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VOL. LXVIII.

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VOL. LXVIII.

MY NOVEL; OR, VARIETIES IN ENGLISH LIFE.

BY PISISTRATUS CAXTON.

BOOK II—INITIAL CHAPTER:—INFORMING THE READER HOW THIS WORK CAME TO HAVE INITIAL CHAPTERS.

"There can't be a doubt," said my father, "that to each of the main divisions of your work—whether you call them Books or Parts—you should prefix an Initial or Introductory Chapter."

PISISTRATUS.—"Can't be a doubt, sir! Why so?"

MR CAXTON.—"Fielding lays it down as an indispensable rule, which he supports by his example; and Fielding was an artistical writer, and knew what he was about."

PISISTRATUS.—"Do you remember any of his reasons, sir?"

MR CAXTON.—"Why, indeed, Fielding says very justly that he is not bound to assign any reason; but he does assign a good many, here and there—to find which, I refer you to *Tom Jones*. I will only observe, that one of his reasons, which is unanswerable, runs to the effect that thus, in every Part or Book, the reader has the advantage of beginning at the fourth or fifth page instead of the first—'a matter by no means of trivial consequence,' saith Fielding, 'to persons who read books with no other view than to say they have read them—a more general motive to reading than is commonly imagined; and from which not only law books and good books, but the pages of Homer and Virgil, of Swift and Cervantes have been often turned over.' There," cried my father triumphantly, "I will lay a shilling to twopence that I have quoted the very words."

MRS CAXTON.—"Dear me, that only means skipping: I don't see any great advantage in writing a chapter, merely for people to skip it."

PISISTRATUS.—"Neither do I!"

MR CAXTON, dogmatically.—"It is the repose in the picture—Fielding calls it 'contrast'—(still more dogmatically) I say there can't be a doubt about it. Besides, (added my father after a pause,) besides, this usage gives you opportunities to explain what has gone before, or to prepare for what's coming; or, since Fielding contends with great truth, that some learning is necessary for this kind of historical composition, it allows you, naturally and easily, the introduction of light and pleasant ornaments of that nature. At each flight in the terrace, you may give the eye the relief of an urn or a statue. Moreover, when so inclined, you create proper pausing places for reflection; and complete, by a separate yet harmonious ethical department, the design of a work, which is but a mere Mother Goose's tale if it does not embrace a general view of the thoughts and actions of mankind."

PISISTRATUS.—"But then, in these initial chapters, the author thrusts himself forward; and just when you want to get on with the *dramatis personæ*, you find yourself face to face with the poet himself."

MR CAXTON.—"Pooh! you can contrive to prevent that! Imitate the chorus of the Greek stage, who fill up the intervals between the action by saying what the author would otherwise say in his own person."

PISISTRATUS, slyly.—"That's a good idea, sir—and I have a chorus, and a chorægus too, already in my eye."

MR CAXTON, unsuspectingly.—"Aha! you are not so dull a fellow as you would make yourself out to be; and, even if an author did thrust himself forward, what objection is there to that? It is a mere affectation to suppose that a book can come into the world without an author. Every child has a father, one father at least, as the great Condé says very well in his poem."

PISISTRATUS.—"The great Condé a poet!—I never heard that before."

MR CAXTON.—"I don't say he was a poet, but he sent a poem to Madame de Montansier. Envious critics think that he must have paid somebody else to write it; but there is no reason why a great Captain should not write a poem—I don't say a good poem, but a poem. I wonder, Roland, if the Duke ever tried his hand at 'Stanzas to Mary,' or 'Lines to a sleeping babe.'"

CAPTAIN ROLAND.—"Austin, I'm ashamed of you. Of course the Duke could write poetry if he pleased—something, I dare say, in the way of the great Condé—that is something warlike and heroic, I'll be bound. Let's hear!"

MR CAXTON, reciting—

"Telle est du Ciel la loi sévère
Qu'il faut qu'un enfant ait un père;
On dit même quelque fois
Tel enfant en a jusqu'à trois."

CAPTAIN ROLAND, greatly disgusted.—"Condé write such stuff!—I don't believe it."

PISISTRATUS.—"I do, and accept the quotation—you and Roland shall be joint fathers to my child as well as myself."

"Tel enfant en a jusqu'à trois."

MR CAXTON, solemnly.—"I refuse the proffered paternity; but so far as administering a little wholesome castigation, now and then, I have no objection to join in the discharge of a father's duty."

PISISTRATUS.—"Agreed; have you anything to say against the infant hitherto?"

MR CAXTON.—"He is in long clothes at present; let us wait till he can walk."

BLANCHE.—"But pray whom do you mean for a hero?—and is Miss Jemima your heroine?"

CAPTAIN ROLAND.—"There is some mystery about the—"

PISISTRATUS, hastily.—"Hush, Uncle; no letting the cat out of the bag yet. Listen, all of you! I left Frank Hazelden on his way to the Casino."

CHAPTER II.

"It is a sweet pretty place," thought Frank, as he opened the gate which led across the fields to the Casino, that smiled down upon him with its plaster pilasters. "I wonder, though, that my father, who is so particular in general, suffers the carriage road to be so full of holes and weeds. Mounseer does not receive many visits, I take it."

But when Frank got into the ground immediately before the house, he saw no cause of complaint as to want of order and repair. Nothing could be kept more neatly. Frank was ashamed of the dint made by the pony's hoofs in the smooth gravel; he dismounted, tied the animal to the wicket, and went on foot towards the glass door in front.

He rang the bell once, twice, but nobody came, for the old woman-servant, who was hard of hearing, was far away in the yard, searching for any eggs which the hen might have scandalously hidden from culinary purposes; and Jackeymo was fishing for the sticklebacks and minnows, which were, when caught, to assist the eggs, when found, in keeping together the bodies and souls of himself and his master. The old woman was on board wages,—lucky old woman! Frank rang a third time, and with the impetuosity of his age. A face peeped from the Belvidere on the terrace. "Diavolo!" said Dr Riccabocca to himself. "Young cocks crow hard on their own dunghill; it must be a cock of a high race to crow so loud at another's."

Therewith he shambled out of the summer-house, and appeared suddenly before Frank, in a very wizard-like dressing robe of black serge, a red cap on his head, and a cloud of smoke coming rapidly from his lips, as a final consolatory whiff, before he removed the pipe from them. Frank had indeed seen the Doctor before, but never in so scholastic a costume, and he was a little startled by the apparition at his elbow, as he turned round.

"Signorino—young gentleman," said the Italian, taking off his cap with his usual urbanity, "pardon the negligence of my people—I am too happy to receive your commands in person."

"Dr Rickeybockey?" stammered Frank, much confused by this polite address, and the low yet stately bow with which it was accompanied, "I—I have a note from the Hall. Mama—that is, my mother,—and aunt Jemima beg their best compliments, and hope you will come, sir."

The Doctor took the note with another bow, and, opening the glass door, invited Frank to enter.

The young gentleman, with a schoolboy's usual bluntness, was about to say that he was in a hurry, and had rather not; but Dr Riccabocca's grand manner awed him, while a glimpse of the hall excited his curiosity—so he silently obeyed the invitation.

The hall, which was of an octagon shape, had been originally panelled off into compartments, and in these the Italian had painted landscapes, rich with the warm sunny light of his native climate. Frank was no judge of the art displayed; but he was greatly struck with the scenes depicted: they were all views of some lake, real or imaginary—in all, dark-blue shining waters reflected dark-blue placid skies. In one, a flight of steps descended to the lake, and a gay group was seen feasting on the margin: in another, sunset threw its rose-hues over a vast villa or palace, backed by Alpine hills, and flanked by long arcades of vines, while pleasure-boats skimmed over the waves below. In short, throughout all the eight compartments, the scene, though it differed in details, preserved the same general character, as if illustrating some favourite locality. The Italian did not, however, evince any desire to do the honours to his own art, but, preceding Frank across the hall, opened the door of his usual sitting-room, and requested him to enter. Frank did so, rather reluctantly, and seated himself with unwonted bashfulness on the edge of a chair. But here new specimens of the Doctor's handicraft soon riveted attention. The room had been originally papered; but Riccabocca had stretched canvass over the walls, and painted thereon sundry satirical devices, each separated from the other by scroll-works of fantastic arabesques. Here a Cupid was trundling a wheelbarrow full of hearts, which he appeared to be selling to an ugly old fellow, with a money-bag in his hand—probably Plutus. There Diogenes might be seen walking through a market-place, with his lantern in his hand, in search of an honest man, whilst the children jeered at him, and the curs snapped at his heels. In another place, a lion was seen half dressed in a fox's hide, while a wolf in a sheep's mask was conversing very amicably with a young lamb. Here again might be seen the geese stretching out their necks from the Roman Capitol in full cackle, while the stout invaders were beheld in the distance, running off as hard as they could. In short, in all these quaint entablatures some pithy sarcasm was symbolically conveyed; only over the mantelpiece was the design graver and more touching. It was the figure of a man in a pilgrim's garb, chained to the earth by small but innumerable ligaments, while a phantom likeness of himself, his shadow, was seen hastening down what seemed an interminable vista; and underneath were written the pathetic words of Horace—

"Patriæ quis exul
Se quoque fugit?."

