we pass along. When he, too, is heavy, his failure arises simply from his attempting to assume the style of his contemporaries. He is not made for their harness, however it may be plated and embroidered. He cannot move in their stately and measured pace. His genius is volatile and vivid; he moves by bounds: and his display is always the most effective when, abandoning the beaten tracks of authorship, he speeds his light way across the field, and exhibits at once the agility of his powers and the caprice of his will.

What infinite gratification have we lost, by the want of such a writer in the days of classical antiquity! With what interest would the living world follow a Greek or a Roman Walpole! With what delight should we contemplate a Greek Council, with Pericles for its president, sketched by the hand of a spectator, and shown in the brilliant contests, intellectual intrigue, and ardent ambition of these sons of soul! What a scene would such a writer make of Cicero confronting Catiline, with the supremacy of Rome trembling in the scale, and the crowded senate-house preparing to hear the sentence of life or death! We might have wanted the strong historic phraseology of Sallust; or, in a subsequent age, the gloomy grandeur of Tacitus, that Caravaggio of ancient Rome; we might have lost some of the classic beauty, and all the theatric drapery, but we should have had a clearer, more emphatic, and more faithful picture, than in the severe energy of the one, or the picturesque mysticism of the other. We should have *known* the characters as they were known to the patrician and the populace of two thousand years ago; we should have seen them as they threw out all their stately and muscular strength; we should have been able to recover them from the tomb, make them move before us "in their armour, as they lived," and gather from their lips the language of times and things, now past away from man.

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Still, we must acknowledge that Walpole's chief excellence is in his letters. His sportive spleen, his polished sarcasm, and his keen insight into the ways of men, place him at the head of all epistolary authorship. He has had but two competitors for this fame,—it is remarkable that they were both women,—De Sevigne in France, and Lady Wortley Montague in England; yet, how utterly inferior are De Sevigne's feeble sketches of court life, and vapid panegyrics on the "adorable Grignan;" or the Englishwoman's rambling details of travels and tribulations, to the

pungent pleasantry and substantial vigour of Walpole! The Frenchwoman's sketches are like her artificial flowers, to the freshness of the true. Lady Mary's slipshod sentences and coarse voluptuousness are equally inferior to the accurate finish and fashionable animation of the man who combined the critic with the courtier, and was the philosopher even more than he was the man of fashion.

Walpole is now an English classic. It is striking, to see a man of talent thus vindicating his genius in the grave, making a posthumous defence of his character, and compelling posterity to acknowledge the distinctions of which he was defrauded by the petulance of his time. His example and his success administer a moral which ought not to be thrown away. There are many individuals in our own time, who might thus nobly avenge themselves on the injustice of their age. The Frenchman's maxim, *Il n'y a que bonheur, et malheur*, is unanswerably true; and not only men of the finest faculties are often ill used by fortune, but they are often the worst used. Their conscious superiority renders them fastidious of the lower arts of success; their sense of honour disqualifies them for all those services which require flexibility of conscience; and their sensibility to injustice makes them retort public injury, by disdainfully abandoning the struggle, and retiring from the vulgar bustle of the world.

Let such men, then, glance over the pages of Walpole, and see how productive may be made the hours of obscurity; how vigorously the oblivion of one generation may be redeemed by the honours of another; and how effectively the humble man of genius may survive the glaring favourites of an ephemeral good fortune.

Walpole, in his lifetime, was either pitied as a disappointed official, or laughed at as a collector of cracked china; but who either pities or laughs at him now? Posterity delights in the products of his study, while the prosperous tribe of his parliamentary day are forgotten, or remembered only through those products of his study. The Pulteneys, Granvilles, Lyttletons, and Wyndhams, are extinguished, and their chief interest now arises from Walpole's fixing their names in his works; as an architect uses the busts and masks of antiquity to decorate the gates, or crowns the buttresses of his temple.

Lord Holland's preface contains the following brief statement relative to the present publication.

Among the papers found at Strawberry Hill, after the death of Lord Orford, was the following memorandum, wrapped in an envelope, on which was written, "Not to be opened till after my will."

"In my library, at Strawberry Hill, are two wainscot chests or boxes, the larger marked with an A, the lesser with a B. I desire that, as soon as I am dead, my executor and executrix will cord up strongly and seal the larger box marked A, and deliver it to the Honourable Hugh Conway Seymour; to be kept by him unopened and sealed, till the eldest son of Lady Waldegrave, or whichever of her sons, being Earl of Waldegrave, shall attain the age of twenty-five years, when the said chest, with whatever it contains, shall be delivered to him for his own."

The rest of the order refers simply to the keeping of the key in the interim. The date is August 19, 1796.

Lord Holland then argues, with a rather unnecessary waste of argument, that the history contained within this chest was intended for publication, which, of course, it must have been.

In his private correspondence, Walpole frequently alludes to his preparation of the present work. In a letter to Mr. Montague, in 1752, he tells him, that "his memoirs of last year are quite
[Pg 196] finished," but that he means to add some pages of notes, "that will not want anecdotes;" and in answer to Montague, who had ludicrously menaced him with a messenger from the Secretary's office, to seize his papers, he says, "I have buried the memoirs under the oak in my garden, where they are to be found a thousand years hence, and taken perhaps for a Runic history in rhyme."

In another part of his memoirs of 1758, he says, with reference to the different stages of his work, "During the former part, I lived in the centre of business, was intimately acquainted with many of the chief actors, was eager in politics, and indefatigable in heaping up materials for my work. Now, detached from those busy scenes, with many political connexions dropped or dissolved; indifferent to events, and indolent; I shall have fewer opportunities of informing myself or others." And in this supposed indolence and ignorance, he sits down to his work without delay, and fills his volumes with information, inaccessible to nine-tenths of the ablest and most active in his generation.

But it is not our purpose to give a consecutive view of the contents of those volumes. Their nature is the reverse of consecutive. They are as odd, irregular, and often as novel, as the changes of a kaleidoscope. Nothing can be less like a picture, with its background, and foreground, its middle tints and its *chiaroscuro*. Their best emblem perhaps would be the "Dissolving views," where a palace has scarcely met the eye, before it melts into an Italian lake; or the procession to a Romish shrine is metamorphosed into a charge of cavalry. The volumes are a *melange* of characters, anecdotes, and reflections. We shall open the pages at hazard, and take, as it comes first, in those "Sortes Walpolianæ," a Westminster election.

There is "nothing new under the sun." What the Irish cry for "Repeal" is now, the cry for the "Stuarts" was a hundred years ago. Faction equally throve on both; and the tribe who live by faction in all ages uttered both cries with equal perseverance—the only distinction between them

being, that as the Jacobite cry was an affair of the scaffold, it was uttered with a more *judicious* reserve.

Yet, it is only justice to the men of the older day, to acknowledge that their motives were of a much higher order than the stimulants of the modern clamour. With many of the Scottish Jacobites, the impulse was a sense of honour to their chieftains, and a gallant devotion to their king; with many of the English, it was a conscientious belief that they were only doing their duty to the lawful throne in resisting the claims of the Prince of Orange. It is remarkable, that of the "seven bishops" sent to trial by James, but one, Trelawny, could be prevailed on to take the oath of allegiance to William; yet, unfounded and extravagant as were these conceptions, they showed manliness and conscience. Later times have had motives, unredeemed by the chivalry of the Scotch, or the integrity of the English; but the cause of both has been marked with a similarity of operation, which makes Solomon still "an oracle."

The elections became the chief scenes of display. The efforts to return Jacobite members were of the most pertinacious kind, and sometimes proceeded to actual violence. In one of the Westminster elections, the court candidate had been furiously attacked by a hired mob; and one Murray, a man of family, and marked, by his name, for an adherent of the Stuarts, had exhibited himself as a leader, had been captured, and consigned to the custody of the Serjeant-at-arms.

After a period of confinement, pardon was tendered to him, if he would ask it. He refused contemptuously, and obtained popularity by playing the hero.

Murray was brought to the bar of the House of Commons to be heard in his own defence. He asserted his innocence, smiled when he was taxed with having called Lord Trentham and the High Bailiff rascals, desired counsel, and was remanded. Another character then comes on the tapis by way of episode. This was Sir William Yonge. It has been said of the celebrated Erskine, that in the House he was a natural, out of the House he was a supernatural; and certainly nothing could be less like, than the orator of the bar, and the prattler of the House of Commons. Yonge's
[Pg 197] characteristics were just the reverse. He was always trifling, out of the House, and sometimes singularly effective in it. Walpole says of him, that his Parliamentary eloquence was the more extraordinary, as it seemed to come upon him by inspiration. Sir Robert Walpole frequently, when he did not choose to enter early into the debate himself, gave Yonge his notes as the latter came into the House; from which he could speak admirably, though he had missed all the preceding discussion.

Sir Robert Walpole said of him, with a pungency worthy of his son, that "nothing but Yonge's character could keep down his parts, and nothing but his parts support his character;" but, whatever might be his character, it is certain that his parts served him well, for though but four-and-twenty years in Parliament, he was twice a Lord of the Treasury, a Lord of the Admiralty and Secretary at War, finishing with the then very lucrative situation of Vice-Treasurer of Ireland. For the more honorary part of his distinctions, he had the Ribbon of the Bath, was a Privy Councillor, and was appointed Lord Lieutenant of Carnarvonshire.

We now return to Murray. It was moved that he should appear before the House on his knees. Walpole's description is very graphic. "He entered with an air of confidence, composed of something between a martyr and a coxcomb.

"The Speaker called out, Your obeisances, sir, your obeisances, and then, sir, you must kneel. He replied, Sir, I beg to be excused, I never kneel but to God. The Speaker repeated the command with great warmth. Murray answered, Sir, I am sorry I cannot comply with your request: I should in any thing else. Speaker cried, Sir, I call upon you again to consider of it. Murray answered, Sir, when I have committed a crime, I kneel to God for pardon, but I know my own innocence, and I cannot kneel to any one else. The Speaker ordered the Serjeant to take him away and secure him. He was going to reply, but the Speaker would not suffer him. The Speaker then made a representation to the House of his contemptuous behaviour, and said, However you may have differed in the debate, I hope you will be unanimous in the punishment.

"Then ensued a long, tedious, and trifling succession of speakers, finishing by an adjournment at two in the morning."

Then comes another character passing through the magic lantern. The Mutiny Bill is the back-ground for this caricature. The front figure is Lord Egmont. John Percival, second Earl of Egmont, seems to have been an extraordinary compound of the fanatic and the philosopher. He was scarcely of age, before he had a scheme of assembling the Jews, and making himself their king. His great talent was, indefatigable application. He was never known to laugh. He was once, indeed, seen to smile; but *that was at chess*. His father had trained him to history and antiquities; and he early settled his own political genius by scribbling pamphlets. Towards the decline of Sir Robert Walpole's power, he had created himself a leader of the Independents, a knot of desperate tradesmen, many of them converted to Jacobinism, by being fined at the custom-house for contraband practices. One of their chiefs was Blackistone, a grocer in the Strand, detected in smuggling, and forgiven by Sir Robert Walpole; detected again, and fined largely, on which he turned patriot and became an alderman of London.

At the beginning of this parliament, rejected by Westminster, and countenanced nowhere, he bought what Walpole pleasantly calls, the loss of an election at Weobly, for which place, however, on a petition, Fox procured his return to parliament, and immediately had the satisfaction to find him declare against the court. At the Westminster election, his indefatigability against the

ministerial favourite came amply into play. All the morning he passed at the hustings, then came to the House, where he was a principal actor, and the rest of the day he spent at hazard, not to mention the hours spent in collecting materials for his speeches, or in furnishing them to his weekly mercenaries.

[Pg 198] We then have a touch of the pencil at Lord Nugent.

"This Irishman's style was florid bombast; his impudence as great as if he had been honest. He affected unbounded good-humour, and it was unbounded, but by much secret malice, which sometimes broke out into boisterous railing, but oftener vented itself in still-born satires. Nugent's attachments were to Lord Granville; but all his flattery was addressed to Mr. Pelham, whom he mimicked in candour, as he often resembled Granville in ranting. Nugent had lost the reputation of a great poet, by writing works of his own, after he had acquired fame by an ode that was the joint production of several others."

Walpole certainly had an aversion to the wits of his day, with the exception of George Selwyn; on whom he lavished a double portion of the panegyric that he deserved, as a sort of compensation for his petulance to others. His next portrait was Lord Chesterfield, the observed of all observers, "the glass of fashion, and the mould of form," a man of talent unquestionably, and a master of the knowledge of mankind, but degrading his talent by the affectation of coxcombry, and turning his knowledge into a system of polished profligacy.

Chesterfield, though not the first who had made a study of the art of *nothings*, was the first who publicly prided himself on its study; and while France owed her fashionable vice to a hundred sources, all England looked up to Chesterfield as the high priest of that shrine, in which time and reputation were equally sacrificed, and in which fame was to be acquired alone by folly.

Walpole's sketch was struck off when Chesterfield was sinking into the vale of years, and he exhibits that celebrated peer under the character, at once melancholy and ridiculous, of a superannuated politician and an old beau. Chesterfield, since he had given up the seals in 1748, had retired from politics; in that spirit of resignation, which, in extinguished politicians, is only a decent disguise for despair.

He had published what he called an apology for his resignation, which, as Walpole says, excited no more notice than the resignation itself. "From that time he had lived at White's, gaming, and pronouncing witticisms among the boys of quality." He then proceeds to examine the noble lord's construction, pretty much in the style of an anatomist with the subject on the table, and cuts him up with all the zeal of angry science.

"Chesterfield, early in life, announced his claim to wit, and the women believed in it. He had besides given himself out for a man of great intrigue, and the world believed in that too. It was not his fault if he had not wit, for nothing exceeded his efforts in that point. His speeches were fine, but as much laboured as his extempore sayings. His writings were every body's; that is, whatever came out good was given to him, and he was too humble ever to refuse the gift. But besides the passive enjoyment of all good productions in the present age, he had another art of reputation, which was, either to disapprove of the greatest authors of other times, or to patronize whatever was too bad to be ascribed to himself."

We then have a slight glance at his public life. His debut in diplomacy was as ambassador to Holland, where, as Walpole says, "he courted the good opinion of that economical people," by losing immense sums at play. On his return, he attached himself to Lord Townshend, an unlucky connexion; but what did him more harm still, was the queen's seeing him one Twelfth Night after winning a large sum of money at hazard, cross St. James's Court, "to deposit it with my Lady Suffolk until next morning." The queen never pardoned an intimacy there, and well she might not, Lady Suffolk's royal intimacies being perfectly notorious.

His next employment of note was the vice-royalty of Ireland; in which Walpole acknowledges that he was the most popular governor which that luckless country ever had. "Nothing was cried up but his integrity. He would have laughed at any man who had any confidence in his morality."

But Chesterfield's vice-royalty deserves better treatment than this. In Ireland he *was* an able governor. The man had something to do, and he did it. The lounger of the London clubs could not
[Pg 199] dawdle through the day in the midst of a fiery people full of faction, bleeding with the wounds of civil war, and indignant at the supremacy of the "Saxon."

Jacobitism, in England a fashion, was in Ireland a fury. In England a phantom of party, it was in Ireland a fierce superstition. In England a fading recollection of power lost, and a still feebler hope of favours to come, it was in Ireland a hereditary frenzy embittered by personal sufferings, exalted by fantastic notions of pedigree, and sanctioned by the secret but powerful stimulants of Rome. This was no place for a man to take his rest, unless he could contrive to sleep on thorns.

Chesterfield was thus forced to be vigorous and vigilant; to watch every symptom of disaffection, to suppress every incipient turbulence, to guide without the appearance of control, and to make his popularity the strength of a government almost wholly destitute of civil reputation or military force. But the highest panegyric is to be found in the period of his thus preserving the peace of Ireland. It was in 1745, when the Pretender was proclaimed in Edinburgh, when the Highland army was on its march to London, and when all the hopes of hollow courtiership and inveterate Jacobitism were turned to the triumph of the ancient dynasty. Yet, Ireland was kept in a state of quietude, and the empire was thus saved from the greatest peril since the Norman invasion.

An Irish insurrection would have largely multiplied the hazards of the Brunswick throne; and though we have firm faith in the power of England to extinguish a foreign invader, yet, when the question came to be simply one of the right to the crown, and the decision was to be made by civil conflict, the alienation, or the insurrection, of Ireland might have thrown an irresistible weight into the scale.

It is not our purpose, nor would it be becoming, to more than allude to the private life of this showy personage. His was not the era of either public or private morality. His marriage was contemptible, a connexion equally marked by love of money and neglect of honour; for his choice was the niece of the Duchess of Kendal, the duchess being notoriously the king's mistress, and Chesterfield obviously marrying the niece as being a probable heiress of her aunt, and also of bringing to her husband some share of the royal favour. He was disappointed, as he deserved, in the legacy; and seems to have been not much happier in the wife, who brought him no heir, and was apparently a compound of pride and dulness. He was more fortunate, however, in earning the political favour of the old Duchess of Marlborough, who left him £20,000 in her will.

Still, with all the political chicanery, and all the official squabbles of parliament, those were sportive times; and Walpole records the delay of the debate on the bill for naturalizing the Jews, as arising from the adjournment of the house, to attend private theatricals at Drury Lane, where Delaval had hired the theatre to exhibit himself in Othello! Walpole, in his pleasant exaggeration, says, that "the crowd of people of fashion was so great, that the footman's gallery was hung with blue ribands."

For some reason, which must now sleep with the author, he had an inveterate aversion to Seeker, then Bishop of Oxford, and afterwards translated to Canterbury. "The King," said he, "would not go to chapel because the Bishop of Oxford was to preach before him. The ministers did not insist upon his hearing the sermon, as they had lately upon his making him Dean of St. Paul's."

Character and popularity do not always depend upon the circumstances which alone ought to fix either. He then proceeds to hew the right reverend lord in pieces. "This bishop," says he, "who had been bred a Presbyterian and man-midwife, which sect and profession he had dropt for a season, while he was President of a Free-thinking Club, had been converted by Bishop Talbot, whose relation he married, and his faith *settled* in a prebend of Durham, whence he was transplanted by the queen, and advanced by her (who had no aversion to a medley of religions, which she always compounded into a scheme of heresy of her own) to the living of St. James's,
[Pg 200] vacant by the death of her favourite *Arian*, Dr. Clarke, and afterwards to the bishoprics of Bristol and Oxford."

Then, probably for the purpose of relieving the dark hues of this desperate portrait, he throws in a touch of praise, and tells us that Secker grew surprisingly popular in his parish of St. James's, and was especially approved of in the pulpit.

Secker's discourses, with his charges and lectures, still remain; and it is impossible to conceive any thing more commonplace in style, weaker in conception, or more thoroughly marked with mediocrity of mind. And yet it is perfectly possible to conceive such a man popular. What the multitude call eloquence, in the pulpit, is palpably different from eloquence any where else. At the bar, or in the legislature, it evidently consists in a mixture of strong sense and powerful feeling. It must exhibit *some* knowledge of the subject, and more knowledge of human nature. But the "sermons" which then achieved a passing popularity were characterised by nothing but by the most shallow notions in the most impotent language. The age of reasoners had passed away with Barrow, South, and Sherlock; and a studied mingling of affected simplicity and deliberate nonsense constituted the sole merits of the pulpit in the middle of the eighteenth century. Then, according to the proverb, that "when things come to the worst, they must mend," came the gentle enthusiasm of Wesley and the fierce declamation of Whitefield, both differing utterly in doctrine, practice, and principle, yet both regarding themselves as missionaries to restore Christianity, and both evidently believed by the multitude to be all but inspired. Their example, however, infused some slight ardour into the established pulpit, and its sermons were no longer dull *rechauffes* of Epictetus, and substitutes for the Gospel, taken from the schoolboy recollections of Plato. Secker reigned in this middle-age of the pulpit, and his performances are matchless as models of words without thought, doctrines without learning, and language that trickled through the ear without the possibility of reaching the understanding.

But Secker's faults were those of nature, which alone is to be blamed; unless we are to join in the blame the ministers who placed such a twinkling taper as a "shining light" in the church.

We do not believe in the story of his freethinking, though Walpole strongly repeats it, and gives his authority. Secker's was obviously a commonplace mind, wholly destitute of all pretension to ability, yet as obviously not disinclined to make use of those means which often constitute court favour, but which high minds disdain. He had been made Dean of St. Paul's by the Chancellor's interest, though he had been for some time in the shade at court, from being strongly suspected of cultivating the Prince's connexions at the same time; however, he achieved Canterbury at last, and, once sheltered in Lambeth, he might laugh at the jealousies of courtiers.

Walpole now bursts out into indignant virtue; exclaims that even the church has its renegades in politics, and almost compassionates the king, "who was obliged to fling open his *asylum* to all kinds of deserters; revenging himself, however, by not speaking to them at his levee, or listening to them in the pulpit."

In the meantime, the great source of all opposition, the dread of the successful, the hope of the defeated, the thorn in the royal side, or, to take a higher emblem, the tree of promise to all that contemptible race who trade in conscience, and live on faction,—disappeared in a moment. The heir-apparent died! The Prince of Wales had suffered from a pleurisy, but was so much recovered as to attend the king to the House of Lords. After being much heated in the atmosphere of the house, he returned to Carlton House to unrobe, put on only a light frock, went to Kew, where he walked some time, returned to Carlton House, and lay down upon a couch for three hours on a ground floor next the garden. The consequence of this rashness or obstinacy was, that he caught a fresh cold, and relapsed that night.

After struggling with this illness for a week, he was suddenly seized with an increase of his
[Pg 201] distemper. Three years before, he had received a blow on the breast from a tennis ball, from which, or from a subsequent fall, he often felt great pain. Exhausted by the cough, he cried, "Je sens la mort," and died in the arms of his valet.

The character of this prince, who was chiefly memorable as the father of George III., had in it nothing to eclipse the past age, conciliate the present, or attract honour from the future. Walpole, in his keen way, says, "that he resembled the Black Prince in nothing, but in dying before his father." "Indeed," he contemptuously adds, "it was not his fault if he had not distinguished himself by warlike achievements." He had solicited the command of the army in Scotland in the rebellion of 1745, which was of course given to his brother; "a hard judgment," says Walpole, "for what he could do, he did." When the royal army lay before Carlisle, the prince, at a great supper which he gave his court and favourites, had ordered for the dessert a model of the citadel of Carlisle, in paste, which he in person, and the maids of honour, *bombarded with sugar plumbs*!

The Prince had disagreed with the king and queen early after his coming to England, "not entirely," says Walpole, "by his own fault." The king had refused to pay his debts in Hanover, and "it ran a little in the blood of the family to hate the eldest son!" The queen exerted more authority than he liked, and "the Princess Emily, who had been admitted into his greatest confidence, had not," the historian bitterly observes, "forfeited her duty to the queen, by concealing any of his secrets that *might do him prejudice*."

Gaming was one of his passions; "but his style of play did him less honour than even the amusement." He carried this *dexterity* into practice in more essential points, and was vain of it. "One day at Kensington that he had just borrowed £5000 of Doddington, seeing him pass under his window, he said to Hedges, his secretary, 'that man is reckoned one of the most sensible men in England; yet, with all his parts, I have just tricked him out of £5000!'" A line from Earl Stanhope summed up his character,—"He has his father's head and his mother's heart."

A smart hit is mentioned of Pelham, who, however, was not remarkable for humour. One Ayscough, who had been preceptor to Prince George, and who had "not taught him to read English, though eleven years old," was about to be removed from the preceptorship. Lyttleton, whose sister he had married, applied to Pelham to save him. Pelham answered, "I know nothing of Dr. Ayscough—Oh, yes, I recollect, a very worthy man told me in this room, two years ago, that he was a *great rogue*." This very worthy man happened to be *Lyttleton himself*, who had then quarrelled with Ayscough about election affairs. Walpole abounds in sketches of character, and they are generally capital. Here is a kit-cat of Lord Albemarle, then ambassador in Paris. "It was convenient to him to be any where but in England. His debts were excessive, though he was ambassador, groom of the stole, governor of Virginia, and colonel of a regiment of guards. His figure was genteel, his manner noble and agreeable. The rest of his merit was the interest Lady Albemarle had with the king through Lady Yarmouth. He had all his life imitated the French manners since he came to Paris, where he never conversed with a Frenchman. If good breeding is not different from good sense, Lord Albemarle at least knew how to distinguish it from good nature. He would bow to his postilion, while he was ruining his tailor."

The prince's death had all the effect of the last act of a melo-drama. It had blown up more castles in the air, than any explosion in the history of paint and pasteboard. All the rejected of the court had naturally flocked round the heir-apparent, and never was worship of the rising sun more mortified by its sudden eclipse. Peerages in embryo never came to the birth, and all sorts of ministerial appointments, from the premier downwards, which had been looked upon as solid and sure, were scattered by this one event into thin air. Drax, the prince's secretary, who "could not write his own name;" Lord Baltimore, who, "with a great deal of mistaken knowledge, could not
[Pg 202] spell;" and Sir William Irby, the princesses' Polonius, were to be barons; Doddington, it was said, had actually kissed hands for the reversion of a dukedom!

The whole work is a picture gallery. Doddington, whose "Diary" has placed him among those authors whose happiest fate would have been to have been prohibited the use of pen, ink, and paper, is sketched to the life in a few keen and graphic lines.

"This man, with great knowledge of business and much wit, had, by mere absurdity of judgment and a disposition to finesse, thrown himself out of all estimation, and out of all the views which his large fortune and abilities could not have failed to promote, if he had preserved but the least shadow of steadiness. He had two or three times gone all lengths of flattery, alternately with Sir Robert Walpole and the prince. The latter keenly said, 'that they had met again, at last, in a necessary connexion, for no party would have any thing to do with either.'"

Why has not some biographer, curious in the dissection of human vanity, written the real life of

Doddington? There could be no richer subject for a pen contemptuous of the follies of high life and capable of dissecting that compound of worldly passion and infirm principle which, in nine instances out of ten, figures in the front ranks of mankind.

Doddington had begun public life with higher advantages than most men of his time. He had figure, fortune, and fashion; he was employed early in Spain, with Sir Paul Methuen, our ambassador; where he signed the treaty of Madrid. He then clung to Walpole, whom he panegyrised in verse and adulated in prose. But Walpole thwarted his longing for a peerage, and the refusal produced his revolt. He then went over to the Opposition, and flattered the prince. But the prince had a favourite already; and Doddington failed again. He then returned to Walpole, who made him a lord of the treasury. But Walpole himself was soon to feel the chances of power; and Doddington, who was never inclined to prop a sinking cause, crossed the House again. There he was left for a while, to suffer the penalties of a placeman's purgatory, but without being purified; and, after some continuance in opposition, a state for which he was as unfitted as a shark upon the sea-shore, he crossed over again to the court, and was made treasurer of the navy. But he was now rapidly falling into ridicule; and, determining to obtain power at all risks, he bowed down before the prince. At this mimic court he obtained a mimic office, was endured without respect, and consulted without confidence. Even there he had not secured a final refuge.