—"What exile from his country can fly himself as well?" The furniture of the room was extremely simple, and somewhat scanty; yet it was arranged so as to impart an air of taste and elegance to the room. Even a few plaster busts and statues, though bought but of some humble itinerant, had their classical effect, glistening from out stands of flowers that were grouped around them, or backed by graceful screen-works formed from twisted osiers, which, by the simple contrivance of trays at the bottom, filled with earth, served for living parasitical plants, with gay flowers contrasting thick ivy leaves, and gave to the whole room the aspect of a bower.

"May I ask your permission?" said the Italian, with his finger on the seal of the letter.

"Oh yes," said Frank with *naïveté*.

Riccabocca broke the seal, and a slight smile stole over his countenance. Then he turned a little aside from Frank, shaded his face with his hand, and seemed to muse. "Mrs Hazeldean," said he at last, "does me very great honour. I hardly recognise her handwriting, or I should have been more impatient to open the letter." The dark eyes were lifted over the spectacles, and went right into Frank's unprotected and undiplomatic heart. The Doctor raised the note, and pointed to the characters with his forefinger.

"Cousin Jemima's hand," said Frank, as directly as if the question had been put to him.

The Italian smiled. "Mr Hazeldean has company staying with him?"

"No; that is, only Barney—the Captain. There's seldom much company before the shooting season," added Frank with a slight sigh; "and then you know the holidays are over. For my part, I think we ought to break up a month later."

The Doctor seemed reassured by the first sentence in Frank's reply, and seating himself at the table, wrote his answer—not hastily, as we English write, but with care and precision, like one accustomed to weigh the nature of words—in that stiff Italian hand, which allows the writer so much time to think while he forms his letters. He did not therefore reply at once to Frank's remark about the holidays, but was silent till he had concluded his note, read it three times over, sealed it by the taper he slowly lighted, and then, giving it to Frank, he said—

"For your sake, young gentleman, I regret that your holidays are so early; for mine, I must rejoice, since I accept the kind invitation you have rendered doubly gratifying by bringing it yourself."

"Deuce take the fellow and his fine speeches! One don't know which way to look," thought English Frank.

The Italian smiled again, as if this time he had read the boy's heart, without need of those piercing black eyes, and said, less ceremoniously than before, "You don't care much for compliments, young gentleman?"

"No, I don't indeed," said Frank heartily.

"So much the better for you, since your way in the world is made: it would be so much the worse if you had to make it!"

Frank looked puzzled: the thought was too deep for him—so he turned to the pictures.

"Those are very funny," said he: "they seem capitally done—who did 'em?"

"Signorino Hazeldean, you are giving me what you refused yourself."

"Eh?" said Frank inquiringly.

"Compliments!"

"Oh—I—no; but they are well done, arn't they, sir?"

"Not particularly: you speak to the artist."

"What! you painted them?"

"Yes."

"And the pictures in the hall?"

"Those too."

"Taken from nature—eh?"

"Nature," said the Italian sententiously, perhaps evasively, "lets nothing be taken from her."

"Oh!" said Frank, puzzled again.

"Well, I must wish you good morning, sir; I am very glad you are coming."

"Without compliment?"

"Without compliment."

"A *rivedersi*—good-by for the present, my young signorino. This way," observing Frank make a bolt towards the wrong door.

"Can I offer you a glass of wine—it is pure, of our own making?"

"No, thank you, indeed, sir," cried Frank, suddenly recollecting his father's admonition. "Good-by

—don't trouble yourself, sir; I know my way now."

But the bland Italian followed his guest to the wicket, where Frank had left the pony. The young gentleman, afraid lest so courteous a host should hold the stirrup for him, twitched off the bridle, and mounted in haste, not even staying to ask if the Italian could put him in the way to Rood Hall, of which way he was profoundly ignorant. The Italian's eye followed the boy as he rode up the ascent in the lane, and the Doctor sighed heavily. "The wiser we grow," said he to himself, "the more we regret the age of our follies: it is better to gallop with a light heart up the stony hill than sit in the summer-house and cry 'How true!' to the stony truths of Machiavelli!"

With that he turned back into the Belvidere; but he could not resume his studies. He remained some minutes gazing on the prospect, till the prospect reminded him of the fields, which Jackeymo was bent on his hiring, and the fields reminded him of Lenny Fairfield. He walked back to the house, and in a few moments re-emerged in his out-of-door trim, with cloak and umbrella, relighted his pipe, and strolled towards Hazeldean village.

Meanwhile Frank, after cantering on for some distance, stopped at a cottage, and there learned that there was a short cut across the fields to Rood Hall, by which he could save nearly three miles. Frank, however, missed the short cut, and came out into the highroad: a turnpike keeper, after first taking his toll, put him back again into the short cut; and finally, he got into some green lanes, where a dilapidated finger-post directed him to Rood. Late at noon, having ridden fifteen miles in the desire to reduce ten to seven, he came suddenly upon a wild and primitive piece of ground, that seemed half Chase, half common, with slovenly tumble-down cottages of villanous aspect scattered about in odd nooks and corners; idle dirty children were making mud pies on the road; slovenly-looking women were plaiting straw at the thresholds; a large but forlorn and decayed church, that seemed to say that the generation which saw it built was more pious than the generation which now resorted to it, stood boldly and nakedly out by the roadside.

"Is this the village of Rood?" asked Frank of a stout young man breaking stones on the road—sad sign that no better labour could be found for him!

The man sullenly nodded, and continued his work.

"And where's the Hall—Mr. Leslie's?"

The man looked up in stolid surprise, and this time touched his hat.

"Be you going there?"

"Yes, if I can find out where it is."

"I'll show your honour," said the boor alertly.

Frank reined in the pony, and the man walked by his side.

Frank was much of his father's son, despite the difference of age, and that more fastidious change of manner which characterises each succeeding race in the progress of civilisation. Despite all his Eton finery, he was familiar with peasants, and had the quick eye of one country-born as to country matters.

"You don't seem very well off in this village, my man?" said he knowingly.

"Noa; there be a deal of distress here in the winter time, and summer too, for that matter; and the parish ben't much help to a single man."

"But the farmers want work here as well as elsewhere, I suppose?"

"'Deed, and there ben't much farming work here—most o' the parish be all wild ground loike."

"The poor have a right of common, I suppose," said Frank, surveying a large assortment of vagabond birds and quadrupeds.

"Yes; neighbour Timmins keeps his geese on the common, and some has a cow—and them be neighbour Jowlas's pigs. I don't know if there's a right, loike; but the folks at the Hall does all they can to help us, and that ben't much: they ben't as rich as some folks; but," added the peasant proudly, "they be as good blood as any in the shire."

"I'm glad to see you like them, at all events."

"Oh yes, I likes them well eno'; mayhap you are at school with the young gentleman?"

"Yes," said Frank.

"Ah! I heard the clergyman say as how Master Randal was a mighty clever lad, and would get rich some day. I'se sure I wish he would, for a poor squire makes a poor parish. There's the Hall, sir."

CHAPTER III.

Frank looked right ahead, and saw a square house that, in spite of modern sash-windows, was evidently of remote antiquity—a high conical roof; a stack of tall quaint chimney-pots of red baked clay (like those at Sutton Place in Surrey) dominating over isolated vulgar smoke-conductors, of the ignoble fashion of present times; a dilapidated groin-work, encasing within a Tudor arch a door of the comfortable date of George III., and the peculiarly dingy and weather-stained appearance of the small finely finished bricks, of which the habitation was built,—all showed the abode of former generations adapted with tasteless irreverence to the habits of descendants unenlightened by Pugin, or indifferent to the poetry of the past. The house had

emerged suddenly upon Frank out of the gloomy waste land, for it was placed in a hollow, and sheltered from sight by a disorderly group of ragged, dismal, valetudinarian fir-trees, until an abrupt turn of the road cleared that screen, and left the desolate abode bare to the discontented eye. Frank dismounted; the man held his pony; and, after smoothing his cravat, the smart Etonian sauntered up to the door, and startled the solitude of the place with a loud peal from the modern brass knocker—a knock which instantly brought forth an astonished starling who had built under the eaves of the gable roof, and called up a cloud of sparrows, tom-tits, and yellowhammers, who had been regaling themselves amongst the litter of a slovenly farm-yard that lay in full sight to the right of the house, fenced off by a primitive, paintless wooden rail. In process of time a sow, accompanied by a thriving and inquisitive family, strolled up to the gate of the fence, and, leaning her nose on the lower bar of the gate, contemplated the visitor with much curiosity and some suspicion.

While Frank is still without, impatiently swingeing his white trousers with his whip, we will steal a hurried glance towards the respective members of the family within. Mr Leslie, the *pater familias*, is in a little room called his 'study,' to which he regularly retires every morning after breakfast, rarely reappearing till one o'clock, which is his unfashionable hour for dinner. In what mysterious occupations Mr Leslie passes those hours no one ever formed a conjecture. At the present moment he is seated before a little rickety bureau, one leg of which (being shorter than the other) is propped up by sundry old letters and scraps of newspapers; and the bureau is open, and reveals a great number of pigeon-holes and divisions, filled with various odds and ends, the collection of many years. In some of these compartments are bundles of letters, very yellow, and tied in packets with faded tape; in another, all by itself, is a fragment of plum-pudding stone, which Mr Leslie has picked up in his walks and considered a rare mineral. It is neatly labelled "Found in Hollow Lane, May 21st, 1824, by Maunder Slugge Leslie, Esq." The next division holds several bits of iron in the shape of nails, fragments of horseshoes, &c., which Mr Leslie had also met with in his rambles, and, according to a harmless popular superstition, deemed it highly unlucky not to pick up, and, once picked up, no less unlucky to throw away. *Item*, in the adjoining pigeon-hole, a goodly collection of pebbles with holes in them, preserved for the same reason, in company with a crooked sixpence: *item*, neatly arranged in fanciful mosaics, several periwinkles, Blackamoor's teeth, (I mean the shell so called,) and other specimens of the conchiferous ingenuity of Nature, partly inherited from some ancestral spinster, partly amassed by Mr Leslie himself in a youthful excursion to the sea-side. There were the farm-bailiff's accounts, several files of bills, an old stirrup, three sets of knee and shoe buckles which had belonged to Mr Leslie's father, a few seals tied together by a shoe-string, a shagreen toothpick case, a tortoiseshell magnifying glass to read with, his eldest son's first copybooks, his second son's ditto, his daughter's ditto, and a lock of his wife's hair arranged in a true-lover's knot, framed and glazed. There were also a small mousetrap; a patent corkscrew, too good to be used in common; fragments of a silver tea spoon, that had, by natural decay, arrived at a dissolution of its parts; a small brown Holland bag, containing halfpence of various dates, as far back as Queen Anne, accompanied by two French *sous*, and a German *silber gros*; the which miscellany Mr Leslie magniloquently called "his coins," and had left in his will as a family heir-loom. There were many other curiosities of congenial nature and equal value—"quæ nunc describere longum est." Mr Leslie was engaged at this time in what is termed "putting things to rights"—an occupation he performed with exemplary care once a-week. This was his day; and he had just counted his coins, and was slowly tying them up again, when Frank's knock reached his ears.

Mr Maunder Slugge Leslie paused, shook his head as if incredulously, and was about to resume his occupation, when he was seized with a fit of yawning which prevented the bag being tied for full two minutes.

While such the employment of the study—let us turn to the recreations in the drawing-room, or rather parlour. A drawing-room there was on the first floor, with a charming look-out, not on the dreary fir-trees, but on the romantic undulating forest-land; but the drawing-room had not been used since the death of the last Mrs Leslie. It was deemed too good to sit in, except when there was company; there never being company, it was never sate in. Indeed, now the paper was falling off the walls with the damp, and the rats, mice, and moths—those "*edaces rerum*"—had eaten, between them, most of the chair-bottoms and a considerable part of the floor. Therefore the parlour was the sole general sitting-room; and being breakfasted in, dined and supped in, and, after supper, smoked in by Mr Leslie to the accompaniment of rum and water, it is impossible to deny that it had what is called "a smell"—a comfortable wholesome family smell—speaking of numbers, meals, and miscellaneous social habitation. There were two windows: one looked full on the fir-trees; the other on the farm-yard, with the pigsty closing the view. Near the fir-tree window sate Mrs Leslie; before her, on a high stool, was a basket of the children's clothes that wanted mending. A work-table of rosewood inlaid with brass, which had been a wedding present, and was a costly thing originally, but in that peculiar taste which is vulgarly called "Brumagem," stood at hand: the brass had started in several places, and occasionally made great havoc on the children's fingers and Mrs Leslie's gown; in fact, it was the liveliest piece of furniture in the house, thanks to that petulant brass-work, and could not have been more mischievous if it had been a monkey. Upon the work-table lay a housewife and thimble, and scissors and skeins of worsted and thread, and little scraps of linen and cloth for patches. But Mrs Leslie was not actually working—she was preparing to work; she had been preparing to work for the last hour and a half. Upon her lap she supported a novel, by a lady who wrote much for a former generation, under the name of "Mrs Bridget Blue Mantle." She had a small needle in her left hand, and a very thick piece of thread in her right; occasionally she applied the end of the said thread to her lips, and then—her eyes fixed on the novel—made a blind vacillating attack at the

eye of the needle. But a camel would have gone through it with quite as much ease. Nor did the novel alone engage Mrs Leslie's attention, for ever and anon she interrupted herself to scold the children; to inquire "what o'clock it was;" to observe that "Sarah would never suit," and to wonder why Mr Leslie would not see that the work-table was mended. Mrs Leslie had been rather a pretty woman. In spite of a dress at once slatternly and economical, she has still the air of a lady—rather too much so, the hard duties of her situation considered. She is proud of the antiquity of her family on both sides; her mother was of the venerable stock of the Daudlers of Daudle Place, a race that existed before the Conquest. Indeed, one has only to read our earliest chronicles, and to glance over some of those long-winded moralising poems which delighted the thanes and ealdermen of old, in order to see that the Daudles must have been a very influential family before William the First turned the country topsy-turvy. While the mother's race was thus indubitably Saxon, the father's had not only the name but the peculiar idiosyncrasy of the Normans, and went far to establish that crotchet of the brilliant author of *Sybil, or the Two Nations*, as to the continued distinction between the conquering and conquered populations. Mrs Leslie's father boasted the name of Montfydget; doubtless of the same kith and kin as those great barons Montfichet, who once owned such broad lands and such turbulent castles. A high-nosed, thin, nervous, excitable progeny, those same Montfydgets, as the most troublesome Norman could pretend to be. This fusion of race was notable to the most ordinary physiognomist in the *physique* and in the *morale* of Mrs Leslie. She had the speculative blue eye of the Saxon, and the passionate high nose of the Norman; she had the musing do-nothingness of the Daudlers, and the reckless have-at-every-thingness of the Montfydgets. At Mrs Leslie's feet, a little girl with her hair about her ears, (and beautiful hair it was too) was amusing herself with a broken-nosed doll. At the far end of the room, before a high desk, sat Frank's Eton schoolfellow, the eldest son. A minute or two before Frank's alarm had disturbed the tranquillity of the household, he had raised his eyes from the books on the desk, to glance at a very tattered copy of the Greek Testament, in which his brother Oliver had found a difficulty that he came to Randal to solve. As the young Etonian's face was turned to the light, your first impression, on seeing it, would have been melancholy but respectful interest—for the face had already lost the joyous character of youth—there was a wrinkle between the brows; and the lines that speak of fatigue, were already visible under the eyes and about the mouth; the complexion was sallow, the lips were pale. Years of study had already sown, in the delicate organisation, the seeds of many an infirmity and many a pain; but if your look had rested longer on that countenance, gradually your compassion might have given place to some feeling uneasy and sinister, a feeling akin to fear. There was in the whole expression so much of cold calm force, that it belied the debility of the frame. You saw there the evidence of a mind that was cultivated, and you felt that in that cultivation there was something formidable. A notable contrast to this countenance, prematurely worn and eminently intelligent, was the round healthy face of Oliver, with slow blue eyes, fixed hard on the penetrating orbs of his brother, as if trying with might and main to catch from them a gleam of that knowledge with which they shone clear and frigid as a star.

At Frank's knock, Oliver's slow blue eyes sparkled into animation, and he sprang from his brother's side. The little girl flung back the hair from her face, and stared at her mother with a look which spoke wonder and fright.

The young student knit his brows, and then turned wearily back to the books on his desk.

"Dear me," cried Mrs Leslie, "who can that possibly be? Oliver, come from the window, sir, this instant, you will be seen! Juliet, run—ring the bell—no, go to the stairs, and say, 'not at home.' Not at home on any account," repeated Mrs Leslie nervously, for the Montfydget blood was now in full flow.

In another minute or so, Frank's loud boyish voice was distinctly heard at the outer door.

Randal slightly started.

"Frank Hazeldean's voice," said he; "I should like to see him, mother."

"See him," repeated Mrs Leslie in amaze, "see him!—and the room in this state!"

Randal might have replied that the room was in no worse state than usual; but he said nothing. A slight flush came and went over his pale face; and then he leant his cheek on his hand, and compressed his lips firmly.

The outer door closed with a sullen inhospitable jar, and a slip-shod female servant entered with a card between her finger and thumb.

"Who is that for?—give it to me, Jenny," cried Mrs Leslie.

But Jenny shook her head, laid the card on the desk beside Randal, and vanished without saying a word.

"Oh look, Randal, look up," cried Oliver, who had again rushed to the window; "such a pretty gray pony!"