The prince suddenly died; and Doddington's hopes, though not his follies, were extinguished in his grave. Such was the fate of a man of ability, of indefatigable labour, of affluent means, and confessedly accomplished in all the habits and knowledge of public life. He wanted, as Walpole observes, "nothing for power but constancy." Under a foreign government he might have been minister for life. But in the free spirit and restless parties of an English legislature, though such a man might float, he must be at the mercy of every wave.

We then have the most extraordinary man in England in his day, under review, the well-known Duke of Newcastle, minister, or possessing ministerial influence, for nearly a quarter of a century! Of all the public characters of his time, or perhaps of any other, the Duke of Newcastle was the most ridiculed. Every act of his life, every speech which he uttered, nay, almost every look and gesture, became instantly food for burlesque. All the scribblers of the empire, with some of the higher class, as Smollett, were pecking at him day by day; yet, in a Parliament where Chatham, with his powerful eloquence, Bedford with his subtle argument, Townshend with his wit, and the elder Fox with his indefatigable intrigue, were all contending for the mastery; this man, who seemed sometimes half-frenzied, and at other times half-idiotic, retained power, as if it belonged to him by right, and resigned it, as if he had given it away.

Walpole thus describes his appearance. "A constant hurry in his walk, a restlessness of place, a borrowed importance, gave him the perpetual air of a solicitor. His habit of never finishing, [Pg 203] which proceeded from his beginning every thing twenty times over, gave rise to the famous bon-mot of Lord Wilmington: 'The Duke of Newcastle always loses half an hour in the morning, which he is running after for the rest of the day.' But he began the world with advantages:—an estate of £30,000 a-year, great borough and county interest, the heirship of his uncle, the old Duke of Newcastle, and a new creation of the title in his person." Walpole curiously describes the temperament of this singular man. "The Duke of Newcastle had no pride, though infinite self-love. He always caressed his enemies, to enlist them against his friends. There was no service that he would not do for either, till either was above being served by him.

"There was no expense to which he was not addicted, but generosity. His houses, gardens, table, and equipage, swallowed immense treasures. The sums which he owed were exceeded only by those which he wasted. He loved business immoderately, yet was always only doing it, never did it. His speeches in council and parliament were copious of words, but unmeaning. He aimed at every thing, yet endeavoured nothing. A ridiculous fear was predominant in him; he would venture the overthrow of the government, rather than dare to open a letter that might discover a plot. He was a secretary of state without intelligence, a man of infinite intrigue without secrecy or policy, and a minister despised and hated by his master, by all parties and ministers, without being turned out by any." This faculty of retaining office is evidently the chief problem in Walpole's eyes, and was as evidently the chief source of wrath, in the eyes of his crowd of clever opponents.

But the duke must have had some qualities, for which his caricaturists will not give him credit. He must have been shrewd, with all his oddity, and well acquainted with the science of the world, with all his trifling. He must have known the art of pulling the strings of parliament, before he could have managed the puppet show of power with such unfailing success. He must also have been dexterous in dealing with wayward tempers, while he had to manage the suspicious spirit, stubborn prejudices, and arrogant obstinacy of George II. It may be admitted that he had great assistance in the skill and subtlety of his brother Pelham; but there were so many occasions on which he must have trusted to himself alone, that it may well be doubted, whether to be, constantly successful, he must not have been singularly skilful, and that the personal dexterity of the minister was the true secret of his prolonged power.

We now come to Walpole's summary of the career of the two most celebrated men of his early life —his father and Bolingbroke.

Sir Robert Walpole and Lord Bolingbroke had begun, as rivals at school, lived a life of competition, and died much in the same manner, "provoked at being killed by empirics, but with the same difference in their manner of dying as had appeared in the temper of their lives,—the first with a calmness which was habitual philosophy, the other with a rage which his affected

philosophy could not disguise. The one had seen his early ambition dashed with imprisonment, from which he had shot into the sphere of his rival. The other was exiled, recalled, and ruined. Walpole rose gradually to the height of power, maintained it by his single talents against Bolingbroke, assisted by all the considerable men of England; and when driven from it at last, resigned it without a stain or a censure; retiring to private life without an attempt to re-establish himself, and almost without a regret for what he had lost."

Though this was the tribute of a son to a father, it is, in all its essentials, the tribute of truth; for Walpole was, beyond all doubt, a man of great administrative abilities, remarkably temperate in the use of power, and, though violently assailed both within and without the house, neither insolent in the one instance, nor vindictive in the other. It was equally beyond a doubt, that to him was in a great degree owing the establishment of the Hanover succession. The peaceful extinction of Jacobitism, whose success would have been the renewal of despotism and popery;
[Pg 204] and that system of finance and nurture of the national resources, which prepared the country for the signal triumphs of the reign, were the work of Walpole.

Bolingbroke, with talents of the highest brilliancy, wanted that strength of judgment without which the most brilliant talents are only dangerous to their possessor. After tasting of power, only to feel the bitterness of disappointment—after rising to the height of ambition, only to be cast into the lowest depths of disgrace, after being driven into exile, and returning from it only in the humiliation of a pardon under the hand of his rival,—Bolingbroke died in retirement, without respect, and in the obscurity, without the peace of a private station. It must be acknowledged that, in his instance, ill-fortune was only another name for justice; that the philosopher, whose pen was employed in defaming religion, was punished in the politician, who felt the uncertainty of human power; and that a life expended in treachery to the religion in which he was born, was well punished by his being forced in public life to drink the bitterest dregs of political shame, live with an extinguished reputation, and be buried in national scorn, long before his body was consigned to the tomb.

At this period, the king, far advanced in years, was destined to feel the heaviest pressure of domestic calamity. His queen, a woman of sense and virtue, to whom, notwithstanding the grossness of his vices, he could not help paying public respect, died from the effects of an accident, which had grown into a confirmed disease. Her death was followed by that of his youngest daughter, the Queen of Denmark, a woman "of great spirit and sense," who died of an accident resembling her mother's. She, too, like the Queen of England, had led an unhappy life,—for like her, she had the vice and scandal of royal mistresses to contend with.

The king, on the news of this death, broke into unusual expressions of sorrow and fondness. "This," said he, "has been a fatal year to my family; I lost my eldest son, but I was *glad of it*. Then the Prince of Orange died, and left every thing in confusion. Poor little Edward has been cut open, (for an imposthume in his side,) and now the Queen of Denmark is gone. I know I did not love my children when they were young, I hated to have them running about my room; but now I love them as well as most fathers."

The contrast between the Walpole and the Pelham administrations, is sketched with great force and fidelity. In our days the character of a cabinet depends upon the party. In those days the character of the cabinet depended upon the premier. Walpole was bold, open, steady, and never dejected: Pelham was timorous, reserved, fickle, and apt to despair. Presumption made Walpole many enemies: want of confidence in himself estranged from Pelham many friends. Walpole was content to have one great view, and would overlook or trample on the intermediate degrees: Pelham could never reach a great view, through stumbling at little ones. Walpole loved power so much, that he would not endure a rival: Pelham loved it so much that he would endure any thing. Walpole would risk his administration by driving every considerable man from court, rather than venture their rivalry: Pelham would employ any means to take able men out of the opposition, though he ventured their engrossing his authority and outshining his capacity; but he dreaded abuse more than competition, and always bought off his enemies, to avoid their satire, rather than to acquire their support.

The historian, on the whole, regards Pelham's conduct on this point, though the less bold, as the more prudential. He acknowledges that the result of Sir Robert's driving away all able men from him was, to gain for himself but weak and uncertain assistance, while he always kept up a formidable opposition. But he might have grounded Sir Robert's failure, on insulted justice, as well as on mistaken policy; for, by depriving able men of their natural right to official distinction, he did more than enfeeble himself,—he deprived the country of their services. Walpole's was the more daring plan, and Pelham's was palpably and abjectly pusillanimous; but the result of the
[Pg 205] one was, to reduce the government to a solitary minister, while the result of the other was always to form an effective cabinet. The former plan *may* subsist, during a period of national peril; but the return of public tranquillity, which, in England, is always the severest trial of governments, invariably shows the superior stability of the other.

Both were valued in private life. "Walpole was fond of magnificence, and was generous to a fault: the other had neither ostentation nor avarice, and yet had but little generosity. The one was profuse to his family and friends, liberal indiscriminately, and unbounded to his tools and spies: the other loved his family and his friends, and enriched them as often as he could *steal an opportunity* from his extravagant bounty to his enemies and antagonists." Walpole was "forgiving to a fault, if forgiveness be a fault. Pelham *never* forgave, but when he durst not resent! The one was most appreciated while he was minister; the other most, when he ceased to be minister. All

men thought Pelham honest, *until* he was in power. Walpole was never thought so, until he was out." Such is the lecture which this dexterous operator gives, knife in hand, over the corpses of the two most powerful men of their age.

Is it to be supposed that Ireland was doing nothing during this bustling period of English faction? Quite the contrary. It was in a flame, yet the subject was as insignificant as the indignation was profuse. One Jones, the court architect, was charged by the opposition with irregularities in his conduct, and was defended by the ministry. On the first division ministers had a majority, but it was almost a defeat, the majority amounting to but three. All Ireland resounded with acclamation. The "national cause" was to live, only with the expulsion of Jones from his office; and to perish irrecoverably, if he should draw another quarter's salary. His protectors were anathematised, his assailants were the models of patriotism. The populace made "bonfires of reproach" before the primate's house, a tolerably significant sign of what might happen to himself; and stopped the coaches in the streets, demanding of their passengers a pledge "whether they were for Ireland, or England." Even the hackney coachmen exhibited their patriotic self-denial by the heroism of refusing to carry any fare to the Castle, the residence of the viceroy. The passion became even more powerful than duelling. A Dr. Andrews, of the Castle party, challenging Lambert, a member, at the door of the Commons, on some election squabble, Lambert said, "I shall go *first* into the house, and vote against that rascal Neville Jones." Andrews repeating the insult, and, as it seems, not allowing time for this patriotic vote, Lambert went in and complained; in consequence of which Andrews was ordered into custody; Carter, the Master of the Rolls,—for even the lawyers had caught fire on the occasion,—exclaiming of Andrews, "What! would that man force himself into a seat here, and for what? only to prostitute his vote to a man, the sworn enemy of his country," (Lord George Sackville, then Secretary for Ireland.) The Speaker, too, was equally hostile. The government were finally defeated by 124 to 116. Never was ridiculous triumph more ridiculously triumphant. The strangers in the gallery huzzaed, the mob in the streets huzzaed. When Lord Kildare returned to his house (he had been the leader of the debate,) there was a procession of some hours. All the world was rejoicing, Neville Jones was prostrated, Ireland had cast aside her sackcloth, and was thenceforth to be rich, loyal, and happy. The triumph lasted during the night, and was forgotten in the morning. Jones covered his retreat with a pleasantry, saying—"So, after all, I am not to be In—igo, but Out—igo Jones," a piece of wit, which disposed many in that wit-loving land to believe, that he was not so very much a demon after all. But the revenge of government was longer lived than the popular rejoicing. Their first intention was a general casting out of all who had foiled them in the debate: a two-handed slaughter of officials—a massacre of the innocents. But the wrath cooled, and was satisfied with
[Pg 206] turning off Carter, master of the rolls; Malone, prime serjeant; Dilks, the quarter-master general; and abolishing the pension of Boyle, a near relative of the obnoxious speaker.

But a powerful man was now to be snatched away from the scene: Pelham died. He had been for some time suffering under the great disease of high life, high living. His health had given way to many feasts, many physicians, and the Scarborough waters. He died on the 8th of March, 1754.

France next supplies the historian with another display. The two countries differ, even in the nineteenth century, by characteristics wholly irreconcilable; and they are both of a sterner order as time advances with both. But, in the eighteenth century, each country in its public transactions approached nearer to the propensities and passions of the drama. The rapid changes of the English cabinet—the clever circumventions of courtiers—the bold developments of political talent, and the dexterous intrigues of office—bore some resemblance to the graver comedy. On the other hand, the Court life of France was all a ballet, of which Versailles was the patent theatre. There all was show and scene-shifting the tinsel of high life, and the frolic, of brilliant frivolity.—The minister was eclipsed by the mistress; the king was a buffoon in the hands of the courtier; and the government of a powerful nation was disposed of in the style of a flirtation behind the scenes.

Louis XV. had at this period grown weary of the faded graces of Madame de Pompadour, and selected for his favourite a woman of Irish extraction, of the name of Murphy. The monarch had stooped low enough, for his new sultana was the daughter of a shoe-maker. The royal history was scarcely more profligate, than it was ridiculous. His Majesty, though the husband of a respectable queen, had seemed to regard every abomination of life as a royal privilege. He had first adopted the society of a Madame de Mailly, a clever coquette, but with the disqualification of being the utter reverse of handsome. Madame, to obviate the known truantry of the King, introduced her sister, Madame de Vintinsille, as clever, but as ordinary as herself. The latter died in child-birth, supposed to have been poisoned! The same family, however, supplied a third sultana, a very pretty personage, on whom the royal favour was lavished in the shape of a title, and she was created Duchess de Chateauroux.

But this course of rivalry was interrupted. The king was suddenly seized with illness. Fitzjames, Bishop of Soissons, came to the royal bedside, and remonstrated. The mistress was dismissed, with a kind of public disgrace, and the queen went in a sort of public pomp, to thank the saints for the royal repentance.

"But," says Walpole, "as soon as the king's health was re-established, the queen was sent to her prayers, the bishop to his diocese, and the Duchess was recalled—but died suddenly." He ends the narrative with a reflection as pointed and as bitter as that of any French chamberlain in existence:—"Though a jealous sister may be disposed to despatch a rival, can we believe that *bishops* and *confessors* poison?"

Madame de Pompadour had reigned paramount for a longer period than any of those Medeas or Circes. Walpole describes her as all that was charming in person and manner. But nearer observers have denied her the praise of more than common good looks, and more than vulgar animation. She, however, evidently understood the art of managing her old fool, and of keeping influence by the aid of his ministers. Madame mingled eagerly in politics, purchased dependents, paid her instruments well, gave the gayest of all possible entertainments—a resistless source of superiority in France—had a purse for many, and a smile for more; by her liveliness kept up the spirits of the old king, who was now vibrating between vice and superstition; fed, fêted, and flattered the noblesse, by whom she was libelled, and *worshipped*; and with all the remaining decencies of France exclaiming against her, but with all its factions, its private licentiousness, and its political corruption, rejoicing in her reign; she flourished before the eyes of Europe, the acknowledged ruler of the throne.

[Pg 207] Can we wonder that this throne fell—that this career of glaring guilt was followed by terrible retribution—that this bacchanalian revel was inflamed into national frenzy—that this riot of naked vice was to be punished and extinguished by the dungeon and the scaffold?

Walpole, though formed in courts, fashioned in politics, and a haunter of high life to the last, now and then exhibits a feeling worthy of a manlier vocation, and an honester time. "If I do not forbid myself censure," says he, "at least I shall shun that poison of histories, flattery. How has it predominated in writers. My Lord Bacon was almost as profuse of his incense to the memory of dead kings, as he was infamous for clouding the memory of the living with it. Commines, an honester writer, though I fear, by the masters whom he pleased, not a much less servile courtier, says that the virtues of Louis XI. preponderated over his vices. Even Voltaire has in a manner purified the dross of adulation which contemporary authors had squandered on Louis XIV. by adopting and refining it after the tyrant was dead."

He then becomes courageous, and writes in his castle of Strawberry Hill, what he never would have dared to breathe in the circle of St. James's. "If any thing can shock one of those mortal divinities, and they must be shocked before they can be corrected, it would be to find, that the truth would be related of them at last. Nay, is it not cruel to them to hallow their memories. One is sure that they will never hear truth; shall they not even have a chance of reading it?"

In all great political movements, where the authority of a nation has been shaken, we are strongly inclined to think that the shock has originated in mal-administration at home. Some of the most remarkable passages in these volumes relate to our early neglect of the American Colonies. In the perpetual struggles of public men for power, the remote world of the West seemed to be wholly forgotten, or to be remembered only when an old governor was recalled, or a new creature of office sent out. Those great provinces had been in the especial department of the Secretary of State, assisted by the Board of Trade. That secretary had been the Duke of Newcastle, a man whose optics seem never to have reached beyond Whitehall. It would scarcely be credited, what reams of papers, representations, memorials, and petitions from that quarter of the world lay mouldering and unopened in his office. He even knew as little of the geography of his province, as of the state of it. During the war, while the French were encroaching on the frontier; when General Ligonier hinted some defence for Annapolis, he replied in his evasive, lisping hurry, "Annapolis. Oh, yes, Annapolis must be defended—Where is Annapolis?"

But a more serious impolicy was exhibited in the neglect of American claims to distinctions and offices. No cabinet seems ever to have thought of attaching the rising men of the colonies, by a fair and natural distribution of honours. Excepting a few trifling offices, scarcely more than menial, under the staff of the British governors, or commissions in the provincial militia, the promotion of an American was scarcely ever heard of. The result was natural,—the English blood was soaked in the American veins; the original spirit of the colonist became first sullen, and then hostile. It was natural, as the population grew more numerous; while individual ability found itself thwarted in its progress, and insulted by the preference of strangers to all the offices of the country, that the feelings of the people should ponder upon change. Nothing could be more impolitic than this careless insult, and nothing more calamitous in its consequences. The intelligent lawyer, the enterprising merchant, the hardy soldier, and America had them all, grew bitter against the country of their ancestors. It would scarcely be believed, that the Episcopal Church was almost wholly abandoned to weakness, poverty, and unpopularity, and even that no bishop was sent to superintend the exertions, or sustain the efficacy, or cement the connexion of the Church in America with the Church in England. The whole of the united provinces were, by the absurd fiction of a sinecure law, "in the diocese of London!" Of course, in the first collision,
[Pg 208] the Church was swept away like chaff before the wind. An Episcopal Church has since risen in its room; but it has now no farther connexion with its predecessor than some occasional civilities offered to its tourist bishops on presenting their cards at Lambeth, or the rare appearance of a volume of sermons transmitted to our public libraries.

Another capital fault was committed in the administration of those great colonies: they had been peopled chiefly by emigrants of the humbler order. Leaving England chiefly in times of national disturbance, they had carried with them the seeds of republicanism; but all men love public honours, and Englishmen love them as much as any others. Hereditary honours, too, are the most valuable of all, from their giving a certain rank to those objects of our regard, which every honest and high-minded man values most, his children. To be the founder of a family is the most honourable, the most gratifying, and the most permanent reward of public talents. The Americans of our day affect to abhor a peerage; though no people on earth are more tenacious of the trifling and temporary titles of office. Nothing could have been easier at this period, than the

creation of an aristocracy in America; and nothing could have been wiser. The landed proprietors, and there were some of vast possessions; the leading men of commerce, and there were some of great wealth; and the principal lawyers, and there were men of eloquence and ability among them—would have formed the *nucleus* of an aristocracy purely English, closely connected with the English throne as the fountain of honour, and not less strongly bound to English allegiance. An Episcopacy, of all ties the most powerful, required only a word for its creation. And in this manly, generous, and free-spirited connexion, the colonies would have grown with the growth of England; have shunned all the bitter collisions of rival interests; have escaped the actual wars which inflicted disaster on both; and, by the first of all benefits to America, she would have obtained the means of resisting that supremacy of faction, which is now hurrying her into all the excesses of democracy.

In Canada we are still pursuing the same system, inevitably to be followed by the same fruits. We are suffering it to be filled with men of the lowest order of society; with the peasant, the small dealer, the fugitive, and the pauper. Those men no sooner acquire personal independence, than they aim at political. But who ever hears of a title of honour among even the ablest, the most gallant, or the most attached of the Canadian colonists? The French acted more rationally. Their Canadians have a noblesse, and that noblesse to this moment keep their station, and keep up the interest of France in Canada. Our obvious policy would be, to conciliate the leading men by titles of honour, to conciliate the rising generation by giving them the offices of their own country, and make it a principle of colonial government, that while the command of the forces, or the governor-generalship should be supplied from home, every office below those ranks should be given to those brave and intelligent individuals of the colony who had best earned them. We should then hear of no factions, no revolts, and no republicanism in Canada.

It is a curious contrast to the present state of things, that during the long reign of George II. government was simply a game. Half a dozen powerful men were the players. The king was merely the looker on, the people knew no more of the matter than the passers by through Pall-Mall know of the performances going on within the walls of its club-houses. It must shock our present men of the mob to hear of national interests tossed about like so many billiard balls by those powdered and ruffled handlers of the cue. Yet every thing is to be judged of by the result. Public life was never exhibited on a more showy scale. Parliament never abounded with more accomplished ability. England never commanded higher influence with Europe. If her commerce has since become more extensive, it was then more secure, and if the victories of our own time have been on a scale of magnitude, which throws the past into the shade, our fleets and armies
[Pg 209] then gave proofs of a gallantry which no subsequent triumphs could transcend.

It cannot be doubted, that the habits of that rank to which the statesmen of that day were born, naturally influenced their views of political transactions. Though party unquestionably existed in all its force among them, there was no faction. If there was a strong competition for power, there was little of the meanness of modern intrigue; and a minister of the days of George II. would no more have stooped to the rabble popularity, than he would have availed himself of its assistance or dreaded its alienation.

We now come to one of those negociations which, like a gust of wind against a tree, while they seemed to shake, only strengthened the cabinet. A violent attack had been made in the house upon Sir Thomas Robinson, a great favourite with the king. Walpole strikes off his character with his usual spirit. Sir Thomas had been bred in German courts, and was rather restored, than naturalised to the genius of Germany. He had German honour, loved German politics, and "could explain himself as little" as if he spoke "only German." Walpole attributes Sir Thomas's political distinctions simply to Newcastle's necessity for finding out men of talents inferior to his own, "notwithstanding the difficulty of the discovery." Yet if the duke had intended to please his master, he could not have done it more happily than by presenting him with so congenial a servant. The king, "with such a secretary in his closet, felt himself in the very Elysium of Herenhausen."

Then follows a singular conversation between the king and Fox. The Duke of Newcastle saw his power tottering, and had begun to look out for new allies. His first thought was to dismiss Pitt, the next and more natural, was to "try to sweeten Fox." Accordingly, on the morning of the 29th, the king sent for Fox, reproached him for concurring to wrong Sir Thomas Robinson, and asked him if he had united with Pitt to oppose his measures. Fox assured him he had not, and that he had given his honour that he would resign first. Then, said the king, will you stand up and carry on my measures in the House of Commons, as you can do with spirit. Fox replied, I must know, sir, what means I shall have. "It would be better for you," said the king, "you shall have favour, advantage, and confidence," but would not explain particulars, only asking if he would go to the Duke of Newcastle.

"I must, if you command me," said Fox, "go and say I have forgot every thing."

"No," replied the king, "I have a good opinion of you. You have abilities and honesty, but you are too warm. I will send a common friend, Lord Waldegrave. I have obligations to you that I never mentioned. The prince tried you, and you would not join him, and yet you made no merit of it to me."

Mingled with these memoirs are appendices of anecdote, and those anecdotes generally of remarkable characters. Among the rest is a sketch of the famous Count Bruhl, one of those men who figured in Europe as the grand burlesque of ministerial life, or rather of that life, which in the East raises a slave into the highest appointments of the state, and after showing him as a

slipper-bearer, places him beside the throne. The extravagances of the court of Saxony at that period were proverbial, the elector being King of Poland, and lavishing the revenues of his electorate alike on his kingdom and person. While the court was borrowing at an interest of ten per cent. the elector was lavishing money as if it rained from the skies. He had just wasted £200,000 sterling on two royal marriages, given £100,000 sterling for the Duke of Modena's gallery of pictures, given pensions in Poland amounting to £50,000 sterling above what he received, and enabled Count Bruhl personally to spend £60,000 a-year.

This favourite of fortune, originally of a good family, was only a page to the late king, and had the education of a page. By his assiduity, and being never absent from the king's side, he became necessary to this marvellously idle monarch; he himself, next to the monarch, being, probably, the idlest man in his dominions. The day of a German prime minister seems to have been a
[Pg 210] succession of formal idlenesses. Bruhl rose at six in the morning, the only instance of activity in his career. But he was obliged to attend the king before nine, after having read the letters of the morning. With the king he staid until the hour of mass, which was at eleven. From mass he went to the Countess Moyensha, where he remained till twelve. From her house he adjourned to dinner with the king, or to his own house, where he was surrounded by a circle of profligates, of his own choosing. After dinner he undressed, and went to sleep till five. He then dressed, for the second time in the day, each time occupying him an hour. At six he went to the king, with whom he staid till seven. At seven he always went to some assembly, where he played deep, the Countess Moyensha being always of the party. At ten he supped, and at twelve he went to bed. Thus did the German contrive to mingle statesmanship with folly, and the rigid regularities of a life not to be envied by a horse in a mill, with the feeble frivolities of a child in the nursery. His expenses were immense; he kept three hundred servants, and as many horses. Yet he lived without elegance, and even without comfort. His house was a model of extravagance and bad taste. He had contracted a mania for building, and had at least a dozen country seats, which he scarcely ever visited. This enormous expenditure naturally implied extraordinary resources, and he was said to sell all the great appointments in Poland without mercy.

Frederick of Prussia described him exactly, when he said, that "of all men of his age he had the most watches, dresses, lace, boots, shoes, and slippers. Cæsar would have put him among those well dressed and perfumed heads of which he was not afraid." But this mixture of prodigality and profligacy was not to go unpunished, even on its own soil. Bruhl involved Saxony in a war with Frederick. Nothing could be more foolish than the beginning of the war, except its conduct. The Prussian king, the first soldier in Europe, instantly out-manœuvred the Saxons, shut up their whole army at Pirna; made them lay down their arms, and took possession of Dresden. The king and his minister took to flight. This was the extinction of Bruhl's power. On his return to Dresden, after peace had been procured, he lost his protector, the king. The new elector dismissed him from his offices. He died in 1764.

Some scattered anecdotes of Doddington are characteristic of the man and of the time. Soon after the arrival of Frederick Prince of Wales in England, Doddington set up for a favourite, and carried the distinction to the pitifulness of submitting to all the caprices of his royal highness; among other instances, submitting to the practical joke of being rolled up in a blanket, and trundled down stairs.

Doddington has been already spoken of as a wit; and even Walpole, fastidious as he was, gives some instances of that readiness which delights the loungers of high life. Lord Sunderland, a fellow commissioner of the treasury, was a very dull man. One day as they left the board, Sunderland laughed heartily about something which Doddington had said, and, when gone, Winnington observed, "Doddington, you are very ungrateful. You call Sunderland stupid and slow, and yet you see how quickly he took what you said." "Oh no," was the reply, "he was only now laughing at what I said last treasury day."

Trenchard, a neighbour, telling him, that though his pinery was extensive, he contrived, by applying the fire and the tan to other purposes, to make it so advantageous that he believed he got a shilling by every pine-apple he ate. "Sir," said Doddington, "I would eat them for half the money." Those are but the easy pleasantries of a man of conversation. The following is better: Doddington had a habit of falling asleep after dinner. One day, dining with Sir Richard Temple, Lord Cobham, &c., he was reproached with his drowsiness. He denied having been asleep, and to prove his assertion, offered to repeat all that Cobham had been saying. He was challenged to do so. In reply, he repeated a story; and Cobham acknowledged that he had been telling it. "Well," said Doddington, "and yet I did not hear a word of it. But I went to sleep because I knew that,
[Pg 211] about this time of day, you would tell that story."

There are few things more singular than the want of taste, amounting to the ludicrous, which is sometimes visible in the mansions of public men, who have great opulence at their disposal. Walpole himself, when he became rich, was an instance of this bad taste in the laborious frivolity of his decorations at Strawberry hill. But in Doddington we have a man of fashion, living, during his whole career, in the highest circles, familiar with every thing that was graceful and classical in the arts, and yet exhibiting at home the most ponderous and tawdry pomp. At his mansion at Eastbury, in the great bed-chamber, hung with the richest red velvet, was pasted on "every panel of the velvet his crest, a hunting horn, supported by an eagle, cut out in gilt leather, while the footcloth round his bed was a mosaic of the pocket flaps and cuffs of all his embroidered clothes."

He was evidently very fond of this crest, for in his villa at Hammersmith, (afterwards the well known Brandenburg House,) his crest in pebbles was stuck in the centre of the turf before his

door. The chimney-piece was hung with spars representing icicles round the fire, and a bed of purple lined with orange, was crowned by a dome of peacock's feathers. The great gallery, to which was a beautiful door of white marble, supported by two columns of lapis lazuli, was not only filled with busts and statues, but had an inlaid floor of marble, and all this weight was above stairs. One day showing it to Edward, Duke of York, (brother of George III.) Doddington said, Sir, some persons tell me, that this room ought to be on the ground. "Be easy, Mr. Doddington," said the prince, "it will soon be there."

At length this reign, which began in doubt of the succession, and was carried on in difficulties both political and commercial, came to a close in the most memorable prosperity. The British arms were triumphant in every quarter, and the king had arrived at the height of popularity and fortune, when the sudden bursting of a ventricle of the heart, put an end to his life in October, 1760, in his seventy-seventh year, and the thirty-third of his possession of the throne.

A general glance at the reigns of the first three Georges, might form a general view of the operations of party. In other kingdoms, the will of the monarch or the talents of the minister, alone stand before the eye of the historian. In England, a third power exists, more efficient than either, and moulding the character of both, and this is party, the combination of able members of the legislature, united by similarity of views, and continuing a systematic struggle for the supremacy. This influence makes the minister, and directs even the sitter on the throne. And this influence, belonging solely to a free government, is essential to its existence. It is the legitimate medium between the people and the crown. It is the peaceful organ of that public voice which, without it, would speak only in thunder. It is that great preservative principle, which, like the tides of the ocean, purifies, invigorates, and animates the whole mass, without rousing it into storm.

The reign of George the First, was a continual effort of the constitutional spirit against the remnants of papistry and tyranny, which still adhered to the government of England. The reign of the second George was a more decided advance of constitutional rights, powers, and feelings. The pacific administration of Walpole made the nation commercial; and when the young Pretender landed in Scotland, in 1745, he found adherents only in the wild gallantry, and feudal faith of the clans. In England Jacobitism had already perished. It had undergone that death from which there is no restoration. It had been swept away from the recollections of the country, by the influx of active and opulent prosperity. The brave mountaineer might exult at the sight of the Jacobite banner, and follow it boldly over hill and dale. But the Englishman was no longer the man of feudalism. The wars of the Roses could be renewed no more. He was no longer the fierce retainer of the baron, or the armed vassal of the king. He had rights and possessions of his own, and he valued both too much to cast them away in civil conflict, for claims which had become
[Pg 212] emaciated by the lapse of years, and sacrifice freedom for the superstitious romance of a vanished royalty.

Thus the last enterprise of Jacobitism was closed in the field, and the bravery of the Highlander was thenceforth, with better fortune, to be distinguished in the service of the empire.

The reign of the third George began with the rise of a new influence. Jacobitism had been trampled. Hanover and St. Germains were no longer rallying cries. Even Whig and Tory were scarcely more than imaginary names. The influence now was that of family. The two great divisions of the aristocracy, the old and the new, were in the field. The people were simply spectators. The fight was in the Homeric style. Great champions challenged each other. Achilles Chatham brandished his spear, and flashed his divine armour, against the defenders of the throne, until he became himself the defender. The Ajax, the Diomede, and the whole tribe of the classic leaders, might have found their counterparts in the eminent men who successively appeared in the front of the struggle; and the nation looked on with justified pride, and Europe with natural wonder, at the intellectual resources which could supply so noble and so prolonged a display of ability. The oratorical and legislative names of the first thirty years of the reign of George the Third have not been surpassed in any legislature of the world.

But a still more important period, a still more strenuous struggle, and a still more illustrious triumph, was to come. The British parliament was to be the scene of labours exerted not for Britain alone, but for the globe. The names of Pitt, Fox, Burke, and a crowd of men of genius, trained by their example, and following their career, are cosmopolite. They belong to all countries and to all generations. Their successes not only swept the most dangerous of all despotisms from the field, but opened that field for an advance of human kind to intellectual victories, which may yet throw all the trophies of the past into the shade.

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MILDRED:

A TALE.

CHAPTER VII.

"To-morrow we quit Rome," said Mildred; "let us spend the day in quest of nothing new, but in a farewell visit to some of our first and oldest friends. How soon does that which we very much

admire, come to be an old friend!"

Winston felt the same inclination as herself; but Mr. and Miss Bloomfield, since nothing new was to be seen, preferred to stay at home and rest themselves, in anticipation of the morrow's journey. Winston and Mildred therefore started together.

They entered a carriage and drove to St. Peter's; alighting, however, at the entrance of the magnificent colonnade which extends before it. The last visit we pay to any remarkable place bears a strong resemblance to the first; for the prospect of quitting it revives the freshness of the scene, and invests it for a second time with something like the charm of novelty. As it broke on us before from a past spent in ignorance of it, so now we seem to look out on it from the long anticipated absence of the future.

"Standing at the extremity of the colonnade," said Winston, "how diminutive seem the men who are ascending the broad flight of steps that lead to the church itself; and the carriages and horses drawn up at the bottom of those steps look like children's toys. Men have dwarfed themselves by their own creations."

"Who is it," said Mildred, "that in his oracular criticism pronounced this colonnade, beautiful as it is, to be disproportioned to the building, and out of place. Whoever it was, he must have excogitated the idea at a distance, and in some splenetic humour; it never could have entered through his eyesight standing here. Had there been a portico to the church, such as we are told Michael Angelo intended, resembling that of the Pantheon, then this colonnade might have been unnecessary—it would always have been a beautiful addition—but with so flat a façade, (the only part of the building, I think, which disappoints expectation,) I pronounce the colonnade to be absolutely essential. Without it the temple would never seem to invite, as it does and ought to do, the whole Christian world to enter it. Oh, if it were only to girdle in those two beautiful fountains, it were invaluable."

"Beautiful indeed! Such should fountains be," said Winston. "The water, in its graceful and noble play, should constitute the sole ornament. If you introduce statuary, the water should be an accessary to the statue, and no longer the principal ornament."

"How I abominate," said Mildred, "all those devices for spirting water out of the mouths of animals! It is a constant surprise to me that a taste so evidently revolting to all our natural associations, should be still persevered in. To leave unmentioned more odious devices, I can never pass without a sense of the disagreeable and the offensive, even those lions or leopards, whichever they may be, in the *Piazza del Popolo*, who are abundantly supplying the inhabitants with water through their mouths. And where the fountain is made to play over the statue, what a discoloured and lamentable appearance it necessarily gives to the marble! Let the river god, if you will, lean safe and tranquil over his reversed and symbolic pitcher: or at the feet of some statue, half surrounded by foliage, let the little fountain be seen playing from the ground; but keep the statue out of the water, and oh, keep the water out of the statue!"[17]

[Pg 214] They ascended the broad flight of steps, and seemed now to feel themselves dwarfs as they mounted—and entered the portico. Here are several groups of allegorical figures, and to the right and left the equestrian statues of Charlemagne and Constantine.

"I am not surprised," said Mildred, "at the mistake of a countryman of ours, who took Charlemagne for St. Paul. One would more naturally look for the apostle here."

"What! than the great benefactor of the Papacy! I rather suspect," replied Winston, "that St. Paul would find himself less at home in this temple than Charlemagne. What think you of these colossal allegories? Here we have Truth, with her invariable mirror."

"Which mirror, it has always appeared to me," said Mildred, "has a very poor significance. It reflects faithfully the surface of all things. But this is not the sort of truth we care much about."

"But it reflects *faithfully*."

"That would rather illustrate the good moral lesson to *speak* the truth, than the exalted effort to attain it."

"Here the lady—and a very sweet face she has—is looking at herself in the mirror. This must represent, I suppose, metaphysic truth."

"If so, that must be the reason," rejoined Mildred, "that she is placed here outside the temple. I am afraid she will never enter it. But we will." And they proceeded into the church.

"What an admirable effect has this high altar!" said Winston, in a subdued exclamation. "Standing as it does in the centre, just beneath the dome, and so justly proportioned, it at once occupies the whole building, and explains its purpose to the eye. I cannot agree with the criticism which has objected to the twisted column in a position like this. These four bronze and gilded pillars—how
[Pg 215] lofty they are!—sustain nothing of greater weight than the canopy above them, and are here as much in the character of ornament as support. The dove, in its golden atmosphere of glory, the representation of the Holy Spirit, which is indeed at the extremity of the church, seems brought within them, and to be floating between the columns. In every picture or engraving I have seen, the contrary effect is produced, and the high altar, losing its central position, seems transferred, with the dove in it, to the extremity of the church."

"And this semicircle of small burning lamps, arranged in their mystical trinities on the marble balustrade before it; and this double flight of stairs," continued Winston, as they approached the altar, and looked over the balustrade, "leading down to those brazen doors below, before which other burning lamps are suspended; and that marble figure of the Pope kneeling before them, kneeling and praying incessantly for the people—it is altogether admirable!"

"The light of lamps and tapers," said Mildred, "burning in midday, had upon me at first an incongruous effect; they seemed so superfluous and out of place. But after a little reflection, or a little habit, they ceased to make this impression. The lamp and the taper are not here to *give* light, but to *be* light. The light is a mystical and brilliant ornament—it is here for its own sake—and surely no jewellery and no burnished gold could surpass it in effect. These brazen lamps round the altar, each tipped with its steady, unwavering, little globe of light, are sufficiently justified by their beauty and their brightness. In the light of the taper, as in the water of the fountain, the ordinary purposes of utility are forgotten—enough that it is beautiful."

"How admirable the arrangement," said Winston, "of the tombs of the pontiffs! The sculpture on them seems as much a part of the church as of the monument. That kneeling figure of Clement XIII., kneeling upon its exalted tomb—I shall see it whenever I think of St. Peter's. It is here, and not in the Vatican, that Canova triumphs. That genius of Death, reclining underneath the pontiff, with his torch reversed—what could be more expressive, more tender, more melancholy! And Faith, or Religion, whichever she may be, standing upright on the opposite side, and leaning her outstretched hand *with force* upon the marble—is a noble figure too. But I could willingly have dispensed with those spikes around her head, signifying rays of light."

"It is a fortunate subject for the artist, that of the Pope," said Mildred. "Being a temporal prince, a high-priest, and it is to be supposed, a saint, he can be represented in all attitudes; in the humility of prayer, or the dignity of empire. Yonder he rises, blessing the people, and here he sits enthroned, giving out the law, and Religion is looking up to him! Have you observed this monument to our James II.?—who certainly deserved a tomb in St. Peter's, since he paid the price of a kingdom for it. It is one of the least conspicuous, but not one of the least beautiful of Canova's. Those two youthful figures leaning their brows each on his inverted torch—standing sentinels by that closed door—are they not inexpressibly graceful? And that closed door!—so firmly closed!—and the dead have gone in!"

"Mildred Willoughby," said Winston, "you are a poet."

It was the first time he had ever called his companion by her Christian name. It was done suddenly, in the moment of admiration, and her other name was also coupled with it; but he had no sooner uttered the word "Mildred" than he felt singularly embarrassed. She, however, by not perceiving, or not seeming to perceive his embarrassment, immediately dissipated it.

"If I were," said she, "to tell me of it would for ever check the inspiration. To banish all suspicion of poetry, let me make a carping criticism, the only one, I think, which the whole interior of this edifice would suggest to me. I do wish that its marble pillars could be swept clean of the multitudes of little boys that are clinging to them—cherubs I suppose they are to be called. By breaking the pillar into compartments, they destroy the effect of its height. *Little*, indeed, they
[Pg 216] are not; they are big enough. A colossal infant—what can be made of it? And an infant, too, that must not smile, or he might be taken for a representative of some other love than the celestial?"

"Ay, and do what the artist will," said Winston, "the two Loves often bear a very striking resemblance. In the church of St. Giovanni, amongst their wreaths of flowers, the cherubs have a very Anacreontic appearance."

"But away with criticism. One farewell look," cried Mildred, "at this magnificent dome. How well all its accessaries, all its decorations, are proportioned and harmonised—growing lighter as they rise higher. Here at the base of each of the four vast columns which support it, we have gigantic statuary—seen and felt to be gigantic, yet disturbing nothing by its great magnitude—just above the columns those exquisite bas-reliefs—next the circular mosaics—then the ribbed roof, so chastely gilded and divided into compartments, distinct yet never separated from the whole—it is perfection!"

They bade farewell to St. Peter's; and, in pursuance of their design, re-entered their carriage and drove to its great dilapidated rival—the Coliseum.

"No dome here but the wide heavens," said Winston, as they approached the vast circular ruin rising arch above arch into the air. "How it scales, and would embrace the sky! Verily these old Romans seemed to have no idea that any thing was to come after them; they lived and built upon the earth as if they were the last types of the human species."

"Mutability and progress are modern ideas; they had not attained to them," said Mildred.

They walked partly round the interior, looking through the deep arches, overhung with verdure, and regretting the patches here and there too perceptible of modern masonry, and still more the ridiculous attempt, by the introduction of some contemptible pictures, or altar pieces, in the arena, to *christianise* the old heathen structure. They then ascended to the summit to enjoy the prospect it commands, both of the distant country, the beautiful hills of Italy, and of the neighbouring ruins of ancient Rome.

"How plainly it is the change of religion," said Winston, "which gives its true antiquity to the past!

All that we see of ancient Rome bears the impress of Paganism; every thing in the modern city, of Catholicism. It is this which puts the great gulf between the two, and makes the old Roman to have lived, as it seems to us, in a world so different from our own. Strange! that what in each age is looked upon as pre-eminently unchangeable and eternal, should by its transformations mark out the several eras of mankind. Ay, and this religion which now fills the city with its temples—which I do not honour with the name of Christianity—will one day, by its departure from the scene, have made St Peter's as complete an antiquity as the ruins we are now sitting on."

"I notice," said Mildred, "you are somewhat bitter against Catholicism."

"I was tolerant when at a distance from it, and when again at a distance I shall perhaps grow tolerant again. But a priesthood, not teaching but ruling, governing men in their civil relations, seizing all education into its own hand, training the thinking part of the community to hypocrisy, and the unthinking to gross credulity—it is a spectacle that exasperates. I used in England to be a staunch advocate for educating and endowing the Roman Catholic priesthood of Ireland. I shall never, I think, advocate that cause again. To educate this priesthood,—what is it but to perfect an instrument for the restraining and corrupting the education of all the rest of the people? To endow this priesthood,—what else would it be but to give them an additional influence and power, to be used always for their own aggrandisement, and the strengthening of their own usurpations? The donative of a Protestant government would not make them dependent upon that government; they have sources of wealth in their own superstitions; they draw their vitality, and strike their roots, in a far other soil than the crafty munificence of an opponent. They would use the gift as best it pleased them, and defy a government—anxious only for peace—to withdraw
[Pg 217] it. No! even if the tranquillity of the empire should require the two churches to be placed on an equal footing, I still would not endow the Roman Catholic.—But pardon me,—what have we to do with the politics of England here?"

"I cannot tell you," said Mildred, quite acquiescing in this dismissal of the subject. "I cannot tell you what a singular pleasure it gave me when I first saw the *classic* ruin—the few upright Corinthian pillars with their entablature across them, and the broken column lying at their feet—which the pictures of Claude make us so familiar with. It must be confessed, that the back-ground of my picture—such as the *Campo Vaccino* afforded me—was not exactly what a Claude would have selected. How different in character and significance are the two ruins—the classic and the romantic! The one square, well-defined, well-proportioned, speaks of an age of *order*,—when Time stood still a little, and looked with complacency on what he was about; the other, with its round towers of unequal height, its arches of all shapes and dimensions, full of grandeur, but never exhibiting either completeness or congruity, tells us clearly of a period of turmoil and disorder, and great designs withal,—when Time had struck his tent, and was hurrying on in confused march, with bag and baggage, knight, standard, and the sutler's wagon all jumbled together.—Let us, on our return, pass through that group of desolate Corinthians; and, looking in at the Capitol, bid farewell to the *Dying Gladiator*."

In retracing their steps, they therefore passed through the old forum, and then ascending the Capitol, entered the museum there, and renewed their impression of that admirable statue. What pain!—but pain overmastered—on that brow, as he sinks in death! Nor was the charming little group of *Cupid and Psyche* forgotten. That kiss! it merits to be eternised. In *his* love, what delight! In *hers*, what devotion!

"But above all," said Mildred, "let us do reverence, before we part, to *Aristides the Just*. How self-contained! Austere—the lover more of virtue than of man. Full of his grand abstractions, he asks for nothing even of the gods. Let them do justice! Nay, let them submit to justice too! Great leveller! Is not virtue so uncompromising as this, very near to rebellion against the gods and destiny?"

CHAPTER VIII.

The next morning the whole party were packed in their travelling carriage to start from Rome. Winston had no longer refused that fourth seat which had been destined for him at Genoa. To say nothing of some diminution of expense (a very worthy subject of consideration with all travellers,) it was a great relief to Mr. Bloomfield to have a second gentleman in their party. It decreased materially his own share of personal trouble. Besides which, the travelling experience of Winston, and his more familiar acquaintance with the Italian, rendered him very acceptable. Mildred had generally acted as interpreter; and so long as the speaker would answer in the same pure Tuscan in which she addressed him, she could perform the office admirably well. But unfortunately, the traveller in Italy has most need for his Italian exactly where any thing but pure Tuscan is spoken. She could always succeed in making herself understood; but was often sadly at a loss to understand that answer which, with all due dexterity, she had elicited.

On they now rattled through the streets of Rome. What rags upon those beggars! Patches of all colours, red, blue, brown; but worn with such an air of calm assurance, as if the garment of many colours had been bestowed on the most favoured son of humanity. They passed the peasant dame, or damsel, in her gaudy attire, with gold comb and ear-rings glittering in her jet black hair, and that square folded handkerchief on her head, which we always associate with the bandit's wife; and amidst the squalid populace there appeared now and then, quite distinct from the rest,
[Pg 218] a form or face of some youth, or maiden, or old man, that might have issued from the canvass of Raphael. The apostles of the old masters, at least, are walking still about Rome; and sometimes a

Virgin Mary is seen sitting at the door, and still more often a young John the Baptist looks up to you from the pavement. Their own postilion reminded the whole party of the *Suonatore di Violino* of Raphael—whose fiddlestick, by the way, being that of a bass viol, might at first sight be mistaken for a folded riding-whip.

On they pass by the beautiful church of St. Giovanni, the statues on the roof and over the portico of which have at least one point of resemblance with their saintly prototypes—they are standing out there in the clear blue heavens, to which, and not to the earth, they seem to belong. At the Port Sebastian they are detained by a string of wine-carts, each drawn by one horse, with his plume of black feathers on his head, and each cart furnished with its goatskin umbrella, under the shade of which the driver lies fast asleep. Then follow a long cavalcade of peasants, mounted on mules or asses—*mounted* of a truth, for they sit on a high wooden saddle, their arms folded under their long brown cloaks, and a black pointed hat upon their heads. Strange figures!

"A flower in *that* hat!" exclaimed Mildred, as one passed her with a beautiful carnation stuck into a beaver, which, except that it retained its pyramidal form, and was there upon a human head, could not have been recognised as *hat* at all. "And he wears it seriously," she continued, "serenely—without the least feeling of incongruity. Oh, I like that!"

Getting clear of this train, they advanced through the gate into the open country. To their left the old aqueduct extended on the horizon its long line of ruined arches; to the right the plain was dotted with mere massive fragments of undistinguishable ruin, looking like what the geologists call boulders. The trace of man's labour was lost in them; the work of the artificer had come to resemble the rudest accident of Nature.

And so Rome was left behind.

"Is that smoke or a cloud," asked Miss Bloomfield, "that rests so constantly upon that mountain?"

"It is Vesuvius! Vesuvius!" exclaimed the rest of the party.

But they found themselves in a position, at that moment, the least of all favourable to enthusiastic emotions. Their carriage was delayed at the entrance into Naples, in the middle of a wide road, the hottest and the dustiest that can be imagined. There they were arrested to undergo the examination and the extortions of the custom-house gentry. Poor Mr. Bloomfield was in a fever. His passport had been asked for six several times between Rome and Naples, and each time solely, as it seemed, to extract a gratuity. Even the military guard stationed at the gates of the towns had begged. No one in Italy seemed to speak to him but to beg, or to *lay the foundation*, as a lawyer would say, for a begging question. And now these fellows were examining, or pretending to examine his baggage, and were evidently resolved to keep them there, in the sun and the dust, till they had paid a sufficient ransom. In this position it was that Winston and Mildred were, by stolen glances, taking their first survey of the burning mountain. By stolen glances, because they were compelled from a certain feeling of politeness to share in the anxieties and chagrin of Mr. Bloomfield. For themselves, they both agreed it was much better to submit quietly, and at once, to all these impositions; even if there were a fair chance, after much controversy, of a successful resistance. There is surely no money so well laid out as that which purchases equanimity.

They were extricated at length, and the carriage rattled on into Naples. Mr. Bloomfield had written to procure apartments in the quarter of the *Chiaja*, opposite the Villa Reale, (or royal gardens.) To these therefore they drove. Winston of course found his way to an hotel.

That evening he walked out to look at the burning mountain. It was now, and during the whole period of their stay, in a state of great activity, which some dignified with the name of an
[Pg 219] eruption. As Winston watched its burning summit across an angle of the bay, he thought he had never seen any thing which so completely *fascinated* the eye. The flame alternately rising and falling leads the spectator every moment to expect something more than he has hitherto seen, and that *now* it is about to burst forth. And even at this distance it is so evidently not a fire *upon* but *within* the mountain, from the manner in which the flame sinks down, and that red metallic glare which shoots along the rocky summits and cavities, here the fire is not visible. Yet fascinating as the object was, it did not entirely rivet the thoughts of Winston. To his own surprise and confusion, he found that he, a professed admirer of nature, was standing, for the first time, by the bay of Naples, under the beautiful star-light of Italy, watching one of the most magnificent of nature's wonders with a divided and distracted mind. All this scene, and all its novelty, could not keep Mildred from his thoughts. Evidently he was a lost man.

And who or what, after all, was Alfred Winston? The, question, it may be supposed, had often occurred to the Bloomfields. That he was an artist, was a conjecture long ago given up; he travelled with no portfolio, and was never known to use the pencil. That he was a literary man was also contradicted by his own straightforward unaffected denials; if he had cultivated his mind, it was solely for the pleasure or profit accruing to himself. The manner in which his time was at his own disposal, seemed to contradict the idea that he belonged to any of the learned professions. What could he be therefore but simply a gentleman? And such they had satisfied themselves, from many reasons, that he was. But there are gentlemen and gentlemen—rich, and poor. To which of these two classes did he belong? Question of questions. The moment it is asked how all vain enchantments are dispersed! how the bare earth shows itself directly beneath our

feet! Where is now the bay of Naples, and star-light, and Vesuvius? Is he rich or poor?

One word on the father of Alfred Winston will best explain his own present position in the world. That father was one of a class of men altogether inexplicable, quite unintelligible to sober-minded and methodical persons; and yet the class is not so very rare. He was of good birth and fortune, of agreeable manners, and witty conversation, but utterly destitute of all prudential, all providential care, whether for himself or others. He was born to an ample estate; and, fond of pleasure as he was, he might have found it sufficient, with very little effort of prudence, to gratify all his tastes. But from the very commencement of his career, he entered upon the ruinous practice of "eating the land with the revenue," and continued, in this manner, consuming every year more of land and less of revenue. He early lost his wife. He had been an amiable husband, and manifested a decorous sorrow on the occasion; but could not disguise from his intimate friends the pleasure he felt at the recovery of his bachelor freedom. He hated the necessity of having to yield his own inclinations to another; though he hated still more the alternative of having to dispute with that other for liberty to follow his own inclinations.

After the decease of his wife, the elder Winston lived, for the most part, a roaming life upon the Continent. A little intrigue, a little gaming, the dinner, and the opera, sufficiently filled up the time of one who, while he courted pleasure, was not difficult in his amusements. And for *this* he could continue, with the utmost calmness and freedom from anxiety, a scale of expenditure which was rapidly dissipating his hereditary estates. His son he treated with indulgence and liberality, and when he saw him, which was seldom, with great kindness of manner. He encouraged him in all the idle and expensive habits of a gentleman of fortune, while he was utterly destroying the property which could alone support them.

He died suddenly; a fever carried him off at the age of fifty. Had he lived three years longer, he would have spent every shilling he possessed. What had he intended to do *then*? It is impossible to say. To all appearance he had never entertained the question. When young Winston had paid
[Pg 220] off his father's debts and his own, he who had expected to enter into an ample revenue found himself in the possession only of a few thousand pounds. This was all his patrimony. What to do he had not yet resolved; but this reverse had not prevented him from accomplishing a long cherished wish of visiting Italy. Some idea also was floating in his mind that perhaps he should select some place upon the Continent where to reside permanently upon the small pittance that was left to him.