Randal did look up; nay, he went deliberately to the window, and gazed a moment on the high-mettled pony, and the well-dressed high-spirited rider. In that moment changes passed over Randal's countenance more rapidly than clouds over the sky in a gusty day. Now envy and discontent, with the curled lip and the gloomy scowl; now hope and proud self-esteem, with the clearing brow, and the lofty smile; and then all again became cold, firm, and close, as he walked back to his books, seated himself resolutely, and said half-aloud,—

"Well, KNOWLEDGE IS POWER!"

CHAPTER IV.

Mrs Leslie came up in fidget and in fuss; she leant over Randal's shoulder and read the card. Written in pen and ink, with an attempt at imitation of printed Roman character, there appeared first, 'MR FRANK HAZELDEAN;' but just over these letters, and scribbled hastily and less legibly in pencil, was—

'Dear Leslie,—sorry you are out—come and see us—*Do!*'

"You will go, Randal?" said Mrs Leslie, after a pause.

"I am not sure."

"Yes, *you* can go; *you* have clothes like a gentleman; *you* can go anywhere, not like those children;" and Mrs Leslie glanced almost spitefully on poor Oliver's coarse threadbare jacket, and little Juliet's torn frock.

"What I have I owe at present to Mr Egerton, and I should consult his wishes; he is not on good terms with these Hazeldeans." Then glancing towards his brother, who looked mortified, he added with a strange sort of haughty kindness, "What I may have hereafter, Oliver, I shall owe to myself; and then, if I rise, I will raise my family."

"Dear Randal," said Mrs Leslie, fondly kissing him on the forehead, "what a good heart you have!"

"No, mother; my books don't tell me that it is a good heart that gets on in the world; it is a hard head," replied Randal with a rude and scornful candour. "But I can read no more just now; come out, Oliver."

So saying, he slid from his mother's hand and left the room.

When Oliver joined him, Randal was already on the common; and, without seeming to notice his brother, he continued to walk quickly and with long strides in profound silence. At length he paused under the shade of an old oak, that, too old to be of value save for firewood, had escaped the axe. The tree stood on a knoll, and the spot commanded a view of the decayed house—the old dilapidated church—the dismal dreary village.

"Oliver," said Randal between his teeth, so that his voice had the sound of a hiss, "it was under this tree that I first resolved to—"

He paused.

"What, Randal?"

"Read hard; knowledge is power!"

"But you are so fond of reading."

"I!" cried Randal. "Do you think, when Wolsey and Thomas-à-Becket became priests, they were fond of telling their beads and pattering Aves?—I fond of reading!"

Oliver stared; the historical allusions were beyond his comprehension.

"You know," continued Randal, "that we Leslies were not always the beggarly poor gentlemen we are now. You know that there is a man who lives in Grosvenor Square, and is very rich—very. His riches come to him from a Leslie; that man is my patron, Oliver, and he is very good to me."

Randal's smile was withering as he spoke. "Come on," he said, after a pause—"come on." Again the walk was quicker, and the brothers were silent.

They came at length to a little shallow brook, across which some large stones had been placed at short intervals, so that the boys walked over the ford dryshod. "Will you pull me down that bough, Oliver?" said Randal abruptly, pointing to a tree. Oliver obeyed mechanically; and Randal, stripping the leaves, and snapping off the twigs, left a fork at the end; with this he began to remove the stepping-stones. "What are you about, Randal?" asked Oliver, wonderingly.

"We are on the other side of the brook now; and we shall not come back this way. We don't want the stepping-stones any more!—away with them!"

CHAPTER V.

The morning after this visit of Frank Hazeldean's to Rood Hall, the Right Honourable Audley Egerton, member of parliament, privy councillor, and minister of a high department in the state—just below the rank of the cabinet—was seated in his library, awaiting the delivery of the post, before he walked down to his office. In the meanwhile, he sipped his tea, and glanced over the newspapers with that quick and half-disdainful eye with which your practical man in public life is wont to regard the abuse or the eulogium of the Fourth Estate.

There is very little likeness between Mr Egerton and his half-brother; none indeed, except that they are both of tall stature, and strong, sinewy, English build. But even in this last they do not resemble each other; for the Squire's athletic shape is already beginning to expand into that portly embonpoint which seems the natural development of contented men as they approach middle life. Audley, on the contrary, is inclined to be spare; and his figure, though the muscles are as firm as iron, has enough of the slender to satisfy metropolitan ideas of elegance. His dress—his look—his *tout ensemble*, are those of the London man. In the first, there is more attention to fashion than is usual amongst the busy members of the House of Commons; but then Audley Egerton had always been something more than a mere busy member of the House of Commons.

He had always been a person of mark in the best society, and one secret of his success in life has been his high reputation as 'a gentleman.'

As he now bends over the journals, there is an air of distinction in the turn of the well-shaped head, with the dark-brown hair—dark in spite of a reddish tinge—cut close behind, and worn away a little towards the crown, so as to give additional height to a commanding forehead. His profile is very handsome, and of that kind of beauty which imposes on men if it pleases women; and is therefore, unlike that of your mere pretty fellows, a positive advantage in public life. It is a profile with large features clearly cut, masculine, and somewhat severe. The expression of his face is not open, like the Squire's; nor has it the cold closeness which accompanies the intellectual character of young Leslie's; but it is reserved and dignified, and significant of self-control, as should be the physiognomy of a man accustomed to think before he speaks. When you look at him, you are not surprised to learn that he is not a florid orator nor a smart debater—he is a "weighty speaker." He is fairly read, but without any great range either of ornamental scholarship or constitutional lore. He has not much humour; but he has that kind of wit which is essential to grave and serious irony. He has not much imagination, nor remarkable subtlety in reasoning; but if he does not dazzle, he does not *bore*: he is too much the man of the world for that. He is considered to have sound sense and accurate judgment. Withal, as he now lays aside the journals, and his face relaxes its austerer lines, you will not be astonished to hear that he is a man who is said to have been greatly beloved by women, and still to exercise much influence in drawing-rooms and boudoirs. At least no one was surprised when the great heiress Clementina Leslie, kinswoman and ward to Lord Lansmere—a young lady who had refused three earls and the heir-apparent to a dukedom—was declared by her dearest friends to be dying of love for Audley Egerton. It had been the natural wish of the Lansmeres that this lady should marry their son, Lord L'Estrange. But that young gentleman, whose opinions on matrimony partook of the eccentricity of his general character, could never be induced to propose, and had, according to the *on-dits* of town, been the principal party to make up the match between Clementina and his friend Audley; for the match required making-up, despite the predilections of the young heiress. Mr Egerton had had scruples of delicacy. He avowed, for the first time, that his fortune was much less than had been generally supposed, and he did not like the idea of owing all to a wife, however much he might esteem and admire her. L'Estrange was with his regiment abroad during the existence of these scruples; but by letters to his father, and to his cousin Clementina, he contrived to open and conclude negotiations, while he argued away Mr Egerton's objections; and, before the year in which Audley was returned for Lansmere had expired, he received the hand of the great heiress. The settlement of her fortune, which was chiefly in the funds, had been unusually advantageous to the husband; for though the capital was tied up so long as both survived—for the benefit of any children they might have—yet, in the event of one of the parties dying without issue by the marriage, the whole passed without limitation to the survivor. In not only assenting to, but proposing this clause, Miss Leslie, if she showed a generous trust in Mr Egerton, inflicted no positive wrong on her relations; for she had none sufficiently near to her to warrant their claim to the succession. Her nearest kinsman, and therefore her natural heir, was Harley L'Estrange; and if he was contented, no one had a right to complain. The tie of blood between herself and the Leslies of Rood Hall was, as we shall see presently, extremely distant.

It was not till after his marriage that Mr Egerton took an active part in the business of the House of Commons. He was then at the most advantageous starting-point for the career of ambition. His words on the state of the country took importance from his stake in it. His talents found accessories in the opulence of Grosvenor Square, the dignity of a princely establishment, the respectability of one firmly settled in life, the reputation of a fortune in reality very large, and which was magnified by popular report into the revenues of a Cræsus. Audley Egerton succeeded in Parliament beyond the early expectations formed of him. He took, at first, that station in the House which it requires tact to establish, and great knowledge of the world to free from the charge of impracticability and crotchet, but which, once established, is peculiarly imposing from the rarity of its independence; that is to say, the station of the moderate man who belongs sufficiently to a party to obtain its support, but is yet sufficiently disengaged from a party to make his vote and word, on certain questions, matter of anxiety and speculation.

Professing Toryism, (the word Conservative, which would have suited him better, was not then known,) he separated himself from the country party, and always avowed great respect for the opinions of the large towns. The epithet given to the views of Audley Egerton was "enlightened." Never too much in advance of the passion of the day, yet never behind its movement, he had that shrewd calculation of odds which a consummate mastery of the world sometimes bestows upon politicians—perceived the chances for and against a certain question being carried within a certain time, and nicked the question between wind and water. He was so good a barometer of that changeful weather called Public Opinion that he might have had a hand in the *Times* newspaper. He soon quarrelled, and purposely, with his Lansmere constituents—nor had he ever revisited that borough, perhaps because it was associated with unpleasant reminiscences in the shape of the Squire's epistolary trimmer, and in that of his own effigies which his agricultural constituents had burned in the corn-market. But the speeches which produced such indignation at Lansmere, had delighted one of the greatest of our commercial towns, which at the next general election honoured him with its representation. In those days, before the Reform Bill, great commercial towns chose men of high mark for their members; and a proud station it was for him who was delegated to speak the voice of the princely merchants of England.

Mrs Egerton survived her marriage but a few years; she left no children; two had been born, but died in their first infancy. The property of the wife, therefore, passed without control or limit to the husband.

Whatever might have been the grief of the widower, he disdained to betray it to the world. Indeed, Audley Egerton was a man who had early taught himself to conceal emotion. He buried himself in the country, none knew where, for some months: when he returned, there was a deep wrinkle on his brow; but no change in his habits and avocations, except that, shortly afterwards, he accepted office, and thus became more busy than ever.

Mr Egerton had always been lavish and magnificent in money matters. A rich man in public life has many claims on his fortune, and no one yielded to those claims with an air so regal as Audley Egerton. But amongst his many liberal actions, there was none which seemed more worthy of panegyric, than the generous favour he extended to the son of his wife's poor and distant kinsfolks, the Leslies of Rood Hall.

Some four generations back, there had lived a certain Squire Leslie, a man of large acres and active mind. He had cause to be displeased with his elder son, and though he did not disinherit him, he left half his property to a younger.

The younger had capacity and spirit, which justified the paternal provision. He increased his fortune; lifted himself into notice and consideration, by public services and a noble alliance. His descendants followed his example, and took rank among the first commoners in England, till the last male, dying, left his sole heiress and representative in one daughter, Clementina, afterwards married to Mr Egerton.

Meanwhile the elder son of the forementioned squire had muddled and sotted away much of his share in the Leslie property; and, by low habits and mean society, lowered in repute his representation of the name.

His successors imitated him, till nothing was left to Randal's father, Mr Maunder Slugge Leslie, but the decayed house which was what the Germans call the *stamm schloss*, or "stem hall" of the race, and the wretched lands immediately around it.

Still, though all intercourse between the two branches of the family had ceased, the younger had always felt a respect for the elder, as the head of the house. And it was supposed that, on her deathbed, Mrs Egerton had recommended her impoverished namesakes and kindred to the care of her husband. For, when he returned to town after Mrs Egerton's death, Audley had sent to Mr Maunder Slugge Leslie the sum of £5000, which he said his wife, leaving no written will, had orally bequeathed as a legacy to that gentleman; and he requested permission to charge himself with the education of the eldest son.

Mr Maunder Slugge Leslie might have done great things for his little property with those £5000, or even, (kept in the three-per-cents) the interest would have afforded a material addition to his comforts. But a neighbouring solicitor having caught scent of the legacy, hunted it down into his own hands, on pretence of having found a capital investment in a canal. And when the solicitor had got possession of the £5000, he went off with them to America.

Meanwhile Randal, placed by Mr Egerton at an excellent preparatory school, at first gave no signs of industry or talent; but just before he left it, there came to the school, as classical tutor, an ambitious young Oxford man; and his zeal, for he was a capital teacher, produced a great effect generally on the pupils, and especially on Randal Leslie. He talked to them much in private on the advantages of learning, and shortly afterwards he exhibited those advantages in his own person; for, having edited a Greek play with much subtle scholarship, his college, which some slight irregularities of his had displeased, recalled him to its venerable bosom by the presentation of a fellowship. After this he took orders, became a college tutor, distinguished himself yet more by a treatise on the Greek accent, got a capital living, and was considered on the high road to a bishopric. This young man, then, communicated to Randal the thirst for knowledge; and when the boy went afterwards to Eton, he applied with such earnestness and resolve that his fame soon reached the ears of Audley; and that person, who had the sympathy for talent, and yet more for purpose, which often characterises ambitious men, went to Eton to see him. From that time, Audley evinced great and almost fatherly interest in the brilliant Etonian; and Randal always spent with him some days in each vacation.

I have said that Egerton's conduct, with respect to this boy, was more praiseworthy than most of those generous actions for which he was renowned, since to this the world gave no applause. What a man does within the range of his family connections, does not carry with it that *éclat* which invests a munificence exhibited on public occasions. Either people care nothing about it, or tacitly suppose it to be but his duty. It was true, too, as the Squire had observed, that Randal Leslie was even less distantly related to the Hazeldeans than to Mrs Egerton, since Randal's grandfather had actually married a Miss Hazeldean, (the highest worldly connection that branch of the family had formed since the great split I have commemorated.) But Audley Egerton never appeared aware of that fact. As he was not himself descended from the Hazeldeans, he never troubled himself about their genealogy; and he took care to impress it upon the Leslies that his generosity on their behalf was solely to be ascribed to his respect for his wife's memory and kindred. Still the Squire had felt as if his "distant brother" implied a rebuke on his own neglect of these poor Leslies, by the liberality Audley evinced towards them; and this had made him doubly sore when the name of Randal Leslie was mentioned. But the fact really was, that the Leslies of Rood had so shrunk out of all notice that the Squire had actually forgotten their existence, until Randal became thus indebted to his brother; and then he felt a pang of remorse that any one save himself, the head of the Hazeldeans, should lend a helping hand to the grandson of a Hazeldean.

But having thus, somewhat too tediously, explained the position of Audley Egerton, whether in the world or in relation to his young *protégé*, I may now permit him to receive and to read his

letters.

CHAPTER VI.

Mr Egerton glanced over the pile of letters placed beside him, and first he tore up some, scarcely read, and threw them into the waste-basket. Public men have such odd out-of-the-way letters that their waste-baskets are never empty: letters from amateur financiers proposing new ways to pay off the National Debt; letters from America, (never free!) asking for autographs; letters from fond mothers in country villages, recommending some miracle of a son for a place in the king's service; letters from freethinkers in reproof of bigotry; letters from bigots in reproof of freethinking; letters signed Brutus Redivivus, containing the agreeable information that the writer has a dagger for tyrants, if the Danish claims are not forthwith adjusted; letters signed Matilda or Caroline, stating that Caroline or Matilda has seen the public man's portrait at the Exhibition, and that a heart sensible to its attractions may be found at No. — Piccadilly; letters from beggars, impostors, monomaniacs, speculators, jobbers—all food for the waste-basket.

From the correspondence thus winnowed, Mr Egerton first selected those on business, which he put methodically together in one division of his pocket-book; and secondly, those of a private nature, which he as carefully put into another. Of these last there were but three—one from his steward, one from Harley L'Estrange, one from Randal Leslie. It was his custom to answer his correspondence at his office; and to his office, a few minutes afterwards, he slowly took his way. Many a passenger turned back to look again at the firm figure, which, despite the hot summer day, was buttoned up to the throat; and the black frock-coat thus worn, well became the erect air, and the deep full chest of the handsome senator. When he entered Parliament Street, Audley Egerton was joined by one of his colleagues, also on his way to the cares of office.

After a few observations on the last debate, this gentleman said—

"By the way, can you dine with me next Saturday, to meet Lansmere? He comes up to town to vote for us on Monday."

"I had asked some people to dine with me," answered Egerton, "but I will put them off. I see Lord Lansmere too seldom, to miss any occasion to meet a man whom I respect so much."

"So seldom! True, he is very little in town; but why don't you go and see him in the country? Good shooting—pleasant old-fashioned house."

"My dear Westbourne, his house is '*nimum vicina Cremonæ*,' close to a borough in which I have been burned in effigy."

"Ha—ha—yes—I remember you first came into Parliament for that snug little place; but Lansmere himself never found fault with your votes, did he?"

"He behaved very handsomely, and said he had not presumed to consider me his mouthpiece; and then, too, I am so intimate with L'Estrange."

"Is that queer fellow ever coming back to England?"

"He comes, generally every year, for a few days, just to see his father and mother, and then goes back to the Continent."

"I never meet him."

"He comes in September or October, when you, of course, are not in town, and it is in town that the Lansmeres meet him."

"Why does not he go to them?"

"A man in England but once a year, and for a few days, has so much to do in London, I suppose."

"Is he as amusing as ever?"

Egerton nodded.

"So distinguished as he might be!" continued Lord Westbourne.

"So distinguished as he is!" said Egerton formally; "an officer selected for praise, even in such fields as Quatre Bras and Waterloo; a scholar, too, of the finest taste; and as an accomplished gentleman, matchless!"

"I like to hear one man praise another so warmly in these ill-natured days," answered Lord Westbourne. "But still, though L'Estrange is doubtless all you say, don't you think he rather wastes his life—living abroad?"

"And trying to be happy, Westbourne? Are you sure it is not we who waste our lives? But I can't stay to hear your answer. Here we are at the door of my prison."

"On Saturday, then?"

"On Saturday. Good day."