It will be now seen at a glance, why it was that Winston fled from the attractions of Mildred at Genoa: he knew himself to be poor, and had become acquainted with the peculiar, and perhaps dependent, position in which Miss Willoughby stood. No one will blame him for running away from Genoa; but ought he to have lingered at Rome? We fear our friend was not remarkable for resolution of character. He had ardent feelings, and to counteract them he had just perceptions of what life demands from us; but he lacked, evidently, in steadiness of purpose.

And what now *could* he do? Flight, as at Genoa, was out of the question. He could not, by any rude or abrupt behaviour, forfeit that share of Mildred's esteem which he possessed. On his way back to his hotel he resolved—it was the utmost that his prudence suggested—that he would take occasion quietly and unostentatiously to intimate that, like Bassanio,

> "All the wealth he had
> Ran in his veins, he was a gentleman."

It would then be seen by Miss Willoughby, as clearly as by himself, that his *attentions*, to use the appropriate phrase, *meant nothing*. What might follow would be a torture merely to himself—the torture of a hopeless passion. She would know how to regulate her own feelings towards him. He alone should be the sufferer.

Very fallacious reasoning! If he with his eyes open loved and suffered, how could he tell but that Mildred might do the same? and this quiet intimation of certain barriers and impediments to his passion was likely to prove—as indeed it did prove—little better than a declaration of love, and not the less ardent because coupled with avowals of despondency.

Meanwhile, having made this concession to the cause of prudence and his honour, he resigned himself to the charms of Mildred's society. Every day brought some new excursion to scenes of surpassing beauty, in companionship with one of the most lovely and gifted of women. Winston's theory, that what is most beautiful in nature ought to be enjoyed in solitude, was entirely overthrown. He cared to visit nothing unless in her society; nor was there any scene whatever in which her presence was not felt to be the higher gratification.

Mr. Bloomfield and his sister, after their first visit to some of the environs of Naples, felt little disposed to make any unusual exertion. They had both discovered that the bay was much the same whether viewed from the right side or the left, and that in this warm weather—it was now the month of May—the shady walks in the *Villa Reale*, or a promenade in the town, was to be preferred to a ride in an open carriage. To Mildred, on the contrary, almost every excursion, whatever its professed object, derived its chief attraction from the different points of view it presented her of that bay, which every hour seemed to make more lovely. It followed, therefore, that Winston and Mildred were sometimes left to proceed on their expedition alone. How the heart of Winston beat as he, handed her into the carriage, and took his seat beside her! It was something very like a curse which fell at that moment upon the memory of his selfish parent. Had he been fairly dealt with, it might have been his lot to hand her into a carriage of his own—and

hers.

Winston was almost in danger of forgetting the existence of Mr. Bloomfield; but habitual politeness so far prevailed, that he occasionally brought himself to listen to the account that gentleman gave of his own impressions or afflictions.

"I was never more disappointed," said Mr. Bloomfield on one of these occasions, "or rather, I was
[Pg 221] never more mistaken in any place in my life than in this town of Naples. I had heard much of lazzaroni lying about in the sun, eating maccaroni, and of the love of the people for gaudy colours and tinsel, even to the sticking gold-leaf and little flags of red paper upon the meat in the butcher's shop; and I had seen depicted the more curious costumes of man and horse, and especially this *curiculo*, as I believe they call it, which seems originally to have been like our old-fashioned one-horse chaise, but by the extension of the shafts into a sort of platform before and behind, and by means of a network suspended underneath between the wheels, has been made to hold a quite indefinite number of persons, and still remains a one-horse chaise, inasmuch as the whole cluster of mortals is generally carried on at a gallop by one little black horse, who, as some sort of compensation for the work they give him, is tricked out as fine as leather and brass nails, ribands and feathers, can make him. Well, out of all these materials I had contrived for myself a picture of utter and contented idleness on the one hand, and the extreme of hilarious activity on the other. I need not tell you how little such a picture answers to the reality, how little prepared I was to encounter the din, and more than Cheapside confusion of this main thoroughfare, the *Toledo* street. The impression which Naples actually makes, is of a city where noise and turmoil and confusion are at their very height. Carried one step further, "chaos would come again." There is the same incessant toil for gain as in London itself—as little of repose, as little of hilarity. Here is the spirit of trade without the order and method which trade should introduce. It is commerce bewildered, and passionate after pence. There are some parts of London more thickly stocked perhaps with carts and wagons, and carriages of all descriptions, but they are order itself compared to this *Toledo* street. Every thing one can desire to purchase, every thing one can desire to escape from, comes walking abroad upon its even, uniform pavement, where men and carriages are circulating together. Glass, and tea-trays, and crokery-ware, and haberdashery, all meet you in the street. You are running for dear life from some devil of a driver, who thinks that if he does but shout loud enough, he is at perfect liberty to break your bones, and you are stopt in your flight by an industrious chapman, who spreads his stock of pocket-handkerchiefs before your eyes. Men are walking about with live fowls, cocks, hens, turkeys, which they hold, head downwards, in a bunch, tied together by the legs. They are the quietest animals in the street. They seem to have been touched by the utter inutility of their loudest exclamations, and therefore to have resigned themselves in silence; only when some cart-wheel grazes that head of theirs, which they naturally hold up as high as possible, lest they should die of apoplexy, do they make any ineffectual attempt to call attention to their sufferings. Even money-changers, who, in all capitals of Europe, carry on their business with a certain dignity and decorum, are here to be seen, like our apple-women, ambulatory: they keep a stall with a sort of bird-cage upon it, between the wires of which are glistening a store of coins, gold, and silver, and much copper. I saw an old woman at one of these stalls laying down the rate of exchange. No doubt she knew her arithmetic that old crone, and made no mistake, at least on one side of the account. A couple of lads with a large trayful of spectacles and opera-glasses, were the great opticians of the day. I saw all sorts of men, priests among them, trying on spectacles in the jostle of this thoroughfare. The tailor and the hatter sit outside the door-way stitching. I look into a baker's shop, if that can be called a shop which is merely a square cavity laid open at the side near the street—it is verily a baker's, and bread is made there, for you may see the whole process carried on. Against the wall, on one side, a great wheel is turning—grinding the corn; at the opposite side stands a man up to his elbows in flour, kneading away with all his might; and in front of you, if you will wait a moment, you will see the fiery oven open, and the baked bread make its appearance—a sample of
[Pg 222] which is deposited in the wire safe that hangs up at the entrance, and serves for shop-window. Would that all handicrafts were but as peaceful! A few doors further on there is *Rafaelle Papa*, the copper-smith, hammering remorselessly at his copper pans. And, O heavens! the blacksmith himself has come out in the open air with his fire and his forge; he has established his smoking furnace in the only recess, the only place of refuge, the whole street afforded."

"And in the midst of all this, and at every corner, what heaps of beautiful flowers!" said Mildred. "It is curious, too," she added, "to see, moving through this Cheapside throng, the mendicant friar, cowled and sandaled, with his wallet, or double sack that hangs across his shoulder before and behind, actually then and there collecting alms for his convent."

"But you must not forget the sugar saints and saviours," said Miss Bloomfield, "that one sees amongst the sweetmeats; and how in every shop there hangs up the picture of some patron saint, before which on holydays candles are burning; nor above all, those lemonade stalls, which are certainly the gayest things in the town. But tell me," she continued, "I do not quite understand them. First, there is a sort of dresser heaped up with lemons and oranges. At each end of this rise two little pillars, painted with red and white stripes, and supporting a sort of canopy, on which figures, of course, the Virgin Mary—so that the whole looks like a little altar. Well, but on each side, between these pillars, there swings, suspended by the middle, a sort of wooden barrel, and when the damsel, who makes the lemonade, has nothing else to do, she gives it a touch, and sets it swinging. Now, what are those for?"

"They hold the snow," said her brother, "which serves instead of ice, and which the damsel, by this swinging process, helps to dissolve. Some day we will have a glass of lemonade at one of

these altars, as you call them. We shall get it fresh enough, and cheap enough. But you must take your sugar with you, for sugar they do not give; their customers are in the habit of taking it without. I was amused to-day," he continued, "by watching the progress down the street of a very simple style of water-cart. A butt of water, with a leathern pipe issuing from it, is drawn on a low cart by a donkey. A bare-legged fellow ties a string to the end of the leathern pipe, and follows jerking it to and fro, this side and that side—of course with many loud vociferations—and so continues to distribute the contents of his butt over a pretty large area."

"Very surprising!" said Winston, who for some time past had not heard one syllable of what was uttered.

CHAPTER IX.

We will not indulge ourselves, at the risk of wearying our readers, by traversing in the society of Mildred and Winston the environs of Naples; we will not wander with them through the disinterred streets and temples of Pompeii; nor attempt to partake of their delight at those exquisite views which their excursions, on both sides of the bay presented to them. Often did Winston sit by the side of Mildred, looking at those scenes, and his happy spirit for a while reflected them as calmly as the blue waters those beautiful islands within them. Alas! the pebble soon fell in *one* of those mirrors—the tranquil mood was ever and anon cruelly disturbed.

We will not even trust ourselves in the museum of Naples, so rich in the curiosities of the antiquarian, and in works of art; nor stand with Mildred before those statues of the goddess Isis, from which it was difficult to persuade her to move, so much was there of thought as well as beauty in the countenances. One especially (for there are several) of these statues of Isis—it was the smallest in the group—she confessed, after all she had seen of sculpture, had affected her more intensely than any work of art, by its thrilling union of deep mystery with perfect loveliness.
[Pg 223] Of Isis herself, or of the religion taught under her name, she confessed, she said, to have very obscure ideas; but if ever a temple should be erected to human philosophy, that statue, she thought, was worthy to occupy the chief place in it.

One of their excursions, however, it is necessary, for the sake of our narrative, to give some account of—it is that to Vesuvius. Perhaps there are few travellers who have not recorded the day they visited the burning mountain as amongst the most remarkable of their lives. The extreme beauty of the views as you ascend, the strange desolation immediately around, and the grand spectacle that awaits you on the summit, so vary and sustain the interest, that every emotion which nature is capable of producing, seems to have been crowded into one spot, and one hour.

The whole party started together on this expedition, but Mr. and Miss Bloomfield had no intention of proceeding further than the hermitage—a small house erected, as every one knows, half way up the mountain, before the ascent becomes steep or severe, and, for the rest, very little like a hermitage. Here they designed to stay, enjoying the magnificent view it commands, while the younger half of the party proceeded to scale the mountain. It would have been easy for them to ascend thus far by a circuitous route in a carriage, but, beside that horses could convey Mildred and her companion somewhat further than the carriage road extends, the uncle and aunt were not unwilling to partake to a certain extent the spirit of the enterprise. They all, therefore, mounted their horses, and, accompanied by their guide, advanced by the steeper and more direct path.

The ascent begins amongst gardens and vineyards—the vine flowing from tree to tree, and making of a whole field one continuous harbour. The path next winds along a vast barren hill-side, utterly without verdure, whose brown furrows present the appearance of a ploughed field; but the clods here do not give way to the tread of your animal; you stoop and touch them, they are of stone, they are the old lava. As you ascend, these clods grow larger, grow darker, till the narrow road winds between great blocks of black lava, pitched here and there in the wildest confusion. You then reach a level piece of road, on which stands the hermitage.

Here Mr. and Miss Bloomfield paused. The rest proceeded somewhat further on horseback, till the mountain, taking the shape of a cone, presents a steep ascent, to be mastered only on foot.

"Let us pause a moment here," said Mildred, when they had dismounted, "and look at the bay. I have longed several times upon the road to make a halt, but if I had, it would have been a signal for the general hubbub of conversation. You," she continued with a smile, "are a sensible companion, you know how to be silent, or can talk in those snatches or broken utterances which rather relieve silence than dissipate it, which do not scare the gentle goddess altogether from our company. Had I asked my uncle to stop, he would immediately have commenced talking, and talked till we went on again."

The scene lay outstretched before them in all its beauty, and under an almost cloudless sky. One peculiar charm of this celebrated bay depends on the islands scattered on both sides of its entrance, as Capri, Ischia, and others. These, as you shift your position on the bay, produce an endless variety—interlacing the azure water with stripes of blue mountainous land, in the same manner as well-defined clouds are sometimes set, ridge after ridge, in the clear sky. From their present point of view, the centre of their picture was open sea, and the sides filled up and diversified by these islands. Seen under the mid-day sun, they appear invested in *a mist of light*.

"They rise from the deep blue sea like sapphires that love has breathed upon," said Winston. "What fantastic tricks," he continued, "but always beautiful—Nature plays under her own high

heaven. The hills on yonder coast, huge as they are, have a way of hiding themselves in the very air—vanishing in the very light. And, look, yonder, in the extreme distance, the light seems to have *cut away* the solid basis of the hills, and left nothing but the ridge, the wavy outline, which one might expect to rise into the air, it is so cloud-like."

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"The earth and heaven do so mingle here, there is no separating them," said Mildred. "I wonder not that the inhabitants of such a region as this threw a certain dimness, as of twilight, over their future Elysium. Some difference it was necessary to imagine between it and their familiar earth, and could they fancy any thing more bright and beautiful than this?"

"Look behind you," said Winston. She turned, and started at the sudden and complete contrast which the utter desolation of the scathed mountain presented to her.

They then addressed themselves to their somewhat arduous undertaking. Mildred had refused to be carried up in a chair—had determined to walk. She had received a very accurate description of this part of her task, and found things exactly as she expected. The side of the mountain seems, at first, composed of large loose stones, of a brown colour; but the lava, which assumes this shape, is not loose, and you step from projection to projection with perfect safety,—with the same fatigue,—neither more nor less, as one walks up a flight of stairs. It is rather a long flight, however, and there is no bannister. This last deficiency the guide is in the habit of supplying—to such as condescend to accept his assistance—by fastening a leathern strap round his waist, and giving the end of it into the hand of the traveller. Winston insisted upon putting this strap round his own waist, and that Mildred should allow him to take what seemed to him the most enviable position, of the guide. It was a dangerous experiment. Not the weight of Mildred—for she leant very lightly—it was not the weight of Mildred which he felt at every step was exhausting his strength, till his heart beat and his knees trembled. After a little time he was compelled to sit down, faint as a child. Mildred was far from guessing the cause of this sudden weakness, but requested that the belt might be again transferred to the guide. Nor did he hesitate a moment. Had he attempted to proceed much farther they might both have been precipitated to the bottom.

Their march was toilsome; and Mildred, taking advantage of a commodious place, sat down to rest upon the lava. At the altitude which they had reached the temperature changes,—a cold wintry wind was blowing—and she had not quite prepared herself for so sudden a change. Winston, anxious only that the breath of heaven should not visit her too rudely, and forgetting to ask himself whether there might not be a too familiar kindness in the act, pulled off a light over-coat which he wore, and, making the best shawl he could of it, put it over her shoulders. She was not a little confused at the unaffected anxiety which had evidently given rise to this prompt attention; and blushed as she refused to rob him of his own attire. She attempted, by some playful remark, to remove the feeling of embarrassment which had seized upon both parties.

"But from a poor gentleman," replied Winston, alluding to something that had passed between them at an earlier part of the day, "any gift may be safely accepted. Like the priest, he wears a tonsure, which at once gives him unusual privileges, and reduces him to a subject of indifference."

Mildred made no answer; but she thought that, in one of these cases, the tonsure was so little visible, was kept so much out of sight, that it might fail of its due precautionary influence. She rose, and they proceeded on their walk, or, rather, their climbing. And now the volume of smoke which had, for some time, been concealed from view by the mountain itself, burst upon them, and a few minutes placed them on the summit. They stood within the crater, or what has been such, for, at present, the mountain discharges itself through a lofty cone which rises on one side of this strange, black, sulphurous amphitheatre. All around them, however, the volcanic vapours were steaming up from innumerable crevices, and the hot lava pouring out, moving slowly, with a dull red heat. No need here of further clothing. Their feet were burning where they stood. They had again exchanged the cold of winter, not for the heat of summer, but of a furnace.

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There is a terrific grandeur in the scene. The black masses of lava, whose surface, here, is of the hue and texture of cinders, are piled and jostled together with the utmost irregularity, with deep fissures between them, in the same manner, though the material is so different, as the blocks of ice in the glaciers of Mont Blanc. Sometimes these cindery surfaces undulate and take the appearance of black coils, as of a huge cable laid in parallel folds. These coils, as you advance, are explained; for you will see the dull red lava sweltering out from underneath one of those great blocks, in a long and narrow wave, which does not subside, but stiffens as it cools, and, in this form, is pushed forward by the succeeding wave. In another part, the lava is flowing in a small stream, about a foot in breadth, just as the metal in a foundery, but more slowly, and the surface dimmed with a black scaly film; on raising which, with your stick, the flame bursts out. It flows so slowly that, sometimes, you must watch it narrowly before you detect the motion; you may be looking at such a stream and not suspect it to be this stealthy Phlegethon, till suddenly it is seen to stir, like a vast serpent moving in its sleep.

To the left of them, as they stood in this crater, the wall of the mountain enclosed them in, utterly without vestige of any kind of verdure, bare brown ore, with fissures exhaling their sulphurous vapour; before them, extending to and meeting the horizon, lay the tumbled masses of black lava, with the glowing at intervals of their dull red furnaces, and every where the same vapour steaming up; and at their right rose the conical summit from which Vesuvius was discharging its artillery, the sides of which are covered with a green and yellow sulphur that, elsewhere, might be mistaken at a distance for some sort of moss or other vegetation, but the eye has learnt to expect here nothing of so peaceful a nature. From this cone volleys of huge stones were

perpetually issuing, with thunder-like explosions; and, above all, that majestic column of smoke! Smoke seems a very ordinary word, expressive of a very ordinary thing, but it forms here no ordinary spectacle. At each explosion it bursts up impetuously, struggling like frenzy from its imprisonment, revolving with amazing rapidity, thick, turbid, ruddy, mixed with flame; as it rises, it revolves less rapidly, and becomes more pure, more calm; ever rising higher, and expanding in greater and purer volumes, it at length fills the heavens, towering majestically, whiter than the whitest cloud, and floating off in light etherial vapours, which the blue sky gladly receives. "The spirit of Beauty," said Mildred, as she gazed upwards, "has triumphed."

As she looked with increasing interest on this spectacle, the spirit of enterprise grew strong within her, and she wished to ascend this cone itself. But besides that the huge stones which at that time were being constantly projected, rendered the expedition dangerous, the guide assured her that the fatigue would be to her excessive. In fact, he resolutely declined to lend his aid to such a scheme.

"If you had been alone," she said to Winston, "you would have gone farther. I am a sore hinderance to you, I fear."

"On the contrary," he replied, "if you had not come, I should not have ascended so far as this."

And he spoke the simple truth; for Vesuvius itself would have been forgotten in the society of Mildred. To ascend the mountain at night-time had been one of the most conspicuous objects he had proposed to himself in his visit to Italy; but as it was out of the question (the uncle and aunt would not have listened to it for a moment) that she should accompany him in such an expedition, he had at once foregone it, or rather it had slipped from his thoughts.

After some time longer spent in this remarkable scene, they began their descent, which they found to be quite an easy and amusing piece of business. The descent is made on a side of the mountain covered with loose ashes that yield to the foot. *Up* this it would be impossible to get, but you go down it with the same facility as if you were skating along the side of the mountain. Mildred, with the help of a staff, accomplished this part of her task with much ease, and not without hilarity.

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Mr. and Miss Bloomfield were happy to see them return—had begun to wonder what could keep them so long—had for some time grown quite tired of their own position. The carriage had been ordered to come slowly round by the other road, and meet them at the hermitage. It was waiting for them. They were all willing to enter it, and return by the carriage road to Naples.

On the ride home Mildred was very silent. Many little incidents had occurred, many words had dropped, during the course of the day, which became subjects of reflection, not quite so calm as the works of art or nature had hitherto supplied. Winston—she could not refuse to see it—loved! But loved, as he desired to intimate, without the least hope, the least prospect of alliance. Well, she was warned. What remained for her but to keep her own heart quite sure? Keep! was she quite sure that she still retained it in undisputed custody?

But we have lost sight, all this while, of Mrs. Jackson and her daughter, which it was not our intention to do. They had not lost sight of Winston. As they had inquired of him, when at Rome, what hotel he would recommend them at Naples, and as he had very naturally mentioned the one he had selected for himself, it was not at all surprising that he should find himself, one afternoon, seated very snugly by Mrs. and Miss Jackson, at the comfortable quiet *table-d'hôte* of the *Hôtel des Etrangers*. Happily there existed no secrets, and no division of opinion between the mother and daughter on what now chiefly preoccupied the thoughts of both. Mrs. Jackson had herself conceived a great partiality for Winston—sympathised entirely with her daughter's romantic attachment—and was willing to promote her views by all means in her power. She was at heart a generous woman, though certain petty and rooted habits would, at first acquaintance, lead to an opposite impression. There was nothing she was not ready to do for Winston. It was only the good sense, or the somewhat better sense, of the daughter, that prevented her at Rome from secretly calling for his bill and paying it for him behind his back. At Naples, Winston almost always met them at the dinner table; and it was impossible for him to be churlish towards persons who seemed so very pleased with whatever he said, and so kindly disposed towards him. Mrs. Jackson was confidential in the extreme as to the several items which formed her worldly prosperity, and very clearly intimated the extremely benevolent designs she had upon himself. To Louisa, indeed, it was a sad blow and heavy discouragement when she met him in the company of one so beautiful as Mildred; but she had tact enough, even from Winston himself, to extract certain particulars respecting the fortune of the lady, which went far to set her fears at rest.

And now began in Winston's mind one of the saddest conflicts and confusions that could visit a poor mortal. On the one hand was hopeless passion—poverty forbidding; on the other, a fortune offered to a needy gentleman—ay, and affection too, if he could resign himself to accept it. Strange as it may seem, it was his very love for Mildred that gave its greatest influence to the fortune of Miss Jackson. By a marriage with this latter lady he should escape from the tortures of his hopeless passion; it would be a refuge from this, and all like disquietudes. Most people will be doubtless of opinion that the attractions of wealth need no auxiliary. Those, however, who are well read in the human heart, will have no difficulty in believing us when we say of Winston, that if he had never encountered Mildred, he would have merely smiled at the idea of a marriage with Louisa Jackson. It now came recommended to him as an escape from an intolerable torture: he would rush into matrimony as a shelter from love.

When passing the morning in the society of Mildred, not a single fragment of a thought fell to the share of Louisa. But when, having left her, he proceeded to his hotel with a heavy and perplexed heart, and asked himself where all this was tending—when he afterwards found himself seated by the side of two persons, somewhat silly and ridiculous it is true, but kind-hearted and most amiably disposed, able and anxious to offer him that only safe harbour of life which property builds up for us—a harbour, too, which would secure him from that wild tempest so evidently preparing for him—it seemed that a very little more would turn the balance in favour of Louisa.

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That *very little more*, an incident which we have to record, supplied.

Whilst walking and sitting with Mildred in the Villa Reale, he had noticed that a tall, military-looking gentleman had appeared singularly struck with the beauty Of his fair companion. In this there was nothing unusual. Few people passed her without paying a certain silent homage to those blue eyes and their singular sweetness of expression. Even the common people, even the beggars, when they had received their alms and stayed no longer to beg, would still stay, lingering about, to catch another look at that face, when it should be turned towards them. But in the stranger's manner there was something more than admiration expressed; and, what was more remarkable and more alarming to the feelings of Winston, Mildred herself manifested towards this stranger—if he were a stranger—an almost equal degree of interest. On the last occasion, when they encountered him, this gentleman was observed to turn and follow them, and watch them to the door of Mr. Bloomfield's residence. Winston, after parting with his companion, re-entered the gardens opposite, and from this position he saw the same stranger return to Mr. Bloomfield's door, ring at the bell, ask, as it seemed, several questions of the porter, and then—enter the house!

As he stood staring at this inexplicable vision, he was accosted by a young Englishman, with whom he had some slight travelling acquaintance; and, by a singular coincidence, the very first question his companion put, was—whether he knew that gentleman who had just entered the house opposite?

"No! do you?" was the prompt reply of Winston.

"I do not," said the other; "but I confess I am rather curious to learn. He must be *somebody*—travels in grand style—has taken the best rooms in the *Victoria*. I took him for a Russian prince, but he speaks English like a native."

"The Russians are said to be such good linguists, this may be no criterion," said Winston, hiding, as best he could, under the commonplace remark, the agitation that he felt. He very soon made some excuse to escape from his companion, and returned to his hotel. That day he was at dinner more absent than usual; yet there was something in his manner which Louisa liked, which gave her more hope than she had lately entertained.

The next morning Winston called as usual at the Bloomfields. They had ridden out; and he learned, on inquiry, that his seat in the carriage had been occupied by this mysterious stranger. Where should he go? what should he do? He now felt how complete a slave he had become—how utterly dependent for all his happiness upon another. His happiness! what but misery could he reap from this passion? And now to love was to be added all the pangs of jealousy.

He entered the gardens opposite the Villa Reale. That "prince of promenades," as some one has called it, extending as it does along a quay unparalleled for the beauty of its position, with its thick dark shelter of olives on the one side of you, and its light and graceful avenue of acacias on the other, with its statues surrounded each by its parterre of flowers or niched in its green recess, with the fountain bubbling from the ground at its feet—all had ceased to please. At one part the promenade projects into a small semicircle, fitted up with marble seats, which commands an uninterrupted view of the bay and of Vesuvius. It is difficult to recognise our old boisterous friend, the sea, such as we know him in our northern latitudes, in the dancing blue waters which, stirred by the lightest breeze, are here flinging the whitest foam over the polished black rocks or stones that line these coasts, and still more, in the glassy azure which extends, like a lake, in the distance: it is a scene to induce the most perfect repose. But Winston found no repose in it, and its beauty awoke not a single emotion of enthusiasm. He turned towards

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Vesuvius. Its column of smoke, rising always there, neither subsiding nor increasing, now irritated him by its sameness and its constancy. "Always thus!" he mentally exclaimed. "Why does it not explode at once? Why not at once give out all its rage?"

He passed through the gardens. They lead, at the further extremity, into an open space, where much rabble assemble, where a sort of market is held, and where, on the neighbouring beach, the fishermen draw up their boats: fishermen bare-legged, bare-thighed, but legs and thighs not of flesh but mahogany. At other times he had been amused with the sudden contrast this scene affords with the well-dressed crowd within the gardens. It now disgusted him. There was nothing but noise and dirt, nothing but dust and heat, and glare. The various beggars who had often vexed him by their clamours, but had generally ended by extorting from him some pence and some good-humour, were quite intolerable. The little children, with their naked feet, tanned and dusted to the colour of the road, girt with their scanty complement of rags, with nothing on earth but their little shrill voices—their Signor! Signor!—to get their daily morsel with, and who had so often, when Mildred was at his side, received a whole handful of copper coins amongst them, now excited not the least commiseration, called forth nothing but some passing execration upon the slovenly government that could permit human life to sink down into all the wildness, and more than the destitution of the brute animal.