For the next hour, or more, Mr Egerton was engaged on the affairs of the state. He then snatched an interval of leisure, (while awaiting a report, which he had instructed a clerk to make him,) in order to reply to his letters. Those on public business were soon despatched; and throwing his replies aside, to be sealed by a subordinate hand, he drew out the letters which he had put apart as private.

He attended first to that of his steward: the steward's letter was long, the reply was contained in

three lines. Pitt himself was scarcely more negligent of his private interests and concerns than Audley Egerton—yet, withal, Audley Egerton was said by his enemies to be an egotist.

The next letter he wrote was to Randal, and that, though longer, was far from prolix: it ran thus—

"Dear Mr Leslie,—I appreciate your delicacy in consulting me, whether you should accept Frank Hazeldean's invitation to call at the Hall. Since you are asked, I can see no objection to it. I should be sorry if you appeared to force yourself there; and for the rest, as a general rule, I think a young man who has his own way to make in life had better avoid all intimacy with those of his own age who have no kindred objects nor congenial pursuits.

"As soon as this visit is paid, I wish you to come to London. The report I receive of your progress at Eton renders it unnecessary, in my judgment, that you should return there. If your father has no objection, I propose that you should go to Oxford at the ensuing term. Meanwhile, I have engaged a gentleman who is a fellow of Baliol, to read with you; he is of opinion, judging only by your high repute at Eton, that you may at once obtain a scholarship in that college. If you do so, I shall look upon your career in life as assured.

"Your affectionate friend, and
sincere well-wisher,

A. E."

The reader will remark that, in this letter, there is a certain tone of formality. Mr Egerton does not call his *protégé* "dear Randal," as would seem natural, but coldly and stiffly, "Dear Mr Leslie." He hints, also, that the boy has his own way to make in life. Is this meant to guard against too sanguine notions of inheritance, which his generosity may have excited?

The letter to Lord L'Estrange was of a very different kind from the others. It was long, and full of such little scraps of news and gossip as may interest friends in a foreign land; it was written gaily, and as with a wish to cheer his friend; you could see that it was a reply to a melancholy letter; and in the whole tone and spirit there was an affection, even to tenderness, of which those who most liked Audley Egerton would have scarcely supposed him capable. Yet, notwithstanding, there was a kind of constraint in the letter, which perhaps only the fine tact of a woman would detect. It had not that *abandon*, that hearty self-outpouring, which you might expect would characterise the letters of two such friends, who had been boys at school together, and which did breathe indeed in all the abrupt rambling sentences of his correspondent. But where was the evidence of the constraint? Egerton is off-hand enough where his pen runs glibly through paragraphs that relate to others; it is simply that he says nothing about himself—that he avoids all reference to the inner world of sentiment and feeling. But perhaps, after all, the man has no sentiment and feeling! How can you expect that a steady personage in practical life, whose mornings are spent in Downing Street, and whose nights are consumed in watching Government bills through a committee, can write in the same style as an idle dreamer amidst the pines of Ravenna or on the banks of Como.

Audley had just finished this epistle, such as it was, when the attendant in waiting announced the arrival of a deputation from a provincial trading town, the members of which deputation he had appointed to meet at two o'clock. There was no office in London at which deputations were kept waiting less than at that over which Mr Egerton presided.

The deputation entered—some score or so of middle-aged, comfortable-looking persons, who nevertheless had their grievance—and considered their own interests, and those of the country, menaced by a certain clause in a bill brought in by Mr Egerton.

The Mayor of the town was the chief spokesman, and he spoke well—but in a style to which the dignified official was not accustomed. It was a slap-dash style—unceremonious, free, and easy—an American style. And, indeed, there was something altogether in the appearance and bearing of the Mayor which savoured of residence in the Great Republic. He was a very handsome man, but with a look sharp and domineering—the look of a man who did not care a straw for president or monarch, and who enjoyed the liberty to speak his mind, and "wallop his own nigger!"

His fellow-burghers evidently regarded him with great respect; and Mr Egerton had penetration enough to perceive that Mr Mayor must be a rich man, as well as an eloquent one, to have overcome those impressions of soreness or jealousy which his tone was calculated to create in the self-love of his equals.

Mr Egerton was far too wise to be easily offended by mere manner; and, though he stared somewhat haughtily when he found his observations actually pooh-poohed, he was not above being convinced. There was much sense and much justice in Mr Mayor's arguments, and the statesman civilly promised to take them into full consideration.

He then bowed out the deputation; but scarcely had the door closed before it opened again, and Mr Mayor presented himself alone, saying aloud to his companions in the passage, "I forgot something I had to say to Mr Egerton; wait below for me."

"Well, Mr Mayor," said Audley, pointing to a seat, "what else would you suggest?"

The Mayor looked round to see that the door was closed; and then, drawing his chair close to Mr Egerton's, laid his forefinger on that gentleman's arm, and said, "I think I speak to a man of the world, sir."

Mr Egerton bowed, and made no reply by word, but he gently removed his arm from the touch of the forefinger.

MR MAYOR.—"You observe, sir, that I did not ask the members whom we return to Parliament to accompany us. Do better without 'em. You know they are both in Opposition—out-and-outers."

MR EGERTON.—"It is a misfortune which the Government cannot remember, when the question is whether the trade of the town itself is to be served or injured."

MR MAYOR.—"Well, I guess you speak handsome, sir. But you'd be glad to have two members to support Ministers after the next election."

MR EGERTON, smiling.—"Unquestionably, Mr Mayor."

MR MAYOR.—"And I can do it, Mr Egerton. I may say I have the town in my pocket; so I ought, I spend a great deal of money in it. Now, you see, Mr Egerton, I have passed a part of my life in a land of liberty—the United States—and I come to the point when I speak to a man of the world. I'm a man of the world myself, sir. And if so be the Government will do something for me, why, I'll do something for the Government. Two votes for a free and independent town like ours—that's something, isn't it?"

MR EGERTON, taken by surprise.—"Really, I—"

MR MAYOR, advancing his chair still nearer, and interrupting the official.—"No nonsense, you see, on one side or the other. The fact is that I've taken it into my head that I should be knighted. You may well look surprised, Mr Egerton—trumpery thing enough, I dare say; still, every man has his weakness, and I should like to be Sir Richard. Well, if you can get me made Sir Richard, you may just name your two members for the next election—that is, if they belong to your own set, enlightened men, up to the times. That's speaking fair and manful, isn't it?"

MR EGERTON, drawing himself up.—"I am at a loss to guess why you should select me, sir, for this very extraordinary proposition."

MR MAYOR, nodding good-humouredly.—"Why, you see, I don't go all along with the Government; you're the best of the bunch. And maybe you'd like to strengthen your own party. This is quite between you and me, you understand; honour's a jewel!"

MR EGERTON, with great gravity.—"Sir, I am obliged by your good opinion; but I agree with my colleagues in all the great questions that affect the government of the country, and—"

MR MAYOR, interrupting him.—"Ah, of course, you must say so; very right. But I guess things would go differently if you were Prime Minister. However, I have another reason for speaking to you about my little job. You see you were member for Lansmere once, and I think you came in but by two majority, eh?"

MR EGERTON.—"I know nothing of the particulars of that election; I was not present."

MR MAYOR.—"No; but, luckily for you, two relatives of mine were, and they voted for you. Two votes, and you came in by two! Since then, you have got into very snug quarters here, and I think we have a claim on you—"

MR EGERTON.—"Sir, I acknowledge no such claim; I was and am a stranger to Lansmere; and, if the electors did me the honour to return me to Parliament, it was in compliment rather to—"

MR MAYOR, again interrupting the official.—"Rather to Lord Lansmere, you were going to say; unconstitutional doctrine that, I fancy. Peer of the realm. But, never mind, I know the world; and I'd ask Lord Lansmere to do my affair for me, only I hear he is as proud as Lucifer."

MR EGERTON, in great disgust, and settling his papers before him.—"Sir, it is not in my department to recommend to his Majesty candidates for the honour of knighthood, and it is still less in my department to make bargains for seats in Parliament."

MR MAYOR.—"Oh, if that's the case, you'll excuse me; I don't know much of the etiquette in these matters. But I thought that, if I put two seats in your hands, for your own friends, you might contrive to take the affair into your department, whatever it was. But, since you say you agree with your colleagues, perhaps it comes to the same thing. Now, you must not suppose I want to sell the town, and that I can change and chop my politics for my own purpose. No such thing! I don't like the sitting members; I'm all for progressing, but they go *too* much a-head for me; and, since the Government is disposed to move a little, why I'd as lief support them as not. But, in common gratitude, you see, (added the Mayor, coaxingly,) I ought to be knighted! I can keep up the dignity, and do credit to his Majesty."

MR EGERTON, without looking up from his papers.—"I can only refer you, sir, to the proper quarter."

MR MAYOR, impatiently.—"Proper quarter! Well, since there is so much humbug in this old country of ours, that one must go through all the forms and get at the job regularly, just tell me whom I ought to go to."

MR EGERTON, beginning to be amused as well as indignant.—"If you want a knighthood, Mr Mayor, you must ask the Prime Minister; if you want to give the Government information relative to seats in Parliament, you must introduce yourself to Mr — the Secretary of the Treasury."

MR MAYOR.—"And if I go to the last chap, what do you think he'll say?"

MR EGERTON, the amusement preponderating over the indignation.—"He will say, I suppose, that you must not put the thing in the light in which you have put it to me; that the Government will

be very proud to have the confidence of yourself and your brother electors; and that a gentleman like you, in the proud position of Mayor, may well hope to be knighted on some fitting occasion. But that you must not talk about the knighthood just at present, and must confine yourself to converting the unfortunate political opinions of the town."

MR MAYOR.—"Well, I guess that chap there would want to do me! Not quite so green, Mr Egerton. Perhaps I'd better go at once to the fountain-head. How d'ye think the Premier would take it?"

MR EGERTON, the indignation preponderating over the amusement.—"Probably just as I am about to do."

Mr Egerton rang the bell; the attendant appeared.

"Show Mr Mayor the way out," said the Minister.

The Mayor turned round sharply, and his face was purple. He walked straight to the door; but, suffering the attendant to precede him along the corridor, he came back with a rapid stride, and, clenching his hands, and, with a voice thick with passion, cried, "Some day or other I will make you smart for this, as sure as my name's Dick Avenel!"

"Avenel!" repeated Egerton, recoiling, "Avenel!"

But the Mayor was gone.

Audley fell into a deep and musing reverie which seemed gloomy, and lasted till the attendant announced that the horses were at the door.

He then looked up, still abstractedly, and saw his letter to Harley L'Estrange open on the table. He drew it towards him, and wrote, "A man has just left me, who calls himself Aven —" in the middle of the name his pen stopped. "No, no," muttered the writer, "what folly to reopen the old wounds there," and he carefully erased the words.

Audley Egerton did not ride in the Park that day, as was his wont, but dismissed his groom; and, turning his horse's head towards Westminster Bridge, took his solitary way into the country. He rode at first slowly, as if in thought; then fast, as if trying to escape from thought. He was later than usual at the House that evening, and he looked pale and fatigued. But he had to speak, and he spoke well.

THE RISE, POWER, AND POLITICS OF PRUSSIA. [1]

If there is such a thing in diplomacy as a natural ally, Prussia is the natural ally of England. Each possesses exactly what the other wants—the power of Prussia consisting in an immense army, the power of England in an unrivalled fleet: for though the British troops have shown themselves at least equal to any troops in the world, the genius of the nation looks chiefly to naval pre-eminence; and though, in the course of time, Prussia may be in possession of naval honours, nothing can be clearer than that its present strength depends on its soldiery.

The close alliance of England with Prussia is now a century old. We find the great Lord Chatham taking the most open interest in the successes of Frederick II., and establishing the principle that the independence of Prussia is essential to the balance of Europe. At the beginning of the eighteenth century, the north of Germany was divided among a cluster of petty sovereignties—of all forms of a national system the surest to foster political intrigues, to invite the intermeddling of foreigners, the one to offer the strongest inducements to invasion, and to provide the feeblest means of defence. The formidable power of France, within twenty miles of England, must always fix the eye of the English statesman; and no more essential operation for our national tranquillity could be conceived than the solid establishment of a kingdom on the northern frontier of France, which might make that proverbially impetuous and ambitious nation aware, that an attempt to assault England could not be made without incurring the hazard of an assault on her own most exposed frontier.

But another power had arisen to render the balance of Europe still more precarious. Russia, at the beginning of the century, known but as a land of semi-barbarism, had suddenly started into a massive force, which threatened the absorption of Germany. Possessing the highest advantages for a great military empire, with harbours commanding the North, a population of sixty millions, a territory almost boundless and almost unassailable, and a government which, under all the changes of individual character in its princes, has retained in its policy the same character of continual progress, of restless interference in European politics, and of bold ambition—Russia must, in all the views of the English statesman, assume an interest of the most pressing order. To interpose an iron barrier to the ambition of Russia necessarily became the principle of English policy, and the English politician naturally looked for that barrier in the vigorous administration and steady strength of the resources of Prussia.

The eighteenth century may be called the Century of Sovereigns. There was no period, before or since, in which so many remarkable personages sat on the thrones of Europe—William III., Louis XIV., Charles XII., the Czar Peter, Maria Theresa of Austria, Catherine II., and Frederick II. of Prussia—each possessed either of great intellectual or great political qualities; all capable of distinction, if they had been born in the humbler conditions of mankind; but all developing, in the duties and labours of thrones, those qualities in a degree which made them, for their day, the great *impulses* of Europe, and which have placed them in an immovable rank among the high recollections of history.

But, to the Englishman, whether politician or philosopher, Prussia is the most important, from its position, the nature of its connexion with our country, the singularity of its origin, and the especial dependence of its early advance to sovereignty on the vigour of an individual mind.

Gibbon remarks that the oldest royal genealogy of Europe scarcely ascends to the eighth century. The genealogy of the Prussian throne, whether by the zeal of the herald, or the truth of the historian, nearly reaches that cloudy period. Its pedigree is dubiously traced up to the founder of the great Swabian family of Hohenzollern, of whom the first supposed ancestor was a Count Thalasso of Zollern. The family then either fell into obscurity, or rested in contentment with its ancestral possessions, until the thirteenth century, when it started on the national eye as the Burgraves of Nurnberg. But it again slumbered for eight generations, until the difficulties of the Emperor Sigismund drove him to apply to the resources of the family, then probably grown rich, as the chief personages of an opulent German community. The service was repaid by the Viceroyalty of Brandenburg, and the subsequent donation of the actual territory, with the title of Elector, and the office of archchamberlain of the empire.

The imperial gratitude probably continued to be reminded of its duties by fresh loans, for the electorate continued to receive frequent additions of territory, until, early in the seventeenth century, the annexation of the duchy of Prussia placed the Elector in an imposing rank among the dependant princes of the Continent. In the middle of this century a man of distinguished ability, fortunately for Prussia, ascended the electoral throne. Germany was then ravaged by the memorable Thirty Years' War. Frederick the Great afterwards expressed the embarrassments of the new reign in a few pithy words, as was his custom: "My great ancestor," said this graphic describer, "was a prince without territory, an elector without power, and an ally without a friend."

But talent and time are the true elements of success in every condition of life. By economy the Elector restored his finances; by common sense he reclaimed his half-savage subjects; and by sound policy he continued to augment his dominions, without doing violence to his neighbours. The peace of Westphalia, (1648,) which established the imperial system, gave him the additional importance attached to the possession of the archbishopric of Magdeburg, of Halberstadt, and of the actual sovereignty of ducal Prussia, hitherto held as a Polish fief.

But those were the victories of peace; he was at length forced to exhibit his qualities for war. In 1674, as a prince of the empire, he was compelled to furnish his contingent to its army against

France. Louis XIV., in revenge, let loose the Swedes in Pomerania to invade Brandenburg. The reputation of the Swedish troops had risen to the highest rank in the Thirty Years' War, and they were regarded as all but invincible. The Prussian Elector, justly alarmed at this new peril of his dominions, appealed to his allies. But German alliances (in those days at least) were slippery, and German succours are habitually slow. Wearing by their delays, the Elector determined to act for himself. Breaking up from Franconia, he transferred his little army of eight thousand men suddenly to Magdeburg. The Swedes, encamped on the Havel, and contemptuous of Prussian strategy, took no trouble to ascertain his movements. The whole expedition was conducted with equal vigour and dexterity. On his arrival in Magdeburg, the gates were kept shut for four-and-twenty hours: thus all intelligence to the enemy was cut off. At nightfall he sallied forth; by daybreak he reached and assaulted the Swedish headquarters, took their baggage and cannon, and hunted the troops from post to post until their dispersion was total.

This battle was one of the instances in which the most important results have followed from slight events. The battle would have been in later times scarcely more than an affair of advanced guards, for the Swedes had but eight thousand, and the Prussians engaged were but five thousand five hundred. But, to have beaten the most distinguished soldiery in Europe, to have surprised the most disciplined, and to have gained the victory with inferior numbers, instantly drew the eyes of Europe on the Elector. His dominions were subjected to no further insult; the character of the Prussian army was raised; and Prussia made the first actual stride to northern supremacy.

This eminent man died in 1688, after a career which earned the panegyric even of his fastidious descendant, Frederick II., who thus described him, almost a hundred years after:—

"He possessed all the qualities which can make a man great, and Providence afforded him abundant opportunities of developing them. He gave proofs of prudence at an age when youth, in general, exhibits nothing but errors. He never abused the heroic virtues, but applied his valour to the defence of his dominions, and the assistance of his allies. He had a sound judgment, which made him a great statesman; and was active and affable, which made him a good sovereign. His soul was the seat of virtue; prosperity could not inflate, nor adversity depress it. He was the restorer of his country, the arbiter of his equals, and the founder of the power of Brandenburg. *His life was his panegyric.*"

Frederick, the eldest son of the great elector, by his marriage with a sister of George I. then Elector of Hanover, became connected with English politics; sent six thousand men to the assistance of the Prince of Orange in his invasion of England; joined the Allies, with twenty thousand men, in revenging the havoc of the Palatinate; and, in the Grand Alliance of 1691, sent fifteen thousand troops to join the army of William III.