After the lapse of some hours, spent in this horrible restlessness, he again called on the Bloomfields. They had returned from their drive. He ran up the stairs: but, when he reached the landing-place, he paused. Perhaps that stranger might have returned with them. The door of the drawing-room was half-open: he looked, and saw that formidable intruder seated there. He was not formidable, evidently, to Mildred. She stood gracefully before him, and, putting back his dark hair from his fine manly brow, she stooped, and laid a kiss upon his forehead. Winston drew back instantly, and hurried from the house.

He had not retreated, however, so quickly, but that he had been seen by Mildred—thanks to the tall mirror before which she stood, and which had faithfully reflected his image. Had he been less distracted, he would have heard a soft voice call him by his name, from the head of the stairs; but he heard nothing, and he seemed to see nothing, as he strode along the street, and, rushing into his hotel, shut himself up in his room. "This intolerable anguish!" he cried; "it must have an end. To a passion which itself is the merest despair, must I add the maddest of jealousies?"

That day, after the dinner was concluded, Winston accepted an invitation which Mrs. Jackson had often pressed upon him in vain, to adjourn to her sitting-room, and partake of a dessert there. He accepted the invitation. It sealed his fate; and he intended that it should. He left that room—he, the lover of Mildred—the affianced of Louisa Jackson!

The next morning—it was a sleepless night that intervened—he paid his respects, with the due appearance of felicity upon his countenance, to Mrs. Jackson and her daughter. It was into their carriage he was now to enter, to take one of those drives in the environs which he had so often enjoyed with Mildred. It was to *their* admiration he was now to listen and respond.

The party was preparing to start, when a message was brought to them that two ladies were below who wished to speak to Mr. Winston. Mrs. Jackson, all anxiety to be polite, told the servant to show the ladies into her room. Immediately after Miss Bloomfield and Mildred Willoughby were ushered up stairs.

Never was Mildred looking more beautiful, for never was she so happy in her life. The name even of Mrs. Jackson she had never heard pronounced; and, not aware of being in the apartment of that lady, but considering she was in some room destined for the reception of visiters, she merely made to the ladies that slight curtsey by which the presence of a stranger is recognised, and immediately turned and addressed herself to Winston.

"Congratulate me!" she said. "Congratulate me!—But first I must repeat my message from Mr.
[Pg 229] Bloomfield, who insists upon it that you break through your unsocial rule, and dine with him to-day. And now again congratulate me! My father has returned from India. It was he whom we called the mysterious stranger. As to the conflicting reports which had been spread of him in England, you shall hear all at leisure. But he has returned!—and he has returned wealthy and amiable."

There was a slight tremor in her voice as she uttered these last words. That slight tremor, it was the response now given to certain passionate but desponding declarations, which he had so often half uttered in her ear.

The answer came one day too late. Winston stood as if struck dumb. His rage, his shame, his agony of vexation, he knew not how to express. And indeed there was that convulsion in his throat which, if he had attempted to speak, would have choked his utterance. But there was one amongst the party who found words fit for the occasion, and quite explanatory. In what she conceived the prettiest manner in the world, Louisa Jackson laid her hand upon Winston's shoulder. She had heard something of an invitation—"But, Alfred dear," she said, "you will not surely dine out to-day!"

Mildred started at the tone of that address, telling as it did so strange a history, so utterly unexpected. Then collecting herself, and taking the arm of Miss Bloomfield, she expressed her regret, in some words of course, that they could not have the pleasure of Mr. Winston's company to dinner, and, curtseying slightly to the rest of the society, withdrew.

What a drama had passed between them, and in silence! What feelings had been hidden under those few words of formal and ceremonious speech!

No sooner had she left than Winston rushed into his own apartment. Amongst the curiosities which he had collected in Italy was a genuine stiletto. This had sometimes accompanied him in his solitary rambles; and of late he had sometimes, in his moods of despondency, contemplated that instrument, thinking the while of some other purpose than that of striking a foe to which it might be applicable. They are dangerous moments which we spend in reflecting on the mere possibility of some fatal act. The imagination becomes familiarised with the deed. When the fiery and ungovernable passion falls upon us, it finds the train ready laid. Winston locked his door—ran to the stiletto—buried it in his heart!

The horror and distraction of Louisa and her mother may be easily imagined. It might be a subject of more deep and curious interest to trace the influence of such a catastrophe on the mind of Mildred; but this also we must leave to the reflection and perspicacity of the reader. Mr. Bloomfield and his sister soon after left Italy, embarking in the steam-boat direct for Marseilles: they had grown weary of travel. Colonel Willoughby and his daughter Mildred took the route by land, and quitted Naples for the north of Italy and the Alps.

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THE EARLY TAKEN.

The idea embodied in the following verses is the subject of an old German legend, intended, perhaps somewhat painfully, to represent a repining and diseased spirit awed by a fearful vision of eventual futurity into a becoming resignation for the early loss of those who might have proved unequal to the temptations of a longer life.

A mother mourned her children dead,
Two blooming boys, whose opening prime
Along her path a light had shed,
Now quenched, alas! before its time.

She mourned as one who dreamed that here
Our home and dwelling place should be;
She mourned as if she felt no fear
Of earthly sin and misery.

Once, in the watches of the night,
Before her dim and tearful eye,
Beyond the clouds an opening bright
Revealed a vision of the sky.

There, amid amaranthine bowers,
Where God's own glory seemed to shine,
She saw, on beds of golden flowers,
Her dear departed ones recline.

Thence bending down, a pitying smile
Their fair illumined features wore:
"For us now freed from guilt and guile,
O, dearest mother, weep no more!"

But still her tears rebellious flow,
And still she raves of angry fate,
As if, with blind and selfish wo,
She grudged her children's blissful state.

Again in visions of the night,
Sent to impart a sad relief,
The matron saw another sight
That stayed the torrent of her grief.

A youth, by wine to madness stirred,
Stood brawling on the midnight street,
And as a clash of swords was heard,
Sunk lifeless at a rival's feet.

New horrors o'er her senses steal;
She sees, appearing through the gloom,
A hardened outlaw on the wheel,
While crowds around applaud his doom.

She gazed upon the hapless youth,
She gazed upon the hardened man,
And dawnings of the dreadful truth
To rise upon her soul began.

Then thus a voice was heard to say,
"What now they are thine eye hath seen:
Here, had they not been snatch'd away,
See also what they would have been."

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A RIDE TO MAGNESIA.

STAGE FIRST.

Smyrna is a capital starting point for eastern expeditions, though it is too full of *gaóors*, of every description, to be, in itself, a fair specimen of orientalism. The man would carry home a queer account of Turkey who should begin his notes at Smyrna, and, passing up the Dardanelles, make up his book as he travelled overland from Constantinople to Jannina, *en route* to Tower Stairs. This is the approved track, or, perhaps, it may be up the Danube in the Austrian steamer. Such

an expedition is capital fun, no doubt, and to be recommended to any of our friends with a little loose cash, and some six weeks' holiday. It introduces to many notabilities, first-rate in their way, but not to that singular notability, the genuine old Osmanli. He is a branch of the ethnographical tree that will not flourish in European atmosphere: though the same exuberance of vigour that first sent forth the mighty shoot from central Asia, has prevailed to pass through the feeble defences of the West. It is as an overgrown weakling that he exists in our quarter of the world. His eyes are without fire, his manners without the stamp of originality. He succumbs beneath the presence of the Frank,—the hated and despised, and yet the feared and the envied. The better feelings of his nature suffer from the constant presence of those whose superiority he is forced to admire, but whose personal character he naturally detests. Such conflict of feeling cannot but be with detriment to the spirit, which, so fettered, refuses the generous offices of brotherhood, and yields the debt of civility only from policy or by constraint. How different is this man in his proper country! where the usages and language, and ideas are unmixedly those which have been his father's before him; where the leading idea of *gaóors* is, that they are infidel dogs, who eat pork and are unenlightened of Islam; and where every one firmly believes that the whole set of Franks are allowed to occupy and rule only by the clemency of their high and mighty lord the Padishah! Here the Turk may condescend, and here he can be truly generous and hospitable. The Frank comes as a wanderer from his own remote, settlement (somewhere or other at the world's end,) to see the lords of the earth, the true believers. He is a poor ignorant stranger who cannot speak a word of intelligible language. It is kind, and gratifying to self-esteem, to receive such an one, and show him those good things that shall make him sigh to return to his own forlorn fatherland. Besides all this, the outward modifications affecting the European Turk spoil his nationality. The reforms of Mahmoud, and of the present sultan, have wofully cut up the appearance of their subjects; and, of course, sumptuary changes such as these affect especially those who mix with the world, and are near court. Who can believe in the ill-looking fellow with smooth face, regular built boots, and tight frock coat, buttoned up to the chin,—to say nothing of the wretched red cap he wears instead of a turban! That a Turk! pshaw!

When I landed at that nest of pirates, Valona,—what time we bore a message to the respectable inhabitants, that unless they took a little more pains to grow honest, we should be under certain painful necessities with respect to them,—was I to look upon that wretched rabble as Turks? Men dressed in every variety of shabby frock coat and trousers; and, above all, men who were undisguised in the exhibition of vulgar curiosity. What amount of excitement would it take to make a genuine Turk open the eyes of astonishment? or, should he even be betrayed into an unguarded Mashhallah! has the power of morbid attraction been discovered which may draw him from his seat and lead him to any effort of inquiry? When, then, I saw these people flocking together on their jetty to meet us, I at once recognised them as mongrel and degenerated. They were queer fellows in their way, too, quite worthy of observation. The whole community are piratical: the youth practically, the seniors by counsel. They manage their evil deeds with a
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singleness of purpose that neglects no feasible opportunity; and with a caution that restrains from doubtful attempts, and almost secures them from capture. They are not like the pirates of the nautical novels, who embark in a sea-going ship, and stand by to fight it out with any cruisers they may meet. Like cautious sportsmen, they mark down their prey first, and do not waste powder and shot. In a breeze there is no danger on their coast. But wo betideth the trabaccalo or short-handed merchantman that may happen to be becalmed in their sight. Incontinent they launch their boats,—terrible vessels that hold twenty or thirty armed men besides the rowers, and cleave their irresistible course towards the motionless and defenceless victim. On such occasions it is only by rare hap that any individual survives to tell the tale and cry for vengeance. And how shall this cry be satisfied? The bloody work is no sooner over than its traces are obliterated and the community restored to the appearance of inoffensiveness: the boats are pulled up on shore, the crews dispersed. Should an avenger arrive on the spot, he finds the miserable huts either deserted or tenanted by women and old men. How can these be made to suffer for other men's offences, or forced to give information which they declare themselves not to possess?

The same dissatisfaction must be confessed with Previsa Salonica, that place of steady disrespectability, which has maintained its bad character since the apostolic days, and even with Constantinople. This last is a gem of the earth, but, its beauties are to a great extent those of civilised elaboration. Courtiers form but one species, and breathe pretty much the same atmosphere throughout the world. He who has studied them throughout the world has marked only the circumstantial differences of locality producing their effect on a spring of action, itself one and constant. To search out and know this principle it may be useful to visit foreign courts; but Man, beyond the exhibition of this one phase of character, does not flourish in such places. If the best place of observation be not actually the wilderness, because that too is as extensive, calling forth necessarily particular energies, and exhibiting to a great extent one effect, we may take favourable ground somewhere midway between the extremes. It is to the heart and centre of a country that we should go for the vigorous current of its life. Here the colour is vivid, the speciality preserved, the family features of our brethren distinguishable.

I suppose it was some such profound rumination as this that suggested to my two friends and myself the idea of the cruise hereinafter to be recorded. All three were right travel-smitten, a state of mind which marvellously thrives on slight nourishment. We had had substantial food in this way, and were proportionately vigorous in enterprise. We had seen at odd times a good deal of our friends the Turks, but it had been chiefly of the vagabonds near the coast. Into all sorts of queer creeks and corners had we found our way in boat expeditions, that most capital mode of adventure; though rather ticklish for those who are not pretty strong in numbers. So had we dug

into the sinuosities of Greece, of which both eastern and western borders were familiar to us; and it is not a little that I would take for my Horace, which I bore with me up the Ambracian Gulf, and which bears over the "*nunc est bibendum*" the note of my personal presence off Actium. Pleasant, too, are the recollections of our visit to Nicopolis, the mighty monument of this victory, now serving, as all things earthly must one day serve, to display the victory of time. We were forced to walk on this occasion, as to have touched a saddle or animal would have exposed us to the penalties of quarantine. Our good friend Achmet walked before with a long stick, booming the people off, who shrank from our contact right and left, as if we had been the lords of the soil, or as if it had been *they*, instead of us, who had to fear the plague-compromising touch. And then when we returned hungry as hunters from our march, full of ready forgiveness for any faults of cookery, what a banquet was that which consular hospitality had prepared! Oh, the jocosity of that breakfast, which was in the open air, because we could not go into the house, where we
[Pg 233] could take nothing from, and could give nothing to, the ladies, but had to keep them at most respectful distance, and be civil under the control of a vigilant *guardiano*.

There is no mode of travelling which can possibly be compared to this boat-work. The scope of such proceeding is certainly, by comparison, confined; but, so far as it goes, nothing is to be mentioned in the same day with it—that is, so far as comfort is concerned. Places even inland may be visited in this way, for almost any where a horse or two can be mustered, and the craft left in charge of her crew. What a difference between turning into your own berth at night, and affording the amusement one does on shore to the Hellenic vermin. One good joke in this way happened to me once upon a time, showing what quarters travellers may stumble upon even with the best recommendations. A large party of us had started, particularly recommended by letter from the consular agent of a place that shall be nameless, to no less a person than the Demarch of a high-sounding Greek town, who was to do every thing for us in the way of billeting. By great exertion, and with aching bones, we managed to reach this place after night-fall, prolonging, for its hope's sake, our course through a most break-neck road, and through unseen but clamorous numbers of their wolf-like dogs. At last we came up with a miserable shed, which proved to be the mansion of the great man. Of course we should have looked for no other floor but the mudden one we found, had it not been for our magnificent recommendation, which warranted the expectation of a suite of apartments. But the floor was so packed with goods and chattels, affording the most comfortable roosting for the fleas, and with children who brought in ever-fresh collections to the stock, that among the many undelectable nights we passed, none equalled in horrors that one of official introduction and high classical association. And such is pretty generally the hap of him who ventures to pass the night in one of those habitations where sweeping and washing remain exotics, and where the αὐτόχθονες acquire impenetrable skins. Now, all this sort of thing you avoid in a boat, besides converting the mere locomotion from a frequent punishment into a delight: always supposing, be it remembered, that you have not to beat your way home up the Sinus Saronicus against a tempest. But the old story of the rose and the thorn comes in here too. By land you are exposed to the miseries of your nightly quarterings: by sea you may rejoice your heart with the beauties with which Nature rejoices to adorn, many of which she reserves for, the coast, and plunge each morning into the brine with an unsmarting skin; and if you be a genuine lover of the picturesque, you will be no less eager to seek it among the fantasies of human society than among the rocks and crags of a landscape.

So thought I and my two friends as we sat smoking the chibouque of reflection, at that best of Smyrna's cafés, on the French quay. We were unanimous on the conclusion that Smyrna had no earthly right to the title of a Turkish city, except the accident of its happening to be in Turkey. You may go half over the place and meet not a single Turk, except those wonderful fellows, the porters, whose Herculean powers have been so often noticed; or perhaps friend Hassan, the chief of the police, making a progress, with some couple of grim attendants. In fact, in the motley of its society, if any one colour prevail, it is that of France: for among all decent people her language is spoken, and in all reunions of pretension, her colonists are the more numerous body. The Greeks, to be sure, are in great plenty, but they occupy chiefly the lower grades. And as it so happens that the Sisters of Charity have here an establishment, and maintain, with much ability and diligence, a female school, the only one in the place—and that the Lazarists are equally sedulous in their province, it seems not unlikely that Smyrna will become entirely French in spirit, so far as the upper classes are concerned. At present the mixture only savours strongly of the Gallic ingredient. And a most agreeable mixture it makes, affording the blended essences of many nations. Few who have seen much of that society can entertain its reflection without pleasure;
[Pg 234] and all are wise to make the most of its image, as the wide world affords no twin establishment. Coming from many parts of Europe, the colonists have, by the influences of climate and association, been blended into a general assimilation of character, yet retaining the one or two salient points of nationality. Their physiognomies express the wild influences of Ionia; and it would be vain to seek in their native countries such beautiful specimens of French or Italian women (I except Englishwomen) as are to be found in this birth-place of poetry. It is a city of wonderful linguists, for the necessities of intercourse demand at least three, and in many cases four, languages: Greek with the servants, Italian with the shop-keepers, and French among the polished. Many of them possess more than this number, and truly wonderful it is to see them turn from one guest to another in their pleasant assemblies, and to each address the tongue of his proper country. The same causes that loosened the vowels and softened the utterance of the old Greek in Ionia, have dipped in honey the tongues of the modern Levantines; and whatever they be speaking it is always mellifluously. It is no less true that the old grace of these shores revives in the persons of the ladies, and gives a Lydian softness to all that they do. Whether you mark the Armenian matron, languid from her siesta, seeking the breeze at her lattice; or the more active

Frank maiden at the hour of her evening promenade, you are ever struck with the idea of grace and poetry. But chiefly is it pleasant to mark them when the unruffled sea, and cloudless moon, invite them to wander on the marina, and embark on the waters—when the hot sun has persecuted the day, and evening first allowed to breathe freely. There is the bay alive with boats, and resonant of music and laughter, and the shore alive with gay promenaders. There are certain seasons when it might be presumed that the Smyrnists divorce night from sleep; for often have I listened to the cheerful sound till long past midnight, and still has some passing boat brought music to contribute to my dreams. Or, take your hat, and wander forth at evening to the banks of Meles, where Homer sang—whose waters have washed the feet of the epic father, and say whether Homer's self would not acknowledge these groups as worthy of the soil.

Now this is all pleasant exceedingly, but to enjoy this sort of thing sustainedly one should not have an English constitution. We are a phlegmatic set, to whom such zests should be dealt out homœopathically: else do we soon begin to criticise and take exceptions. Now it so happens that we had entered upon the experience of this delectability with every good disposition towards it, but a still better disposition towards the getting beyond it if we could, that we might see something of the real state of the people. We soon voted Smyrna a bore, as was likely with those who in coming thither had been bent on using it only as a stepping-stone to get farther. But this was more easily said than done with us, who were travellers not for our own fancy's sake, but in the service of her most gracious Majesty. Had we been simply unfettered, our will was good to have started directly coastward, and to have explored those vast tracts of Asia Minor, of so much of which nothing is known. The country between the coast and the western border of Persia, explored in a direct line, not going towards Eszeroun, and a divergence southward towards and about Caramania, would be a fine field for travel. We could well afford to receive some addition to our knowledge of the central parts of Asia Minor, and I should like right well to be one of two bound to the borders of lake Van, to pay a visit to the Armenian patriarch. But such an expedition would take a deal of time and of money. Now we had but the short interval of time at our disposal, during which it was judged that Britannic interests might suffer our absence without detriment. Happily for us, we knew that foreign infection was but skin deep in this country; so that, although the curious recesses were beyond our reach, we might, by a comparatively short expedition, arrive at the texture and substance of the mass. Two cities invited us, Aidin, and
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Magnesia, both of which are, as nearly as possible, free from foreigners: for the rajahs, though they be Christians, are not, of course, to be considered foreign to that soil, in which they have been implanted since before its occupation by the Turks. In Magnesia, so far as we could discover, there dwelt but a single Frank, who was consular agent for England, as he was, probably, for half-a-dozen other European powers, an office little likely to be useful or needful in the case of personal protection to distressed wanderers, but no doubt not without value as a commercial relationship. Magnesia also is interesting, because it is the seat of the great Carasman, Oglû Pascha, a name to which are attached little less than royal honours. He is one of the great hereditary dignitaries of the kingdom, who, from olden time, and till but a few years ago, used to be almost kings within their territory. At the command of the Sultan, these men used to bring into the field enormous bodies of cavalry, raised by themselves, forming the staple of the Ottoman armies; and Mr. Slade, in his book on Turkey, places the alterations of Mahmoud with respect to these Beys among the prominent causes of the decay of the Ottoman empire.

The vote passed in favour of Magnesia; partly because we expected in that place to find, through the good offices of the consular agent, decent quarters in some Greek house. The question of ways and means remained. The ordinary mode of conducting these proceedings is through the ministry of a *Kawash* or guide; a person whose assistance is generally considered indispensable, in a country where one neither knows the roads, nor can exchange a word of inquiry with the people. But this plan was little suited to our taste, as we knew by experience that these men are apt to assume the absolute control of their parties. In this respect they are no worse than the other whole tribe of ciceroni, who assuredly are among the greatest bores that necessity imposes. If they would confine themselves to leading the way, and interpreting, and rest contented with solicitude for the horses, they would be useful and endurable. S—— forewent for a moment his amber mouthpiece to give us his experience and opinion.

"These *kawashes* are greater plagues on a journey than a pebble in the shoe. When I was a youngster on board the Blanche, we started, a party of us, for Aidin, under convoy of one of them with a first-rate character. We had hardly got clear of the town when he began to take command of us, coolly wanting to regulate our pace. We stood no nonsense, but set off full cry, with him at our heels shouting like mad. He was presently up with me, and caught my horse's bridle, uttering all sorts of unintelligible exclamations. The fellow drew his yataghan, and I really thought was going to cut my head off. However, he vented his rage on the brute, striking him with the flat of his weapon; and it was with difficulty I pacified him at last, by saying, 'Pasha!' several times, and pointing forward; giving him to understand that if he did not behave himself, I should complain to the Pasha as soon as we arrived."

"And then," said K——, "you must always battle with them for your halting-place, if they do not happen to fancy it. If you want to go ahead, the horses are tired; and if you want to stop, there's sure to be some better place farther on."

I joined in the vote against subjecting ourselves to tutelage.

"But these fellows do something else besides showing the way—they interpret. Isn't that rather a floorer for us?"

"Not a bit of it," said S——. "I'll be the ἡγεμών, for I've been the road once before; and K—— there talks a little Turkish."

"Yes, I know the numbers, and can say '*Kateh saket*,' which means, 'how many hours,' or 'how far to?'"

"That will do capitally; for if you say, '*Kateh saket* Magnesia?' any blockhead will know that you mean 'How far to Magnesia?' Besides, we all can say, '*Salam Aleikum*,' so can do the polite as well as the interrogative."

Reader, this was a mistake. A Mussulman loves not to hear this salutation at the mouth of a Christian; it is the expression of a religious wish; and when uttered by one who receives not the
[Pg 236] Korán, it falls on the ear of a Turk as a profanation. The correct thing to say by way of being civil is, "*A-oorahah*!"

Thus slender was the stock of language with which we started; but perhaps we were not much worse off than we should have been had we known a good deal more. It is all very well with our European dialects to have a certain smattering of grammar and principle; but the hopeless languages of the East come under a different category. Any knowledge of their theory short of actual accuracy is nearly useless; perhaps worse than useless, because, by beguiling the unhappy smatterer into ambitious attempts, it cheats him of the little power he may have of rendering himself intelligible. A man who is content with the attainment of a certain vocabulary of substantives, in whose pronunciation he is perfect, has much the best chance, because he can eke out the other parts of speech by gesture. But the *attaché* of legation, who has been poring over their orthography, and hammering at principle, often proves the uselessness of his acquisitions for colloquial purposes. However, we might have done very well with a little more knowledge than we possessed on this particular occasion.

We did not know at this time what Magnesia could do for us in the way of an inn, though we were quite aware of the fact, that throughout the kingdom khans are provided for the accommodation of travellers. What we had seen in this way was very undesirable, being little more than what might serve to minister to the comfort of the horses. In some places, the subsiding stream of travellers has left them bare and ruined; in others, Smyrna to wit, there is so ready entertainment elsewhere, that the khan has become little more than a public stable yard. And here, any time of the day, you may see tethered a collection of donkeys that would set up all the costermongers in London, and drivers who would surely make fortunes by their lessons, if their brethren of Hampstead possessed ambition and gratitude. The vulgar argument of the stick may be occasionally exhibited, but it is by the magic of a single word that the energies of the donkey are usually aroused. And the mystery of the training is this, that neither words nor blows are effective, except from the initiated. Often it will happen, that after long trial of coaxing, the meekest rider will be betrayed into the experiment of cudgelling. It will then certainly happen, that after having cudgelled his full, he will yield the victory to the impassible brute, and be reduced to hope, that when he has had thistles enough, he may be induced to move on. Suddenly there sounds behind him the exclamation of *Dêâh! Dêâh!* and the donkey starts into a dislocating trot. This is your true driver's policy, to make his presence and aid indispensable. By dint of great practice, I acquired a pretty accurate imitation of this sound, and have practised it successfully. But the animals were quick to discover the imposture, and to punish it by extra impassibility.

Many of the best khans or caravansaries are of royal foundation; others, like the fountains, the monuments of departed piety. But much as we might admire the institution, we could not feel very ambitious of occupying a billet of so very gregarious and inexclusive character. Besides, in these khans you must provide for yourself all that you require in the shape of provisions; and it was too much of a good thing to carry with us tea, and bread and butter. We clung to the hope of finding lodging in the shade of domestic hospitality, the rather because of our recommendation to the consular agent. A second string was added to our bow by a worthy Armenian of Smyrna. He kindly assisted our intention by a letter to a compatriot of his at Magnesia, of whom the least that we could expect was, that he would receive us to the fellowship of trencher and hearth; that is, should we present our introduction, for, in the first instance, our purpose was to seek the man of office.

We had some debate concerning the propriety of our going ostensibly armed—no doubt, however, concerning the advisability of our actually being armed. In those desolate tracts, where you may ride pretty well all day and meet no wayfarer, except some lone camel-driver, riding at the head
[Pg 237] of his long string of animals, it is impossible to say what contingencies may be your hap. It is, to say the least, a locality where thieves might have things pretty much their own way; for the guard-houses, scattered throughout the routes, are far from being within hail of each other, and far from possessing the control of the road mid-way. Nay, they are themselves tenanted by men so fierce by nature, and so imperfectly disciplined, that some people might fear the guards more than the robbers. They are not detachments of the regular forces, but men taken chiefly from the Xebeques, whose manners and dress are sufficiently distinct from those of the ordinary Turks. Each of these detachments is placed under the control of an Agah; and on the personal character of this officer depends the security of the district. The prescribed discipline is necessarily strict, for any admitted relaxation would soon lead to confusion. Especially is it enjoined that all spirituous liquors be absolutely excluded from the guard-houses—and a neglect of this law by the Agah is never forgiven. When intoxicated, they are said to rage like demons, respecting no person or thing—utterly rejecting all semblance of discipline. It will be long before I forget the apprehensions connected with even faint symptoms in them of approach to such a state. A party

of us, with ladies among our numbers, had halted for night at a guard-house. The spot was of the rarest beauty—the evening such as breathes only in Ionia; cities and men were removed out of sight and thought; and, full of poetry and peace—the pleasing sadness we had caught on the hallowed ground of the mighty Ephesus,—we resigned ourselves to the influence of the moment. What was that sound of revelry that broke upon the stillness? The mandolin tinkled—voices were heard in chorus. We got up to explore, and found, to our consternation, that the guards of our station, having received a visit from their brethren of the next detachment, were holding festival on the occasion. We had previously been informed that the Agah was absent on duty, and had left the command to his ancient—and this we were ready to suppose was not calculated to tighten the reins of discipline. Drinking and jollity were such natural associates, that we feared terribly these men would be getting at spirits—and then what did we not fear for the fair companions of our adventure? However, to make a long story short, the men did not get drunk, and separated peacefully after the performance of many Terpsichorean novelties. But they taught the careless to feel that travellers in such a country should not be without the means of defence. It is quite true that arms may do you a bad turn, either by tempting you to a hasty display, or by being of so costly a character as to excite the cupidity of some ruffian. But it is just as true that any other thing you possess may do you the like ill turn among men who would shoot you for the value of your skin. The golden mean is to be armed usefully, but not showily; and, above all things, to be very discreet in the production of weapons.

The first of these laws on this particular occasion I egregiously transgressed. My two friends were supplied with unimpeachable pistols of their own; but I, being of peaceable disposition, had made no such provision. A worthy friend on shore supplied the deficiency, by lending me a pair of the most formidable weapons one would wish to see. They were of the old style of theatrical horse-pistols, as long nearly as a small carbine, and beyond any ordinary man's power of holding steady. The stocks were deeply incrusted with silver, or something that looked very like it. The only objection to them was, that nothing could persuade the flint to give out a spark, or induce the pan to take the hint at the proper time. Yet though I knew them to be in fact thoroughly useless, they contributed sensibly to my comfort, for they were most excellent make-believes. Our steeds were supplied by our good friend George, the Greek stable keeper, as no Turk would have let out his animals on such an occasion without sending along with them a kawash to look after the mad Franks. It betokened no little confidence in George, that he allowed his horses to be taken away, whither and for how long he know not.

[Pg 238] It is a noble climate where you can start of a fine morning, with a certainty that the weather will continue and fulfil its promise. One starts light without any wrappings, or any thing more than he has on. One *tescharé*, or passport, was our luggage for three. Our first little adventure was about this same *tescharé*. It is to be got, as are all things in this land, only through the medium of interpreters and kawashs. A first-rate bore it is to be in all matters of business subjected to the ministration of these gentry: and what a pity it is that some steady Englishmen will not qualify themselves to fulfil their functions. But, from the most important diplomatic negotiations down to the most trivial matter of convenience, procedure can only be had through such agency: at least almost without exception at present, whatever revolutions may lurk in the recent studies of the *attachés* at Constantinople.

Mahmoud, the Janissary—by the way it is odd that they should call this consular body-guard of one by such a name—brought us the document, and then, of course, stood by to pocket his *backshish*. We were then making our final preparations for the start, laying in a little personal provender at the *restaurant* in Frank Street, at the door of which stood our animals, saddled and impatient.

"Give him his tip," we said to S——, who had been installed pay-master for the nonce.

A smile and a coin were forthwith presented to the functionary. "Bow, wow, wow," or something like it, uttered by our Mahometan friend, made us look up, and we saw him unaccepting and unsmiling. "Why, thou greedy varlet," (friend, the words were innocuous, because unintelligible,) "'tis by so much exactly too much for thee."

It is an amusing thing to have a dispute where words will not second energy. Such a scene have I noted more than once, as a fine psychological demonstration. You abuse a guide or a donkey driver in a language he does not understand, for disobeying directions that he did not understand, word or particle. The whole thing is absurd, and as a man of sense you ought to be philosophical. But when I have noted you in such case, and seen that you do not lose your temper, nor abuse the offender in round English, I will set you down as of placid temperament. Mahmoud growled, and looked as if he would fain have resumed the paper, or abducted the horses; and thus it was with the interchange of such pleasantries, and followed by his good wishes, that we started.

"Bravo," said K——; "we start with a row, we shall be all right presently."

And now stoop well your head and keep your eyes open as you turn the corner into the Armenian quarter. These houses that make such beautiful streets, are ticklish things to ride by. They all project forward, having the upper story supported by a kind of flying buttress. These are at no great height from the ground, so that an unbending horseman passing under, would infallibly knock his head against the corner of one of their first floors. But chiefly on donkeys is this risk noticeable—the stubborn brutes which it is much the fashion to ride, and whom none but the drivers can guide. On entering Smyrna by night—those dull streets where gas is not—your only plan is to keep well in the middle of the street, right in the hollow. It is a beautiful quarter of the

town; in itself picturesque and variegated in colour, and beset with the fairest embellishments. Look up at that lattice for a moment only, and then prick your way again. Did you see those lustrous eyes and graceful head-dress? The sun is now high, and these stars twinkle but from lattices. Pass this way at even, and you shall see them congregated in brilliancy. They are not of the retiring nature that shuns observation. They sit congregated round every door wooing the breeze. Supper is spread in the spacious halls, beyond which the open doors give to view a perspective of garden. Nay, you may stop and stare—the men are occupied with their pipes, and the women are not offended at admiration.

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Right interesting are these Armenians, of whom the men have all the riches, and the women all the beauty (at least unveiled and cognisable) of Turkey. They have lost all trace of the active spirit that in an age of iron kept them busy in the *melée* of nations. Their gravest senior would stare unintelligent were you to speak to him of Tiridates, or the Romans: and with their thoughts of Persia no ideas of tyranny are mixed; no stirring of the ancient spirit that kept them faithful in an ocean of foes, and rendered their land a continued battle-field. They give no signs of intelligence if you challenge them on the subject of Eutychus, by whose arch heresy they suffered severance from Catholicity, and in whose dogmas they live. They are a quiet, matter-of-fact, business-like people—the bankers and capitalists of the kingdom. Their mode of existence under the shadow of the Sultan's mercy, but without national representation or protection, has subdued them to a condition of patient endurance, and killed the energy of their nature. They are quiet, fat, and lethargic, reserving their anxieties for money-getting.

There might be to fiery spirits something humiliating in the dress to which they are so anxious to acquire the right: the huge and ugly cap which bespeaks them to be under some particular foreign protection, as the case may be, which is their only safeguard against all sorts of oppression. But where nationality is a mere idea without embodiment, it soon becomes as a dream. The Armenian is content to be endured and protected. Meanwhile he is not without a sort of national ambition; but it is of a new kind for him. They believe themselves to be the most ancient of people, retaining the original language that was spoken before the dispersion of Babel, and by consequence the identical language that was spoken by Adam. An interesting excursion might be made on this subject, seemingly so far at variance with the conclusions of learned ethnographers. Their deductions are from undoubted facts, and tend to their conclusion with a force that some philologists at least have considered irresistible.

Through the Armenian quarter our road lay onward for a short distance by the banks of Miles. It is but an insignificant stream, of scarcely sufficient tide to turn a mill; but in no better case are Ilissus and Cephissus found to be in the present day. The shade of Socrates still seems to linger over the Attic streamlet, swelling its puny tide to the capacity of the loftiest musings of the humanized; and the memory of Homer is wedded to these waters of Meles. The critics who would disprove the existence of the bard, and assign the different members of his compositions to numerous anonymous authors, or to indefinite traditions, would find this no vantage ground. The influences of the place would abash their contumacy. There is something poetical even now about the locality. The stream flows through the Armenian quarter, passing by a short course to the well-known Caravan-bridge, and thence into the open country. At pretty well all hours of the day, groups of nymphs may be seen washing clothes in the waters, exhibiting *tableaux vivans* of Nausicaa and her maidens. No vulgar washerwomen are these with corrugated hands at reeking tubs, but such as painters and poets might celebrate. Washing is with them a pastime, and an elegance: their laundry a studio of art. They go right into the water, and splash about their things like naiads sporting; and anon returning to the bank, put forth their little strength in beating out the clothes. It would be rash to say that the process is so effectual as our more homely method; but it is at least pretty to look at. At evening the banks of the stream assume another appearance. Gay crowds promenade, and cavalcades linger; people of many nations congregate to unbend the brow laden with the cares of the day. Fathers muse, maidens gambol, and matrons chide.

A little farther on, and we come to Caravan-bridge,—of all Smyrna's objects, perhaps the one best known by reputation. It has its name from the number of caravans that, entering Smyrna from the interior, have to pass over it. And see, there is at this moment a string of camels in the way, so that we may as well halt in this convenient shade till they be gone by. That little Ethiopian will look after our horses, and Ali will bring us coffee and chibouques in a twinkling. See how

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pleasantly these trees overshadow our resting-place, and how the gliding of the water, here a broader and more rapid stream, seems to cool our very thoughts. This is the great picnic place for the citizens—a sort of Turkish Vauxhall. Yet what a difference between the orderly composure of these holiday makers, and the noisy mirth of our own compatriots. These folks take their *kef*, as they do every thing else, quietly. Here you may see hundreds of revellers, and not a drunkard among them. Perhaps the repose of the scene draws some of its influence from those sombre burying grounds, of which two are just opposite. No where is such truth of funereal effect preserved as in this country. Père la Chaise, and all European cemeteries are puerile in comparison. The stately evergreen which they have consecrated to the overshadowing of the dead fulfils the idea of solemnity and awe. There is effect in the manner in which the simple head-stones are planted together, with no separation of rails, no interspersion of pretending sarcophagi. All have returned to their dust, and have put off the ephemeral distinctions of life; they have returned to the bosom of their mother, where there is no aristocracy, and slumber as brethren till they shall be awakened to new distinctions.

This is a place where at odd times many a pleasant hour may be passed. It is such a thoroughfare, (at least the bridge, though you are in the shade by its side, well out of the bustle,)

that there is always something passing worthy of notice. It is also a capital place to practise the language, if you have any of it to expend. You see the strangest figures entering from the interior with their merchandise, which is all diligently examined by the officer of the customs here posted. It is a singular thing that the long trains of camels are invariably headed by a donkey; who takes the lead as coolly as if it were quite in order that such an insignificant brute should drag after him some five hundred animals, each big enough to eat him. The Caravandgis might be supposed to come all from one locality, so strong is the family likeness subsisting between them. Perhaps they actually do, for this hereditary disposition of employments is quite according to the genius of the nation. They are short, stout, little men, with round smooth faces, especially stolid in expression. They dress in the old style, never wearing the fez; and sure we ought to take the portrait of one of them, were it only for the sake of their boots. Such buckets are not often worn, and to pedestrians would be impracticable. But these men do not walk: seated on their donkeys, they jog on at the head of the caravan, bearing the merchandise of Asia through wildernesses where the foot of man is strange. With man they have little communion, and with nature they have little sympathy, or their soulless visages belie them. Life to them must be a blended experience of tobacco and camel's bells. I have marked them at night, when arrived at their journey's end, and bivouacking in the midst of their animals. The brutes formed a circular rampart, in the centre of which reclined the men. It was a desolate spot, such as generally disposes men to sociability with the stray fellow-creature or two who may happen to have been led to the same point; and here were two or three fellow-countrymen of the drivers. But they took no notice of their neighbours; they performed their prostrations, they disposed of their supper, and coiled themselves up to rest. If they rose for a moment, it was to look after some restless camel; and early in the morning, long before the sun, when I turned out, they were departed to a more remote solitude. But now the road is clear, and we make a start of it, leaving the town fairly behind.

"Stop, my men," said J——; "look at your horses' feet."

"What's that for?"

"We shall pass never another smithy this livelong day; and should a screw be loose in any of their shoes, it would be rather a bring up for us." Sage and sound advice for those who have a long ride before them; which yet at this time of our need we rejected; and for which I afterwards suffered. Awakening to a sense of my error, I did afterwards make a divergence to a village by the way; but there found no artist, and in the course of the day I learned fully to appreciate the
[Pg 241] importance of a nail in time. By the way, the shoes hereabout are of a peculiar kind, composed of a plate that entirely covers the hoof. They are at least effective in preventing the infraction of pebbles.

Our road was in the line that leads to the pretty village of Bonabat, leaving the no less pretty village of Boujah on the right, but far away, and hidden among the hills. These are two pleasant suburban retreats that the merchants of Smyrna, have established as a *ricovero* from the toils of the city. Bonabat is more especially inhabited by the French, and Boujah by the English. There is a third village somewhat farther off in the direction of Ephesus called Sittagui. A few years ago, when the Turkey trade was in its palmy days, the merchants used to do their business in most agreeable style. It was during certain months only that they went every day to their offices, the rest of the year being permitted to enjoyment. At present, though perhaps somewhat less magnificent in their style, they are eminently comfortable in their ways. During the summer months, their families are removed to these pretty country places; and at sundown each evening the ways are covered with the returning fathers and brothers. For us Englishmen, Boujah was naturally the accustomed haunt. Here is to be found the charming mixture of nationalities, which is the feature of Smyrneot society. Their ways are manly, without constraint, and in many respects patriarchal. The young ladies never wear bonnets, and are generally to be seen of a fine evening sitting in the open air before their own gates. The whole community having been pretty well all brought up together from childhood are on the happiest terms of intimacy: surnames are almost obsolete. Ungrateful must the heart be that can remember without pleasure days past in their society; where every house is open, and every face has a smile for the guest. There is one particular spot here, called the Three Wells, where my evening's walk has ever brought before me images fraught with recollection of Rebecca's introduction to Isaac, or of Jacob wooing Rachel. We now passed into the open country, where the road, leading over a low ridge of hills, becomes of less definite track. And the last village was passed, and thenceforward we were to meet stations only as rare landmarks. Hereabouts sugar, as a general luxury, disappears; the caffedgis supplying the mere coffee, unless some more luxurious stranger demand the drug. It is then dealt out from a small private store, and notified by a separate charge in the bill. The homely old Turks are ignorant of the uses of sugar; and it would seem that their language does not supply a descriptive term, as their "*shuk-kar*" is evidently a mispronunciation of our word. One could not, without romancing, say much of the beauty of the country through which we were passing at this early stage of our journey. It is even flat, and tame; and appears to be so more decidedly by contrast with most that lies in this region. Almost every where else the prospect is bounded by beautiful hills, here and there aspiring to the character of mountains, whose sides vary constantly in tint as they rangingly receive the rays of the rising or the setting sun. Or sometimes one has to pass through vast plains, where neglect and desolation have, in the exuberance of nature, assumed the appearance of luxuriant cultivation. Few artificial pastures could equal the natural beds of oleander that are sometimes found here stretching far away till lost behind the crags of a ravine; and which, in their unconstrained vegetation, show colours that the hothouse might envy. And particularly are the wildernesses of myrtle remarkable, which for

miles grow in thick jungle, through which it is difficult to preserve the narrow track kept for passage. It is curious to pass through these odorous thickets, where you can never see around you, and seldom many feet before you, on account of the windings of the way. Long are heard the tinklings of the camel's bells, and the heavy plod of their feet, before the train comes into sight, and many are the manœuvrings to effect a passage in peace. The camels, however many, are all linked together, and to the preceding donkey; and as they cannot be always persuaded to observe
[Pg 242] due distance, so as to keep the line *taught*, nor to follow each other on the same side of the road, it may be conceived that to pass them is sometimes a work of difficulty. It is a comfort that they never bite—at least never in ordinary cases; but still, till one is used to their near contact, it does seem formidable to be involved and hampered among these as one constantly must be. But this particular road of ours was, for some way, diversified by neither beauty nor incident; and, as things go, perhaps it is well that so it was; for therefore have I the less scruple at passing over observations topographical, and making haste to tell of what things befel us in the city of the unbelievers. One single party of travellers we did meet, whose journeying exercised considerable influence on our fortunes. It was about mid-day that we saw approaching, from the opposite direction to ourselves, a Frank gentleman, attended by a respectable looking squire. We knew him to be coming from Magnesia, because there was no other place from which he could be coming; and, by the same token, we shrewdly guessed him to be the one Frank inhabitant, the pro-consul, on whose good offices we had reckoned. The only alternative was, that he might be some casual visiter like ourselves, whom business or curiosity had led on a journey, whence he was returning. But, as he drew nearer, we read in the incurious expression of his face, that he was certainly at home; and the air of accustomed importance that beset him argued him to be one in authority. No men, surely, can be so alive to the sense of borrowed dignity as consular agents in out-of-the-way corners; at least no men carry so pompous an exposition on their brow. By these tokens we identified our stranger friend.

"Hail him," said K——.

"Bon giorno, signori!"

"Servo, signori. Andate in Magnesia?"

"I told you so," said K——.

And so it was. He, her Britannic Majesty's, and half-a-dozen other majesty's agent, stood convicted by his speech. The man had not been out of Magnesia, perhaps, any day for the last twelvemonths, and he had chosen, for the prosecution of his foreign interests, that precise day, when these three desolate Englishmen had come to throw themselves on his cares.

However, our blood was up, and our souls superior to trifles.

"Here's a poser! shall we reveal?"

"Not a bit of it. We don't want him, nor any one else. Any mixture of aid would have marred the spirit of our expedition: besides, remember our friend the Seraph."

This Seraph was of no higher than terrestrial order, being no other than the Armenian to whom we had the letter commendatory. What the word in their application means, I cannot say exactly, but believe it to be descriptive of the sordid occupation of a basqua; at any rate, it is a common style and title Αρμενικῶς.

In the confidence of this our possession, we allowed the European to pass on without giving him any hint of our forlorn condition, and without craving any direction for our conduct. He evidently thought that we had some bosom friend ready to receive us, or at any rate that we were fully up to all the ways and means of the country—as well he might, seeing us roam about in such *degagé* style. We were far too jealous of our dignity to betray any symptoms of indecision, or having been taken aback; and our adieux were waved to him with a perfect air of being at home and comfortable.

"Now then for an Armenian at home! How fortunate that fellow should be out of the way, for now our friend the Seraph will be sure to insist on our honouring his roof."

"Capital spreads, too, they give—judging by the samples one sees laid out of an evening in their halls."

"Hospitable people; are they not, K——?"

"Oh, very. Not that ever I have been in one of their houses."

"Nor I—any farther than having a pipe with old John the Dragoman at his porch."

"Nor I."

Here was a crown to our adventure! An untrodden city, an unvisited people, a welcome to the mysterious bosom of Armenian hospitality!

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DIRECT TAXATION.

"Free Trade," say the Americans "is another word for direct taxation, and direct taxation is another word for repudiation of states' debts." The Americans are right; it is so: and the strongest proof of these propositions is to be found in the conduct of the Americans themselves. The subject, however, is one not less interesting on this than the other side of the Atlantic. It involves the fortune and the temporal prosperity of every man in the united kingdom; and we do not hesitate to say that, on the embracing of just and reasonable views on this all-important subject by the constituencies of the united kingdom, the maintenance of the public credit,—the upholding of the public prosperity,—the ultimate existence of England as an independent nation, must come to depend.

We hear much, in the popular phrase of the day, of "great facts." We will assume "free trade" as a "great fact." We will not stop to inquire how it was brought about, or whether, by any means, it could have been avoided. These are the topics of history, and history, no one need fear, will do them justice. As little shall we stop to ask, whether direct or indirect taxation is the best, or whether a mixture of both is to be recommended. We shall not ask whether it is better to pay taxes on the price of the articles we purchase, when the amount is not perceived, or, if perceived, seldom objected to, at least against government, and when the disagreeable operation of paying money is compensated, at least in some degree, by the pleasure derived from the article purchased,—or to pay them at once to the tax-gatherer, when we get nothing for our ample disbursements but a bit of paper from the collector to remind us of the extent of our losses. As little shall we inquire, from history, how many nations have been ruined by direct taxation, and whether there is one, the decline of which can be traced to indirect; or from reason, whether it is *possible* that a *nation* can be ruined by indirect taxes, when the only effect of their becoming too high is, that they check the consumption of the articles on which they are laid, and therefore cease to be paid. We shall not remind our readers that, in the latter years of the war £72,000,000, under the protective system, was levied in the shape of taxes amidst general prosperity, on eighteen millions of people in the British empire; and that now, under the free trade system, fifty-two millions net revenue is felt as extremely oppressive by twenty-eight millions. These topics, vast and important as they are, and deeply as they bear on the past history and future prospects of the British empire, have become the province of history, because the great change on which they hinge has been made and cannot be unmade. We have chosen to have free trade,—in other words, to abandon indirect taxation; and free trade we must have, and indirect taxation will in consequence be abandoned.

But it is particularly to be observed, in the outset of this system, that free trade, once adopted and applied to certain great branches of national industry, must necessarily be *progressive*, and embrace *all*, if we would avoid the total ruin of many of the staple branches of our production and main source of our *direct* revenue. In a short time, grain of all sorts will be left with the nominal protection of a shilling a quarter; and many branches of manufactures already find themselves with a protecting duty so small that, keeping in view the difference of the value of money in England and the continental states, it amounts to nothing. If the classes thus left without any protection, or a merely nominal one, exposed to the effects of foreign competition, are not indemnified for their losses by the diminished price of the articles which they themselves purchase, they must grow poorer every day. Amidst the general cheapening of the articles *sold*, which constitute the income of the productive classes, if there is not a proportional cheapening of the articles *bought* which compose their *expenditure*, they must inevitably be destroyed.

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This truth is so obvious that it is adapted to the level of every capacity, and accordingly we already see it producing agitation for the farther repeal of indirect taxes, which it does not require the gift of prophecy to foresee will, in the end, though perhaps after a severe struggle, prove successful. It may not do so in this session of Parliament or the next; but, in process of time, the effect is certain.

A squeezable ministry, a yielding premier, will ere long be found, who, in a moment of difficulty, will be glad to buy off one set of assailants, as we did the Danes of old, by giving up what they desire. The separate agitations which must, in the end, produce this result, are already manifesting themselves. The West India planters allege, with reason, that, exposed as they are, when burdened with costly and irregular free labourers, to the competition of slave labour in Cuba and Brazil, without, in a few years, any protection, it is indispensable that the market of the mother country should be thrown open to them for all parts of their produce, especially in distilleries and breweries. The farmers, exposed to this attack in flank, while the corn laws have been repealed in their front, have no resource left but to clamour incessantly for the repeal of the malt-tax. In this attempt it is probable they will, in the end, prove successful, not because their demands are either just or reasonable, for as power is now constituted in this country that affords no guarantee whatever for being listened to, but because their claims are likely to be supported by the *beer-drinkers in towns*, a numerous and influential class of the community. The tea-dealers, encouraged by the success of agitation in other quarters, are already making a loud clamour for a reduction of the duty on tea, and prepared to prove, to the entire satisfaction of the Chancellor of the Exchequer, that nothing is so likely to increase a branch of revenue now producing £4,800,000 a-year, as to lower the duty from half-a-crown to a shilling on the pound. The tobacco dealers will not be behind their brethren in agitation; and we may soon expect to see all the venal talent of the nation enlisted in the great cause of free trade in smoking and chewing. The spirit-dealers will, most assuredly, not be the last to insist upon a reduction of the duties affecting them; and they are sure to be supported by the whole publicans in the urban constituencies; a class of men so numerous that it is certain their united voice is not long likely to be treated without attention. Every class, in short, will insist for a remission of the taxes affecting

themselves, without the slightest regard to the effect it is likely to have on the revenue, the public credit, or the general security of the empire; and when we reflect on the stupendous array of indirect taxes, which, under the influence of similar partial but fierce agitations, have been abandoned by successive conceding administrations to purchase temporary popularity, we feel convinced that the time is not far distant when the remaining customs and excise, producing, at present, about thirty millions of revenue, will share the same fate.

It is useless to lament this tendency, because lamentations will not stop it, and the reform bill has vested power in classes who, for good or for evil, will work it out. Nearly *two-thirds* of the Imperial Parliament are, under its enactments, the representatives of burghs.[18] In these burghs the great majority of the voters are shop-keepers, that is, persons whose interest it is to buy cheap and sell dear. In making the first use of their newly acquired power to force on free trade, and a repeal of all duties affecting themselves, our burghs have exactly followed in the footsteps of their predecessors, when parliamentary writs were first addressed to them by the Earl of
[Pg 245] Leicester, in 1264. "The burghers," says Guizot, "as much astonished as charmed at the importance which Leicester gave them, took advantage of their influence to procure *freedom to trade, and to get quit of all custom-house duties*, instead of establishing, in conjunction with him, the government on a durable foundation."[19] The influence of these urban constituencies is not likely to decrease under the increasing embarrassments of the landed producers, and the augmented stimulus to certain branches of trade from foreign importations. And, in consequence, as the revenue melts away under the effect of successive repeals of the indirect taxes, the question will, ere long, force itself on the government and the country, How is the interest of the debt to be paid? How are the charges of the national establishments to be defrayed? The extraordinary prosperity of the last two years, the result of the three fine harvests which had preceded them, cannot be expected to continue. A railway mania is not immortal;—like every other violent passion it must soon wear itself out. Peace cannot much longer be relied on;—the clouds are already gathering in more than one quarter. A recurrence to general indirect taxes is not to be thought of in these days of restricted currency and unrestricted importation. The only alternative is, either a reduction of the interest of the national debt, or a great increase of direct taxation.

It is not probable that a forcible reduction of the national debt will be attempted, at least till the other alternative has been tried and failed. The public funds are the great saving bank of the nation. Out of 192,970 persons who received the half-yearly dividend at the Bank of England in the year 1841, no less than 158,735 drew dividends under £50 half-yearly, of whom 58,000 were under £5; while those above £50 and not exceeding £200 were only 10,094, and those exceeding £2000 only 125![20] This is the great security for the public funds in England—the extent to which shares in them are held by persons composing that middle commercial class, in whom, under the present constitution, supreme power is practically vested.

Nor is it only the actual holders of the public funds who would be immediately struck at by an invasion of the national debt. Stock of every kind would at once fall *pari passu* with the three per cents.—credit of every kind would be violently shaken—the rate of discount at the Bank of England would instantly rise—money would become scarce over the country—every debtor would find his whole creditors on his back at once, while his means of recovering payment from those indebted to him would be proportionately abated. It is not going too far to say that, within a year after a blow had been struck at the public funds, one-half of the whole trading classes would find themselves insolvent. None would be able to stand the shock but those possessed of considerable capital. The majority who carried the measure would, for the most part, be ruined by its effects. This consequence is not a remote or secondary one, which large bodies of men can never be brought to see; it is immediate and direct, and is practically known, by the intercourse with banks, and the necessity of getting bills discounted, to the whole commercial community in the country. It is not probable that the burgher class, to whom the Reform Bill has given power, will voluntarily advocate a measure so evidently and palpably destructive to themselves. The public funds of Great Britain rest on the securest of all bases in a popular community, the self-interest of the holders of power. They would soon be swept away under universal suffrage, as they have been in so many states of America, because the majority under such a system have no funds to hold.

Two things, then, may be considered as certain as any thing depending on the varying chances of human affairs can be. 1. That the indirect taxes which at present constitute three-fifths of the net
[Pg 246] revenue of Great Britain will, in great part, in process of time, be swept away. 2. That to uphold the public credit and save from ruin the commercial classes, a great addition must be made to direct taxation.

It has become, therefore, a matter of the very highest importance to consider how an additional revenue can be raised without wide-spread ruin in that way; and what are the *principles* on which direct taxation should be founded, in order to be at once equal, just, and productive. It will be found, on consideration, that they are simple and of universal application—so plain as to be obvious, when stated, to every capacity, although a protracted struggle may doubtless be anticipated from the various classes whose immunities or exemptions such a just and equal system may abolish or abridge.

The first principles on the subject will naturally suggest themselves on the principle of "*lucus a non lucendo*," upon considering the gross inequalities, the enormous injustice of our present system of direct taxation. Upon reviewing it, one can hardly discover under what prevailing

interest in the Legislature the regulations have been framed, so strangely is occasional and unjust favour to the landed interest, in some particulars, blended with frequent and equally unjust oppression of them in others—so unequally is undue favour to the middle classes, in some respects, combined with unjust and partial burdens upon them in others.

To begin with one particular, in which the landed interest are greatly and unjustly exempted, while the other classes are severely and unjustly burdened. There is no duty on bequests or inheritance in land, while there is such a duty, and a very heavy one, in movable succession. The legacy duty on succession, from one unconnected with the legatee by blood, is ten *per cent.*; from relations six, and from parents one *per cent.* By the aid of the probate duty, which must be paid by the executors, and the expense of suing out letters of administration in England, or an edict and confirmation as executor in Scotland, these duties are practically nearly doubled. Succession in land, on the other hand, costs nothing, at least nothing requires to be paid to government; and though the expense of making up titles to landed estates is often very heavy, that is a burden for the benefit of lawyers, not the good of the state. A poor man who gets a legacy of £100, pays £10 direct to the Exchequer, and the executor, in addition, pays the heavy stamp on probate of the succession; but the great landholder succeeds to £100,000 a-year without paying a shilling to the state.

A creditor in Scotland, who succeeds to a bond for £100,000, heritably secured, pays nothing; if it is on personal security, he pays the full legacy duty of £10,000.

This glaring inequality, the remnant of the days of feudal oppression, or the relic of a time when the landholders had no money, and taxes could be extracted from movable property only, should forthwith be abolished. Succession of all kinds, whether in land, bonds heritably secured, or movable funds, should be taxed at the same rate. And by the addition of the vast amount of the landed property to the produce of the succession duty, it would be in the power of Government *to reduce the general tax at least a half* without any diminution, probably a large increase, in the general result. This must be at once apparent, when it is recollected that out of £5,303,000, which the income tax produced in 1845, from Britain, no less than £2,666,000, or nearly a half, came from the land. When it is recollected that the remainder embraced, besides income from realized money, no less than £1,541,000 for professional income, which of course corresponds to a comparatively small amount of realized capital, it is evident how great an increase to the taxable amount of succession this most equitable change would produce. It need hardly be said that the land should pay on so many years' purchase, say thirty in Great Britain, and twenty in Ireland of the *clear rent*, after deducting the interest of mortgages or heritable bonds or jointures. *They* would pay the tax on the succession of their holders respectively. And the distinction as to the lesser amount of the tax to be paid by children and relations, than strangers,
[Pg 247] now observed in the succession to personal property, should be applied also to landed succession.

This is one obvious burden, which should be applied equally to landed as to any other class of proprietors. But there are several particulars in which they are most unjustly subjected to burdens from which other classes are relieved; and if they get justice done them in this respect, they could well afford to pay the succession duty.

In the first place, the levying of the Poor's Rate as a burden exclusively laid on *real* property in England, that is, lands and houses, to the entire liberation of personal property or professional incomes, is a most monstrous inequality—indefensible on every principle of justice or expedience, and the long continuance of which can only be explained by the well known and proverbial supineness of that class of men, and their inability to rouse themselves to any combined or general effort, even for matters in which their own vital interests are concerned. The Poor's Rate, it is well known, is, especially in England, a very heavy burden. It amounted, prior to the late change in the law in England, to above £8,000,000 a-year: and although it was at first considerably reduced in the years immediately succeeding the first introduction of that Act in 1834, yet it has been steadily rising since, and has now nearly attained its former level.[21] Under the most favourable circumstances it cannot be estimated in round numbers at less than £6,000,000 a-year; in seasons of distress it never fails to reach £7,000,000. Scotland hitherto has paid less, because under the administration of the old law, the support afforded to the poor was miserably stinted, and quite inadequate to meet their necessities. This was fully exposed by the efforts of Dr. Alison and other distinguished philanthropists, and a parliamentary inquiry having demonstrated the truth of their statements, the Act of 1846 introduced a more humane and careful provision for the poor. Under the operation of this Act, the Poor Rate in Scotland has in most places considerably, and in some alarmingly, increased. The dreadful state of Ireland, suffering less under the failure, total as it has been, of the potato crop, than the general indigent condition of the poor, has at length forcibly aroused the attention of all classes in the empire, and it may confidently be predicted that the mockery of supposing the Irish paupers, 2,300,000 in number, to be provided for because £240,000 a-year, or about *two shillings* a head a-year, is levied for their relief on a rental of above £12,000,000 annually, cannot much longer be maintained. The Poor's Rate, therefore, is a subject which already interests deeply, and is likely to interest still more deeply, every part of the empire, and it is of the highest importance to consider what are the principles on which, in conformity with justice and expedience, it should be levied.

The monstrous injustice of the present system will be rendered apparent by a single example. Manufactories, collieries, iron-works, and commercial towns, are, it is well known, the great *producers* of the poor, because they bring together the labouring classes in vast numbers from all

quarters while trade is prosperous, and leave them in a state of suffering or destitution a burden on the landholders the moment it becomes depressed. The commercial classes, too, are immediately and directly benefited by the labour of these manufacturing poor while they retain their health; while the landholders in their vicinity are only so indirectly and in a lesser degree. This is decisively demonstrated by the colossal fortunes so frequently made in the commercial classes, contrasted with the declining circumstances or actual insolvency of the landholders by whom they are surrounded. Do these, the merchants and manufacturers, pay the larger
[Pg 248] proportion of the poor tax, thus rendered inevitable by the nature of their operations, which are in so high a degree beneficial to themselves? Quite the reverse: they do not, in proportion to their profits, pay a *tenth part* of its amount. The poor's rate, as at present levied, is on the rural proprietors an *Income*, on burgh inhabitants a *House* tax. The difference is prodigious, and leads to results in practice of the grossest injustice.

A landowner has an estate of £2000 a-year in a parish of which the poor's-rate is 1s. in the pound, or £100 a-year on his property. A manufactory is established, or an iron-work set agoing, or a coal mine opened upon it, from which the fortunate owner derives £50,000 a-year of profit. The buildings on it, however, are only valued at £2000 a-year. He pays for his *pauper creating* work, yielding him £50,000 a-year, £100 annually, the same as what the landowner in the same parish pays for his *pauper-feeding* estate of £2000 a-year. In other words, in proportion to the respective incomes, the landholder, who had no hand in bringing in the poor, and derives little or nothing from their labour, pays just *five-and-twenty times* as much as the manufacturer who introduced them, and is daily making a colossal fortune by their exertions! And this becomes the more unjust when it is recollected, that under the present system of free trade in corn and easy communication with distant quarters which railways and steam-boats afford, the little benefit the neighbouring landholders formerly derived from the presence of such manufacturing crowds, is fast disappearing. But further, the manufacturer or mine-owner having got off thus easily during the time of prosperous trade, when he was realising his fortune, stops his works, and discharges his workmen when the adverse season arrives. The rateable value of the manufactory or the mine has, for the present, almost or wholly disappeared, and the poor starving workmen are handed over to be supported by the land-owner.

Persons not practically acquainted with these matters may think this statement is overcharged: on the contrary, it is *within* the truth in some instances. We know an instance of a great iron master, whose profits average above £100,000 a-year, who pays less poor's rates for the poor he has mainly created, than a landholder in the same parish, of £2000 a-year, who never brought a pauper on its funds in his life. Such is the consequences of the present barbarous system of levying the poor's rate as an income tax on the landlords who are burdened with paupers, and only a house tax on the manufacturers who create and profit by them. The first thing to be done towards the introduction of a just system of direct taxation is to lay the maintenance of the poor equally on all classes; and above all to abolish the present most unjust system of making it only a house tax on the producers of poor in towns, and an income tax on their feeders in the country.

The Land Tax is another burden, exclusively affecting real property, which should either be abolished, altogether or levied equally on all classes. Its amount is not so great as the poor's rate, nevertheless it is considerable, as it produces about £1,172,000 a-year.[22]

The whole Assessed Taxes, though not avowedly and exclusively a tax on the landed interest, are, practically speaking, and in reality, a burden on them almost entirely; at least they are so much heavier on the landowners than the inhabitants of towns, that the burden is nothing in comparison on urban indwellers. Had they been practically felt as a grievance by the urban population they would long since have shared the fate of the house tax and been abolished. They have so long been kept up only because, with a few exceptions, they press almost exclusively upon that passive and supine class of landlords, the natural prey of Chancellors of the Exchequer, whom it seems generally impossible by any exertions, or the advent of any danger how urgent soever, to rouse to any common measure of defence. It no doubt sounds well to say that the
[Pg 249] assessed taxes are laid generally on luxuries, and therefore they are paid equally by all classes which indulge in them. But a closer examination will show that this view is entirely fallacious, and that the subjects actually taxed, though really luxuries to urban, are necessary aids to rural life. For example, a carriage, a riding horse, a coachman, a groom, are really luxuries in town, and their use may be considered as a fair test of affluent, or at least easy circumstances. But in the country they are absolutely necessaries. They are indispensable to business, to health, to mutual communication, to society, to existence. What similarity is there between the situation of a merchant with £1000 a-year, living in a comfortable town house, with an omnibus driving past his door every five minutes, a stand of cabs within call, and dining three days in the week at a club where he needs no servants of his own; and a landholder enjoying the same income, living in a country situation, with no neighbour within five miles, and having six miles to ride or drive to the nearest town or railway station where his business is to be transacted, or where a public conveyance can be reached?

Gardeners, park-keepers, foresters and the like, are generally not luxuries in the country, they are a necessary part of an establishment which is to turn the land to a profitable use. You might as well tax operatives in mills, or miners in collieries, or mechanics in manufactories, as such servants. Yet they are all swept into the assessed taxes, upon the rude and unfounded presumption that they are, equally with a large establishment of men-servants in towns, an indication of affluent circumstances. The window tax is incomparably, more oppressive in country houses than in town ones, from their greater size in general, and being for the most part

constructed at a period when no attention was paid to the number of windows, and they were generally made very small from being formed before the window tax was laid on. Taking all these circumstances into view, it is not going too far to assert, that on equal fortunes the assessed taxes are *twice as heavy* in the country as in towns; and that of £3,312,000 which they produce annually, after deducting the land tax, about £2,500,000, is paid by *landowners either in town or country*. It is inconceivable—no one *a priori* could credit it—how few householders in town, and not being landowners, pay any assessed taxes at all—or any of such amount as to be really a burden. The total number of houses charged to the window tax, in Great Britain, is 447,000, and the duty levied on them is, £1,613,774, or, at an average, about £3, 10s. a-house, while the number of inhabited houses was, in 1841, 3,164,000, or above seven times the number. The total number charged with one man-servant, is only 49,320, and, *persons keeping men-servants at all*, 110,849,[23] facts indicating how extremely partial is the operation of these taxes, and how severely they fall on the class most heavily burdened in other respects, and therefore least able to bear them.

The Highway Rates are another burden exclusively affecting land, although the whole community derive benefit from their use. This burden, exclusive of the sum levied at turnpike gates, in England amounted to £1,169,891, a-year.[24] This charge, heavy as it is, is felt as the more vexatious, that the rate-payers are not at liberty either to limit the use of the road, for which they pay, to themselves, or to allow it to fall into disrepair. An indictment of the road lies at common law, if it becomes unfit for traffic, even at the instance of any party using the road, though he does not pay any part of the rate. In other words, the neighbouring landholders are compelled to keep up the roads for the benefit of the public generally, who contribute nothing towards their maintenance. This matter becomes the more serious that in consequence of the general adoption and immense spread of railways, the traffic on the principal lines of road in England, has either
[Pg 250] almost entirely disappeared, or become inadequate to contributing any thing material to the support even of the turnpikes hitherto entirely maintained by them. It is not difficult to foresee, that the time is not far distant when nearly the *whole roads of England will fall as a burden on the rate payers*; for these roads cannot be abandoned, or the country off the railway lines would have no communication at all. And the sums paid by railway companies, how large soever, to landholders, afford no general compensation; for they benefit a few in the close vicinity of the railways only, while the highway rate affects all.

The Church Rate is another burden exclusively affecting land, though all classes obtain the benefit of it in the comfort and convenience of churches. It amounted, in 1839, the last year for which a return was made, to £506,512.[25] Nothing can be clearer than that this is a burden truly affecting real estates. It is entirely different from tithes, which are not, correctly speaking, a burden on land, but a separate estate apart from that of the landlord, which never was his, for which he has given no valuable consideration. But on what principle of justice is the burden of upholding churches exclusively laid on the land, when all classes sit in churches, and enjoy the benefit of their accommodation. The thing is evidently and palpably unjust, and won't bear an argument.

The Police, Lunatic Asylum, and Bridge Rates, constitute another burden on real property to which no other property is subject, which, though not universally introduced, are very oppressive in those counties where their establishment has been found necessary. Mr. Blamire, a very competent witness, estimates these incidental and partial charges at 2s. 1d. an acre.[26] The land is still liable also to a heavy disbursement on account of the Militia, if that national force should be again called out. There has been no return yet laid before parliament of these partial burdens on land, but they cannot be estimated at less than the church rate, or £500,000 a-year.

The Stamp Duties, from deeds and instruments which produce annually £1,646,000 a-year, fall for the most part as a burden on real property. This must be evident to every person who considers that real estates in land or houses are the great security on which money is advanced in every part of the country, and the extremely heavy burdens, in the shape of a direct payment in the requisite stamps for deeds to government, is imposed on the transmission and burdening of such property. It is particularly severe, in proportion to the value of the subjects burdened, in the mortgaging or alienating of small freeholds or heritable subjects. It is stated in the Lords' Report, on the burdens affecting real property, "The stamp on a conveyance of a certain length, on a sale of real subjects of the value of £50, would cost 12-1/2 per cent, or £6, 10s.; on a £100 sale, to 5 per cent; on a £200 sale, to 2-1/2 per cent; on a £500 sale, to £1, 14s. 3d. per £100; and above that sum, to one per cent." The weight on the establishment of mortgages, especially on small sums, is not less remarkable. The same report adds, "A mortgage for £50 costs, in stamps, and law expenses, thirty per cent.; a mortgage for £100, twenty per cent.; one for £450 seven per cent.; for £1500 three per cent.; for £12,500 one per cent.; for £25,000 fifteen shillings per cent, and for £100,000 twelve shillings per cent."[27] These burdens on the sale or mortgaging of real property are felt as the more oppressive, when it is recollected that movable property to the greatest amount, as in the public funds, or the like, may be alienated, or burdened in the most valid and effectual manner for the cost of a power of attorney, which is a guinea and half-a-crown per cent. to the broker who executes the transaction. Materials do not exist for separating exactly the deed-stamps falling as a burden on land transmissions and mortgages, from those affecting personal estates; but it is certainly within the mark to say, that they are three-fourths of the whole stamp-duties on deeds and instruments, or £1,200,000 a-year.

[Pg 251] Thus, it appears that, setting aside the tithe, as not the land-owner's property, and, therefore, a

separate estate, and not, properly speaking, a burden on land; and saying nothing of the malt-tax, which produces annually £4,500,000 a-year, on the supposition that, at present at least, that falls as a burden on the consumer; and saying nothing of the income-tax, which, as will immediately appear, falls as a much severer burden on land-rents than commercial incomes,—these distinct, clear, and indisputable burdens laid on land, from which property of other sorts in England are exempt, stand thus:—

I.	Poor's Rate in 1845, a very prosperous year,	£6,847,205
II.	Land-tax,	1,164,042
III.	Highway Rates,	1,169,891
IV.	Church Rates,	506,812
V.	Police, Lunatic, and Bridge-rates, estimated,	500,000
VI.	Excess of assessed taxes falling on land above personal estates, estimated,	1,500,000
VII.	Stamp-duties peculiar to land,	1,200,000
		£12,887,950

The rental of real property in England, rated to the Poor's Rates, is £62,540,030;[28] but the real rental, as ascertained by the more rigid and accurate returns for the Income-tax, is £85,802,735. On the first of these sums, the taxes exclusively falling on land amount to a tax of *twenty-five*, on the last of EIGHTEEN per cent. annually. This is in *addition* to the Income-tax, and all the indirect taxes which the owners of land and houses pay in common with all the rest of the community, and which by it are complained of as so oppressive.

Enough, it is thought, has now been said to prove the extreme inequality and injustice with which direct public burdens are levied in this country, and the necessity for a thorough and searching revision of our system of taxation, in this respect, especially since, from the way in which the tide sets, it has become so evident that direct will progressively be more extensively substituted for indirect taxation. But, in addition to these, there are several other circumstances which aggravate fourfold the burdens thus exclusively laid on real property.

I. In the first place, the alterations in the monetary system of the country, by the resumption of cash payments in 1819, followed up in Scotland and Ireland, as well as England, by the stringent Bankers' Act of 1844, has added fully forty per cent. to the weight of all taxes and other burdens, public or private, affecting landed property, because it has altered, to that extent, the value of money, and diminished the price of the articles of rural produce from which the laud-holders' means of paying them are derived. If the prices of wheat and of all other kinds of agricultural produce, for ten years before 1819, and ten years before 1845, be compared, it will at once appear that the difference is even greater than has been here stated.[29] But that consideration is of vital importance in this question, for if the price of all kinds of rural produce has declined nearly as nine to six by the operation of these monetary changes, the weight of debts and taxes,
[Pg 252] of course, must have been increased in the same proportion. We are not now to enter into any argument as to the expedience or necessity of that great change in our monetary system: we assume it as *a fact*, and refer to it only as rendering imperative a revision of the direct taxes bearing so heavily on the great interests whose means of paying them have been thus so seriously abridged.

II. In the second place, and this is a most important circumstance, the burdens which have been mentioned all fall as a burden on the landowner, how much soever his property may be charged with mortgages, jointures, or other real burdens. These must all be paid in full by himself alone, how small soever be the fraction of the nominal income of his estate which remains to him after discharging the annual amount of its real burdens. There is no right to deduct poor's rates, land tax, or other burdens affecting land, from mortgages, or even jointure holders, unless they are expressly declared liable to such, which is very seldom the case. These annual charges must all be paid *clear* to the creditor, without any deduction, except that of the income tax, which the debtor is allowed to retain by the Act imposing it. But this consideration is of vital importance to the landholders when the amount of their mortgages and other real burdens is taken into consideration. Their annual amount has been estimated by very competent judges at *two-thirds* of the income derived from land, although, as there is no general record in England for real burdens, their amount cannot at present be accurately ascertained. But take it, in order to be within the mark, at *three-fifths* of the real rental, as ascertained by the income tax returns, these show, as already stated, an income of £85,000,000 annually derived from land. Take three-fifths, or £51,000,000 of this sum as absorbed annually by mortgagers and annuitants holding real and preferable securities over land, and there will remain £34,000,000 annually to the holders of land and houses. Now on this £34,000,000 the real burdens above mentioned, amounting to £12,900,000 a-year, are fastened. If to these be added the income tax paid by the land, amounting, by the income tax returns, to £2,112,000, the clear income derived by landholders from the real property of England, with the *direct* taxes paid by them, will stand thus—

Clear Income as above		£34,000,000
Deduct direct taxes levied exclusively on land,	£12,900,000	
Income tax paid by land,	2,100,000	
		15,000,000
	Remains,	£19,000,000

Thus it appears that out of thirty-four millions of clear rental left to the owners of real property in England, no less than fifteen millions, or nearly *a half*, is taken from them annually in the shape of direct taxes which they cannot by any possibility avoid! How long would the commercial or city industry of England stand direct taxes to the amount of 46 per cent on their clear income? If that had been the state of their finances, we should have had no clamour in 1831 for enlarged representation, or in 1846 for the destruction, to their advantage, of all the protection to other branches of industry. We should have had no Anti-Corn Law League subscriptions of £100,000 to buy up all the venal talent in the form of itinerant orators and pamphleteers in the country. We should have had no conversions of conceding premiers by the weight of external agitation. In social, not less than military warfare, the longest purse carries the day; and the party which is the heaviest burdened is sure to be in the end overthrown.

III. The abolition of the Corn Laws, partially at present, entirely at the end of two years and a half, by the bill of 1846, not only has made this enormous burden of 46 *per cent.* on their clear income *deductis debitis* a permanent load on the landowners, but it has rendered it a hopeless one, because it has destroyed every means which they previously might have possessed of indemnifying themselves for its weight, by sharing its oppression with other classes. This is a matter of the very highest importance, which will soon make itself felt, though, in consequence of
[Pg 253] the nearly total failure of the potato crop in the west of Great Britain and Ireland, it has not yet been so. The usual resource of persons, who are burdened with heavy payments to government, is to lay as much as they can of it on others, by enhancing as much as possible the price of their produce. It is in this way that indirect taxes fall in general on the consumer; and it is on this principle that, in estimating the burdens exclusively affecting land, we have not included the malt duty, because it is in great part at least paid by the consumers of beer or porter. But, of course, if it becomes from any cause impossible for the party burdened, in the first instance, to raise the price of his produce, or if, on the contrary, he is compelled to lower it, *the whole tax will fall direct on himself*, because he will be without the means of laying it on the purchaser from him.

Now, the abolition of the Corn Laws has done this. In two years and a half, the whole grain of Poland and America will be admitted into the English market at the nominal duty of a shilling a quarter. It will be impossible for the farmers and landowners after that to keep up the price of grain of any sort in the British market beyond the prices in Prussia, and with the addition of 5s. a quarter for the cost of transit, and perhaps half as much for the profit of the importer. Wheat, beyond all question, will fall on an average of years to forty shillings a quarter, barley and oats to twenty. This is just as certain as the parallel reduction of average prices of wheat from 87s. a quarter to 56s. has been by the money law of 1819. Accordingly, now that the stress is over, they have no longer an interest to conceal or pervert the truth; the anti-corn law journals are the first to proclaim this result *as certain*, and they coolly recommend the English farmers to abandon altogether the cultivation of wheat, which can no longer be expected to pay, and to lay out their lands in pasture grass and the producing of *garden stuffs*. But amidst this general and now admitted decline in the price of grain, the 46 per cent. of direct burdens on land will continue unchanged; happy if it does not receive a large augmentation. The effect of this will be to augment the weight of the burdens to which they are already subjected on the landholders by at least twenty per cent., and, in addition, to *throw upon them the whole malt tax*, now amounting to £4,500,000 a-year. The moment the British farmer is obliged to lower the price of his barley to the level of the continental nations, where labour is so much cheaper, and rents comparatively light, the whole malt tax falls, without deduction or limitation, on British agriculture.

IV. The income tax, though apparently a burden equally affecting all classes, in reality attaches with much more severity to the landed than to any other class. There is, indeed, an advantage unduly enjoyed by capitalists of all sorts, landed or moneyed, in comparison with annuitants or professional men, which, as will immediately appear, loudly calls for a remedy. But, as compared with the merchant or moneyed man, who derives his income from trade or realised capital in a movable form, the landholder is, in every direct taxation, exposed to a most serious disadvantage. His income cannot be concealed, and it is returned by others than himself. The farmer or tenant, who has no interest in the matter, returns his landlord's rent. The trader, shopkeeper, or merchant estimates and returns his own income. The possessions of the first, and their annual rental, are universally known, and concealment as to them is impossible or sure of detection; the gains of the last are entirely secret, and wrapped up, even to the owner, in books or accounts, generally unintelligible in all cases but those of considerable merchants—to all but the persons who prepared them. Whoever is practically acquainted with human nature will at once perceive the immense effect which this difference must have on the amount of the burden, in appearance the same, as it affects the different classes of society.

And the result of this difference appears in the most decisive manner, in the amount of the sums paid by the different classes of society, as shown by the income tax returns. From them, it appears that the contributions from commerce, trades, and professions of *all sorts*, is not *quite*
[Pg 254] *half* of that obtained from landed property. The first is, in round numbers, £2,700,000; the second, £1,500,000.[30] But let it be recollected that the £1,541,000 a-year, which, in 1845, was paid by professional men of all descriptions, in Great Britain, included, besides merchants and traders, the whole class of professional men not traders, as lawyers, attorneys, physicians, &c. At the very lowest computation their share of this must amount to £341,000 a-year. There remains then £1,200,000 as the contribution of trade and commerce, of all kinds, from Great Britain, while that from land is £2,670,000 a-year, or *considerably more than double*. Can it be believed that this is founded on a fair return of incomes by the commercial classes? Are they prepared to admit that their property and income, and consequent interest and title to sway in the state, is

not half of that which is derived from land? Or do they shelter themselves under the comfortable assurance that their real income is incomparably greater, and that they quietly escape with a half or a third of the income tax which they ought to pay? We leave it to the trading class, and their abettors in the press, to settle this question with the commissioners of income tax throughout the country. We mention the fact, that trade and commerce do not pay half the income tax that land does, as a reason, among the many others which exist, for a thorough and radical reform of our financial system, so far as direct taxation is concerned.

Whoever considers seriously, and in an impartial spirit, the various particulars which have now been stated, will not only cease to wonder at the frequent, it may almost be said universal, embarrassment of the landed proprietors, but he will arrive at the conclusion, that if they continue much longer unchanged, they must terminate in their general ruin. We say *general* ruin, because it will not be universal. The *great* landowners, the magnates, whether moneyed or territorial, of the land will alone survive the general wreck. They will, by degrees, swallow up all the smaller estates in their neighbourhood; and it will come to be literally true in Britain what was said, by a Roman emperor, of Gaul, in the decline of the empire, "That the estates of the rich go on continually increasing and absorbing all lesser estates around them, till they come to the estate of *another as rich as themselves*." With direct taxes, amounting to 50 or 60 per cent. on the disposable income, which, under the change of prices, induced by the change in the corn laws, they will very soon be, even without any addition from farther taxes, it is wholly impossible that any landowner who does not possess enormous tracts of country, or vast funded or moneyed property in addition to his territorial possessions, can avoid insolvency. What the effect of the total destruction of the middle class of British landholders must be on the balance of the constitution, and the state of society in these islands, it is not our present purpose to inquire. Suffice it to say, that it is precisely the state of things which signalised the later stages of the Roman empire, and coincides with so many other circumstances in marking the striking analogy between our present condition and that which proved fatal to the ancient masters of the world.

Well may the Lords' Committee on the burdens affecting landed property have said, "Neither the law nor the spirit of the constitution originally contemplated so partial a system of taxation."[31] In truth, originally some of the heaviest present exclusive burdens on real property were born
[Pg 255] equally by personal estates. "The poor law of Elizabeth," says the report, "and the land tax of William and Mary, *embraced every species of income*; but in consequence of the comparative facility of rating visible property, and the small amount of income derived from other sources in the early period of their assessment, personalty seems to have escaped its legal share of contribution to the public service. The liability of stock in trade, however, was continued by law to a late period, and is, up to the present day, only suspended by an annual act of exemption." The Committee here point out, or rather hint at the real cause of the extraordinary exemption from their due share of the public burdens which has grown up insensibly in favour of movable property. Land has two admirable qualities in the estimation of Chancellors of the Exchequer. It can *neither be concealed nor removed*. Movable estates, stock in trade, are susceptible of both. The landholder has no secret invisible funds which he can bring forth when desired in the form of convenient loans to government to meet the state necessities. He has only a visible fixed estate, which can neither be concealed nor withdrawn from its annual burdens. Hence the influence and exemptions of the one, and the injustice experienced by and burdens of the other.

But in addition to this, there is another circumstance which has powerfully contributed to establish this extraordinary and iniquitous exemption of personal property from direct taxation. This is the difficulty which in practice amounts to an impossibility of getting by any means at the real amount of rateable personal property. The Commissioners of the Income Tax through the country will have no difficulty in understanding what is here meant. All the efforts of government and their official organs to ascertain the real amount of assessable movable property, have been insufficient to accomplish that end. Doubtless there are in the commercial and professional class many just and honourable men who give a true account to the last farthing of their gains. These are men, the honour and support of the country, whose word is their bond, and who may confidently be relied on to speak the truth under any circumstances. But, unhappily, experience has too clearly proved that the facility of concealing gains derived from stock in trade, and thus withdrawing it from its just liability for assessment, is too strong a temptation to be resisted. The proof of this is decisive. The returns of the income tax show £175,000,000 of annual income rated to that assessment, while only £1,541,000 was in 1845 paid by the whole professional persons in Great Britain. Of this £1,541,000, only £1200,000, at the very utmost can be estimated as coming from commercial or trade incomes, which, at sevenpence in the pound, corresponds to about £40,000,000 of annual income. Is it possible to believe that the whole commercial and trading classes in Great Britain, whose wealth is in every direction purchasing up the estates of the landed proprietors in the island, only enjoy forty out of one hundred and seventy-five millions of the rateable national income? Have they less than a fourth of the whole income rated to the income tax? If they have no more, they certainly make a good use of what they have, and must deem themselves singularly fortunate in that happy exemption from taxation which has enabled them, with less than a fourth of the general income, to get the command of the state, and buy up the properties of all the other classes.

There is one peculiarity in the income tax as at present established, which is productive of the greatest injustice, and loudly calls for immediate remedy. This consists in the taxing *all incomes at the same rate*, whether derived from professional income, annuity, land, or realized funds. This is just another instance of the careless and reckless way in which our system of direct taxation has at different times been framed, without any regard to principle, and alternately unjustly

favouring or grossly oppressing every class in society, *except the great capitalists*. They have been always and unduly considered. What can be more unjust than to tax every man of the same income at the same rate, whether it is derived from land or funded property, worth thirty years'
[Pg 256] purchase, or railway or bank stock worth twenty, or an annuity worth five, or a precarious professional income, which would not bring, from the uncertainty of life and the public favour, or the winds or monetary changes, above *two or three*? Under the present most unjust system, they all pay alike on their income, that is, some pay about FIFTEEN TIMES as much on what they are worth in the world in comparison with others! A man who derives £300 a-year from the three per cents. on land has a capital stock worth about £10,000. He pays as much, and no more, as a poor widow, just dropping into the grave, who has a jointure of £300 a-year, for which no insurance company in the kingdom would give her above £500, or a hard-working lawyer or country surgeon with the same income, whose chances of life and business are not worth three years' purchase. The gross injustice of this inequality requires no illustration.

Nor is it any answer to this to say, that if the professional and commercial classes are unduly oppressed by the income tax, they, are proportionally benefited by their general exemption from the heavy, direct taxation which in other respects weighs down the land; and that the one injustice may be set off against the other. We protest against the system of setting off one injustice against another: there is no compensation of evils in an equitable administration. In the present instance there can be no compensation, for the acts of injustice are committed against different classes. It is the trading classes which enjoy the means, from the occult nature of their gains, of evading by fallacious returns the income tax. The honest and honourable pay it to the last farthing: it is the *dishonest* who escape. The persons upon whom the levying the income tax in its present form operates with the most cruel severity are the professional men and annuitants. They cannot evade it, as the trading classes can. Their gains are generally known: if they are at all eminent or prosperous, the kindness or envy of the public generally helps them to at least a half more than they really enjoy. Merchants or shopkeepers are less in the public eye; and even when most prominent, their transactions are so various and wide-spread, that no one but themselves can estimate their profits. Every one knows, or can easily guess, what Dr. Chambers or the Attorney-General make a-year; but it would puzzle the most experienced heads on 'Change to say what were the yearly profits of the great bankers, merchants and manufacturers.

There is another enormous injustice connected with the income tax, and indeed all the direct taxes to Government, which loudly calls for remedy—*Ireland pays none of them*. It is high time that England and Scotland should rouse themselves to a sense of this most unreasonable and unjust exemption, and unite their strength by the proper constitutional means to remove it. We are always told Ireland cannot afford to pay any direct taxes. What, then, comes of its £12,000,000 of rental? Scotland, with little more than *a third* of that land rent, pays it and the assessed taxes besides, without either complaint or difficulty. But it is said the landlords are so eat up with mortgages, that they have not a fourth part of their nominal incomes left to live upon. That is a good reason for only making them pay, as under the income tax they would, on the free balance, *deductis debitis*. But, in the name of Heaven, why should the bondholders pay nothing? If they sit at home at ease in Dublin, Cork, or Belfast, and quietly enjoy £9,000,000 out of the £12,000,000 of Irish rental, why cannot *they* as well pay the income tax as their brethren in London, Liverpool, or Glasgow? The bondholders of Ireland *alone*, would, if they paid an income tax, contribute more to the common necessities of the State than *the whole land and industry of Scotland put together*. So vast are the natural resources which Providence has bestowed on that fickle and misguided people, and so few those enjoyed by the hardy and industrious Scotch mountaineers.

On what conceivable ground of justice or reason can this most monstrous and invidious exemption in favour of Ireland from income and assessed taxes be defended? Is it that Ireland
[Pg 257] with its 12,000,000 arable acres, and 5,000,000 of mountain and waste, has fewer natural resources than Scotland with its 4,500,000 of arable acres, and 12,000,000 of mountain and waste? Is it that 8,500,000 persons now in Ireland, cannot pay even what 2,900,000 now pay in Scotland? Is it that Ireland is so singularly peaceable and loyal, and gives so little anxiety or disquiet to the rest of the empire, that it must be rewarded for its admirable and dutiful conduct by an absolute exemption from all direct taxation to government? Is it that the troops required to be kept in it are so few, and in Scotland so numerous, that the former country may be liberated from taxation, while the latter is subjected to it in full extent? Is it that industry in towns in Ireland is so great, and manufacturing skill so transcendant, that it is entitled to be liberated from direct taxation in consideration of the vast amount of its indirect custom-house duties, in comparison of which those of London, yielding £12,000,000; of Liverpool, yielding £4,500,000 a-year; or Glasgow and the Clyde harbours, yielding £1,200,000; and Leith, yielding £589,000, are as nothing? Or is it that this extraordinary exemption is the reward of tumult, disaffection, and treason; of turbulent demagogues and factious priests, and an indolent people; of active and incessant combination for the purposes of evil, and total inability to combine for the purposes of good? And is it the first fruits of the regeneration of government by the Reform Bill, that it can raise a revenue only from the loyal and pacific and industrious part of the empire, and must proclaim relief from all taxation as the reward of tumult, disorder, murder, monster meetings, and treason? We leave it to the advocates of the present system of government, or those who established it, to answer these questions. We did neither the one nor the other, but have constantly opposed both; and Great Britain, in the system of direct taxation we have now exposed, is reaping the fruits of the changes she has thought proper to introduce.

Lastly, there is another peculiarity of the income tax which requires revision, and that is this;—at

present it descends only to £150 a-year income; and every one practically acquainted with these matters, knows that this, with the trading classes at least, whose gains can be concealed, amounts to a practical exemption, generally speaking, of all under at least £200 a-year. Nothing can be plainer than that, as matters stand at least, this exemption of all below such line is invidious, unjust, and, if persisted in, will lead to ruinous consequences. No reason can be assigned for it which will bear examination; for it is to be supposed the practical necessity of conciliating the ten pounders, the great majority of whom escape the tax altogether in this way, will not, in public at least, be assigned as a reason, how cogent soever it may be felt and candidly acknowledged in private. Why should a man, whose income, perhaps derived from land or funded property below £150, pay nothing, while a hard working clerk, attorney, or country surgeon, who makes £155, and is not worth a tenth part of the other's realised capital, pays *income-tax*? It is in vain to say you must draw a line somewhere. So you must, but you must not draw it in a way to do gross and palpable injustice,—to exempt the comparatively affluent, and oppress the industrious poor. There is a vital distinction, which it would be well if the income tax recognised, between income, of any amount, derived from realised property and from professional exertions. By all means give the humble professional classes the benefit of this distinction. But to draw the line, not according to the *quality* of the income as derived from capital or labour, but from its *absolute amount*, is arbitrary, invidious, and unjust.

The great advantage to be derived from making the income tax, modified as now suggested, descend lower in society is, that it would *interest a larger number in guarding against its abuse*. At present, it is said, there are three hundred and twenty thousand persons rated to the income tax in Great Britain, but not half of them really pay on *their own account*. Many pay the income tax of *one*; as a landlord's whole tenants for his rent, though not more than one or two, perhaps none, certainly not half the number, are separate persons whose incomes are really made liable.
[Pg 258] But can any thing be more unjust than to select in this way a particular class, not more than a *two-hundredth* part of the community, and subject them and *them alone* to the heaviest of the direct taxes? It is just the privileged class of old France over again, with this difference, that the privileged class in England is distinguished by being obliged *to bear* not to *avoid* the hated taille. Nevertheless, nothing is more certain than that, as long as this invidious and unjust accumulation of the whole direct tax is on one class of 150,000 persons, it will be highly popular with the remaining 29,000,000, and that the popular journals will never cease to resound with the propriety of extending still farther the *partial* burden of direct, and the *general exemption* under the name of Free Trade from the indirect taxes.

The increase of direct taxation, till it proved fatal to industry, population, national strength, and every thing save great capital, was the cause of the ruin of the Roman empire. Many circumstances, alas! concur in showing, and will ere long demonstrate to the most inconsiderate, that we are fast following in the same direction; and if so, we shall beyond all question share the same fate. The extension of the income tax, on a graduated scale, to persons as low even as £50 a-year, is the only way to arrest this great and growing evil. What is wanted is not the money to be drawn from these poorer but more numerous classes, but the *interesting them in resisting* its undue extension. If 150,000 persons only pay the income tax, it is very likely ere long to be raised to 10 or 15 per cent. *If a million pay it, no such extension need be dreaded.* No matter though the additional 850,000 pay only 10s. a piece, or £425,000 in all: their doing so would probably save the state from ruin. What is wanted is not their money, but their breath; not their contributions, but their clamour. They have a majority of votes in the constituencies. In a serious conflict their voice would be decisive in favour of any side they espoused. Interested to prevent the confiscation of property, they will effectually do so. Exempted from direct taxation, they will promote its increase till it has swallowed up the state, and themselves in its ruin, as it did the Roman empire.

So much has been said on the inequalities and injustice of the present system of direct taxation established in Great Britain, that little room remains for the true principles on the subject; but fortunately, like a beacon, it shows what rock should be avoided in the course. A system of direct taxation would not be far from just, which in every respect was precisely the reverse of that which at present exists amongst us.

I. The first thing to be done is to equalise the succession tax, lay it equally on land and personal estate, and lower it to the whole *one-half*. Five per cent. in succession to strangers; two-and-a-half to relations; and a half per cent. to parents or brothers, alike in land and money, would probably augment the produce of the tax, and certainly greatly relieve a most meritorious class of society, the representatives of small capitals.

II. All direct taxes should be levied equally on landed and personal estates, and, subject to the distinction after-mentioned, equally on professional income, as the fruit of realised capital. This rule should apply to all local or parochial, as well as public burdens. The effect of it would be to let in, as taxable income, in addition to the £2,666,000 now derived from land, a sum at least as large derived from personal estates or incomes. It would therefore lower this most oppressive tax, supposing its absolute amount undiminished *one-half*. The same would be the case with land tax, highway rates, church rates, police rates, &c. They would all be lowered a-half to the persons at present burdened with them, and that simply by the adoption of the just principle, that all fortunes in the same situation should be taxed alike for the general service of the state, and that the commercial classes who create the poor, and are enriched by their labour, should contribute equally with the landed to their support.

III. In levying the income tax, a different rate should be imposed on income, according as it is

[Pg 259] derived or not derived from realised capital. If it is so it should be taxed alike for all direct taxes. But if it is derived from annuity or professions, a lower rate should be adopted. If the *property* tax is 5 per cent. the *income* tax should not exceed 2-1/2 *per cent.*; whatever the one is the other should be *a-half* of it only. This modification of an impost now felt as so oppressive by all subjected to it, would go far towards reconciling the numerous class of small traders, the great majority in all urban constituencies, to the change—to its continuance, and also justify its extension to all incomes above £50 or £100 a-year. Without that extension it will inevitably degenerate into a confiscation of property above a certain level.

IV. Stamps or conveyances, or burdening of property, should be the same, and *not higher*, on personalty or landed estates. For the additional security of the latter, the borrower pays amply in the greater expense of the law deeds requisite to constitute effectual securities over real estates than over stock or movable funds. Stamps on bills, &c., which are advances for a short period only, should be rated at a widely different scale from that adopted in permanent loans. But there is no reason why securities over real estates should require to be written on paper bearing a higher stamp than those over personal effects.

V. The present system of the *assessed taxes* should be altered, so as to make it include all classes alike, and not, as at present, fall twice as heavily on the inhabitants of the country as those of towns. This may be done best by making these taxes a certain proportion of the *value of the house* inhabited by the party, as rated for the property tax—perhaps a fourth or fifth part, abolishing all other assessed taxes. This would reach all classes alike in town and country: for whatever may be said as to doing without an establishment in town, no one can do even there without a house. And the rich misers who live in a poor lodging and spend nothing, would be effectually reached in the heavy property tax, on their funds, wherever invested.

VI. To obviate the innumerable frauds daily practised in the concealment of professional incomes, especially by small traders, a power should be given to the Commissioners in all cases where they were dissatisfied with the return of professional income, to assess the party for income *at five times the value at which his house is rated*. On this principle if a lawyer or physician lives in a house rated at £100 a-year, he would pay on £500 a-year as income: if he occupied one rated at £2000, he would be taxed on £10,000. If the tax on realised property was 5 per cent. which it will soon be, that would just subject the professional one to two and a half. Perhaps it would be better to adopt some such general principle for all cases of professional income, and avoid the *requiring returns at all*.

In some cases the above plan might be adopted as a substitute for the income tax, or rather as a mode of levying it on *professional* persons. Those whose income is derived from land, the funds, or other realised property, would be entitled to exemption or deduction, upon production of the proper evidence that they were rated for the property tax at the higher rate.

VII. *Ireland* should pay the income and all direct taxes, at least on land, bonds, and other *realised property*, as well as the assessed and other direct taxes, just as Great Britain. Nothing can be advanced, founded either in reason or justice, in favour of the further continuance of their present most invidious and unjust exemption.

We have thus laid before our readers a just and reasonable system of direct taxation, from which the landed interest, now so unjustly oppressed, would derive great relief, simply by doing equal justice to them and the other classes in the state. The amount of injustice which such a system would remove, may be accurately measured by the amount of resistance which the system we have now advocated would doubtless experience, just as the injustice of the exemption from direct taxation enjoyed by the nobles and clergy of old France was measured by the obstinate resistance they made to an equalisation of the public burdens. Men cling to nothing with such a tenacity as unjust privileges and exemptions. But the changes we recommend have one lasting
[Pg 260] recommendation: they are founded on obvious justice. They go only to levy all taxes alike on all classes, in proportion, as nearly as may be, to their ability to pay them. And we implore the Conservative body, with whom we have so long acted, to consider whether it would not be far wiser to unite their strength to convince the country of the justice and expedience of some, at least, of these changes, than to follow the example of the Free Traders in urging the repeal of the malt tax, which could only be followed, as no addition to the indirect taxes is to be thought of, by a vast increase of the *income tax*, two-thirds of which would fall on the land itself.

And now a single word in conclusion on ourselves. We need not say how long and steadily we ranged ourselves on the side of the late Premier, or how widely the principles now contended for differ from those which he has carried into effect. We are actuated by no spirit of hostility either to the late or the present Government. Our course is that of freedom and independence. During Sir R. Peel's long and able contest with the movement party from 1838 to 1841, we stood faithfully by him, and that when many who have been most courtly during the subsequent days of his power, were not the least intemperate leaders on the other side. From respect for his talents and gratitude for his public services when in opposition, and a natural reluctance to believe that we had been mistaken in one whom we so long acknowledged as the leader of the Conservative party, we tempered our political discussion during the last twelvemonths with more forbearance than we should have done under other circumstances. But the die is now cast: it has been cast by himself. We can feel no dependence in a minister who introduces measures directly at variance with the whole principles of his public life: and we earnestly trust that by far the greater portion of the true-hearted and loyal men who, from over-confidence in their chief, have allowed themselves to be compromised in the late political transactions, will not again commit themselves

to any leader in whose candour and integrity they cannot thoroughly rely.

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FOOTNOTES:

[1] This narrative was originally composed in the third person; but so much of it consists of my own personal intercourse with Mr. Smith, that the use of that circuitous form of expression became as irksome to the writer, as he thinks it would have proved tedious and irritating to the reader.

[2] See an eloquent but brief sketch, of W. Smith, in the *Law Magazine* for February 1846, by Mr. Phillimore, of the Oxford Circuit, one of his most accomplished friends.

[3] Lib. vi. *proëm.*

[4] Pers. Sat. ii. 73, 74.

[5] The leading Counsel for the plaintiffs was the present Vice-Chancellor Knight Bruce; for the defendants the present Vice-Chancellor Wigram.

[6] In one vol. 8vo, pp. 386, Benning & Co. Fleet Street, accompanied by Notes by Jelinger C. Symons, Esq. Barrister-at-Law.

[7] But not that of Scotland. Bell's Princip. Law of Scotland, p. 4, (4th Edition.)

[8] Pp. 88-96.

[9] To this gentleman he dedicated, in 1843, the third edition of his "Mercantile Law." Within a very few months of each other, both of them died—Mr. Richards himself having, as he once told me, ruined his health by his intense and laborious prosecution of his profession. He had found it necessary to retire a year or two before his death. His brother, also, Mr. Griffith Richards, Q.C., one of the ablest members of the Chancery Bar, recently died under similar circumstances.

[10] "Law Magazine," N.S. Vol. lxx. p. 183.

[11] His chambers were No. 2, Mitre Court Buildings, to which he had removed from No. 12, King's Bench Walk, about two years before.

[12] Memoirs of General Pépé. Written by himself. London, 1846.

[13] "*The Theatres of Paris*. By Charles Hervey." London and Paris, 1846.

[14] Doubtless Gardoni was apprehensive of some such deterioration of his voice, for he has just left the *Académie*, after much opposition on the part of the manager, and has made a highly successful appearance at the Italian opera.

[15] Innumerable jests and lampoons circulated at the time of Napoleon's separation from Josephine, and second marriage. Conscious of the unworthy part he acted, the Emperor was greatly galled by them. "The keenest and most remarkable of these," says a German author who was in Paris at the time, "is unquestionably a *Chanson Poissarde*, of which hundreds of copies have been distributed, and which thousands have got by heart. Its author, in spite of Napoleon's fury, and of the zealous exertions of the police, has not been discovered. Several hundred persons have been arrested for copying or repeating it; but its original source remains unknown." It consists of nine verses, in the vulgar and mutilated French of the Paris *halles*. A couple of them will give a notion of the sly wit of the whole. They refer, of course, to the Emperor and to his future bride, Maria Louisa of Austria:—

> Pour ell' il s'est fait l'aut' jour
> Pemd'en bel habit d'dimanche,
> Et des diamants tout autour,
> Près d' sa figur comm' ça tranche!
> La p'tite luronne, j'en somm' sûr,
> Aim' mieux l'présent que l'futur.
>
> Ah! comm' ell' va s'amuser,
> C' te princess' qui nous arrive!
> Nous, j'allons boir' et danser,
> N's enrouer á crier: Vive!
> Ell, s' ra l'idol' d' la nation,
> J' l'ons lu dans l'proclamation.

[16] "Memoirs of the Reign of George the Second; by Horace Walpole." Edited by the late Lord Holland. 3 vols. Colburn: London.

[17] "The good Abderites," writes Wieland in his *Abderiten*, "once got the notion that such a town as Abdera ought no longer to be without its fountain. They would have one in their market place. Accordingly, they procured a celebrated sculptor from Athens to design and execute for them a group of figures representing the god of the ocean, in a car drawn by four sea-horses, surrounded by nymphs, and tritons, and dolphins. The sea-horses and the dolphins were to spout a quantity of water out of their nostrils. But when all was completed, it was found that there was hardly water enough to supply the nose of a single dolphin. So that when the fountain began to play it looked for all the world as if

the sea-horses and the dolphins had all taken a miserable cold, and were put to great shame there in the public place by reason of this dropping rheum. As this was too ridiculous for even the Abderites to endure, they removed the whole group into the temple of Neptune; and now, as often as it is shown to a foreigner, the custodian, in the name of the worthy town of Abdera, bitterly laments that so glorious a work of art should have been rendered useless *by the parsimony of Nature*."

In like manner, our good *Brightonians* lately got possessed of the notion that their sea-beaten town ought no longer to be without its fountain. They accordingly procured, not an artist from Athens, but a tall iron machine from Birmingham, tall as their houses, and much resembling in form one candlestick put upon another. This they placed in the choicest site their town afforded. Its ugliness was of no importance, as it was to be hidden underneath the graceful and ample flow of water. But when this water-spouting instrument was erected, it was found here too that no water was to be had—no natural and gratuitous supply. And now when the stranger wonders at this tall disfigurement, and inquires into its meaning, he is told how the spirited efforts of the Brightonians to adorn their town have been rendered fruitless *by the parsimony of water-companies*. Once a week, however, his cicerone will advertise him—once every week and for two hours together—the fountain is *let off* to the sound of music, and the people are gathered together to see it play—or rather, he might add, to *weep*—for even at these moments it feels the effect of the same cruel spirit of parsimony.

Our countrymen had better leave fountains alone. The introduction of them into London is nothing but a thoughtless imitation of what can only be a pleasing and natural ornament in a quite different climate. Who cares to see water spirting in the fog of London, in an atmosphere cold and damp, where there is rain enough to drown the fountain, and wind enough to scatter it in the air? Out of the whole twelve months there are scarce twelve days where this bubbling up of water in our city does not look a very discomfortable object.

[18]

	County Members.	Borough Members.
England,	162	336
Scotland,	30	23
Ireland,	66	39
	258	398

Or as 2 to 3 nearly.

[19] Guizot's Essais Sur l'Hist. de France, 475, 476.

[20] Porter's Parliamentary Tables, xii. 6.

[21]

Poor's Rate and County Rate.	
1832	£8,662,000
1833	8,279,217
1834	8,338,079
1842	6,552,800
1843	7,085,595
1844	6,848,717

Parl. Paper. Porter, xii. 247.

[22] Porter's Parl. Tables, xii. 36.

[23] Porter's Parl. Tables, xii. 37, 42; and xi. 275.

[24] Lords' Report on Burdens on Real Property, 1846, p. vi.

[25] Lords' Report on Burdens on Real Property, 1846, p. 6.

[26] Ibid. p. 7.

[27] Ibid. 1847, p. 8.

[28] Lords' Report, 1847, p. 7.

[29] Prices of wheat average, per Winchester quarter, in the years after mentioned, viz.:—

	s.	*d.*		*s.*	*d.*
1809	78	11	1834	46	2
1810	103	3	1835	39	4
1811	92	5	1836	28	6
1812	122	8	1837	56	10
1813	106	6	1838	64	7
1814	72	1	1839	70	8
1815	63	8	1840	66	4
1816	76	2	1841	64	4
1817	94	0	1842	64	6
1818	83	8	1843	54	4
1819	72	3	1844	51	3
Average	87	3	Average	56	5

Tooke on Prices, ii. 389, and Lords' Report on Burdens on Real Property, App. No. 26.

[30] Net amount of income tax for year ending 5th April, 1845:—

	England.	Scotland.	Total.
Schedule A, Land rents,	£2,112,072	£253,976	£2,366,048.
——— B, Tenants	292,646	22,961	315,607.
——— C, Annuities, funds, &c.	766,066	———	766,066.
——— D, Trades and professions,	1,424,017	117,953	1,541,970.
——— E, Offices, Pensions, &c.,	305,401	8,500	313,901.
	£4,900,202	£403,390	£5,303,502.

[31] Report, p. 9.

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