But Prussia was continually progressive, and in 1700 she was to make that advance in rank of which nations are as ambitious as their princes. In this year Prussia obtained from the Emperor the long-coveted title of kingdom; and the monarch, as Frederick I., took his place among European sovereigns. He died in 1713, and was succeeded by the prince-royal, Frederick-William. The character of the deceased monarch was, long after, given with epigrammatic contemptuousness by Frederick II.

"In person short and deformed, with a haughty manner and a commonplace countenance, violent from temper, mild from carelessness, he confounded vanities with acts of greatness, and was fonder of show than of utility. He sold the blood of his subjects to England and Holland, as the Tartars sell their cattle to the Podolian butchers for slaughter; he oppressed the poor to make the rich fatter still. He wished to pledge the royal domains to buy the Pitt diamond; and he sold to the Allies twenty thousand men, to have it said that he kept thirty thousand."

Royal extravagance is never pardoned, and the memory of this princely spendthrift prepared popularity for his rigid successor. The *Memoirs of the Margravine of Bareith* have thrown that successor into ridicule; and it must be acknowledged, that his early acts were calculated to throw all the courtiers of Europe into mingled astonishment and indignation. Immediately on his accession, he ordered the grand-marshal of the palace to bring him the list of the royal establishment. The king took a pen, and crossed out the whole. The grand-marshal, in horror at this sweeping style of reform, lost his speech, and fled from the royal presence. Meeting an officer in the antechamber, the latter, seeing his countenance of consternation, asked what had happened. The grand-marshal showed him the list, and the officer translated it for the benefit of the levée—"Gentlemen, our good master is dead, and the new king sends you all to the d—!"

The twenty-six trumpeters, who supplied the place of conversation at the royal dinners, were scattered among the regiments. The hundred Swiss—the decorated slaves, whom Switzerland, with all her boast of freedom, was in the habit of sending to play the menial to the European sovereigns—were dismissed to do duty in the ranks of the line. The hoards of pearls and diamonds, and gold and silver plate, which it had been the pride and the folly of the late king to amass, were sold to pay his debts and to raise troops.

The old court had been overrun with French fashions, the French language—everything French. The king set about reforming those anti-national propensities: he dressed the regimental provosts, or army floggers and executioners, in the full French costume, to render it ridiculous; the embroidered coats and huge wigs of his privy councillors and chamberlains he ordered to be

worn by the court fool on gala days.

But the discipline of the Prussian army was the peculiar distinction of this singular reign. Of all European nations, Prussia is the one to which an army is the most important. The exposed condition of a long and irregular territory, wholly without a natural frontier, with neither mountain range nor bordering river for its protection, and surrounded by warlike and powerful nations, required an army, to keep it in existence. The Alps or Pyrenees, the Rhine and the Danube, the Dniester and the Po, might protect their several countries from invasion; but the levels of Prussia required a force always on foot, prompt and prepared. To *frontierless* Prussia a powerful army was as peculiarly essential as a Royal Navy is to the British *Isles*. In all the early difficulties of his predecessor's debt, the king had raised the Prussian army to upwards of forty thousand men; and, before he died, his muster-roll amounted to nearly eighty thousand of the finest troops on the Continent. It gives a curious contrast of the nature of belligerency in the nineteenth century, to know that the Prussian army now reckons three hundred thousand men, and that, on the first rumour of war, it would probably number half-a-million.

The new school of finance makes inquiries of this kind important; for since every country must be prepared to defend itself, and troops require to be paid, the whole question of national safety depends on the national force. The Manchester financiers tell us that reduction is the true secret of strength, and that fleets and armies are only provocatives to war. The older school held, that to be prepared for war was the best security for peace; that the reduction which extinguished the national force was only an invitation to insult; and that it was a wiser policy to give the soldier his pay for our protection, than to give an invader every shilling we were worth in the shape of plunder. Frederick-William was of the old school; and, by showing that he was always prepared for war, he secured peace, even in the most quarrelsome of all countries, Germany, through a reign of twenty-seven years. The organisation of the Prussian army was even then a phenomenon in Europe: its provision, its government, its recruiting, and, above all, its manœuvring, attracted universal admiration, and doubled the impression of its numbers on the general mind.

These facts have an interest beyond their mere effect at the time; they are the testimonials of talent, evidences of the power of mind, encouragements to original conception, substantial declarations that men should always try to invigorate, improve, and advance inventions, however apparently perfect. There is always a field beyond.

Why a German duchy was suffered thus to rise into European influence—to extend from a province into a territory, now containing sixteen millions of souls, and to change from a dependent electorate into a kingdom, now acting as the barrier of Northern Germany against the gigantic monarchy of St Petersburg—is a question which ought to be asked by the politician, and which may well excite the study of the philosopher.

The true value of history consists in developing *principles*. Memoirs and biographies, the anecdotes of vigorous minds, and the narratives of leading events, all have their obvious value; but history has a distinction of its own. It is more than a tissue of striking recollections; it is superior to a fine arrangement of facts; it is the spirit of great facts, a *system* displaying the *science* of influential things.

Events are, of course, its material, but it is only as the materials of architecture furnish the means of erecting the palace or the temple: the mind of the architect must supply the beauty and grandeur of the edifice. Without that constructive genius, history is only a compilation.

It is certainly in no superstition, that we strongly incline to account for the rise of Prussia in the necessity of a protection for Protestantism in Northern Germany. The whole tenor of its annals substantiates the conception. Prussia, at an early period, felt a singular sympathy with the Protestantism of Germany. The especial scene of persecution was Poland, where neither royal compact nor popular declaration was able to secure the faith of the Scriptures from the outrages of Romanism. The Treaty of Oliva, in 1660, had, like the Edict of Nantes, been the charter of Protestantism; but, like the Edict, it had been broken, and the life of the Polish Protestant was a scene of suffering. The "Great Elector" had signalised his Christianity, and perhaps raised his country, by giving protection to the sufferers. His descendant, Frederick-William, followed his honourable example. When the Starost Umruh, in 1715, was sentenced to have his tongue cut out, and to be beheaded, for his Protestant opinions, he fled to Prussia, and was protected by Frederick-William. The Diet of Grodno commenced a persecution by declaring the Polish Protestants to have forfeited both their civil and religious privileges. Frederick-William answered this act of infidelity and tyranny by a royal remonstrance to the diet, and by a letter to the King of England, advocating the persecuted cause. In the Treaty of Stockholm, in 1720, he inserted a stipulation, binding the Swedish Government to make common cause with the Protestants of Germany. In Western Germany, persecution had long exhibited its irrational policy, and exercised its cruel power. At Heidelberg, Popish advisers and confessors had poisoned the mind of the Elector, and acts of violence had taken place. The Protestants, in their distress, applied to Prussia. The King, in conjunction with the British monarch, and the Elector of Hesse, adopted their defence; issuing, at the same time, the effective menace that, if the persecution in the Palatinate were not stopped, he would shut up every Romish chapel, convent, and institution, and sequester every dollar of their revenue in Prussia, while the persecution lasted.

The same impulse acted throughout the century. Frederick II. was an infidel: the national policy continued unchanged. As a Voltairist, he was an ostentatious advocate of toleration, which, though in both Frederick and his teacher the work of the scoffer, yet produced the effect of forbidding all religious tyranny. Even the war for the possession of Silesia, though difficult to be explained in its question of right, had the result of weakening the Popish influence in Germany.

Maria-Theresa was the prop of Popery, while Frederick II. was universally regarded as the champion of Protestantism; and his final success, by enfeebling the supremacy of the empress, showed that a kingdom of Protestantism possessed the means of resisting an empire of Popery hitherto supposed irresistible. If Prussia had been crushed in that contest, the *prestige* of Popery would again have risen to its old height in Germany, Protestantism would unquestionably have felt the blow to its foundations, and the probable consequence would have been to throw the Continent at the feet of Rome.

Frederick the Great was born on the 24th of January 1712, in the palace at Berlin. At his baptism, the sponsors were at least sufficiently numerous and stately; they were the Emperor Charles VI., the Dowager-empress, the Czar Peter, the States-general of Holland, the Canton of Berne, the Electant Prince of Hanover, and the Dowager-duchess of Mecklenburg.

Frederick was born Prince of Prussia and Orange; but after the cession of Orange to France, by the Peace of Utrecht, the name was given up, though the Crown of Prussia retained the title and the arms.

The popular feeling, on this occasion, was connected with a simple yet curious circumstance. An American Aloe, which had been forty-four years in the royal garden, suddenly threw out a profusion of blossoms. Thousands flocked to see this fine production of nature, which, on a stem thirty-one feet high, exhibited 7277 blossoms! The multitude gave it an almost mystic meaning, and conceived the plant (which, in all this profusion of beauty, was decaying) to be emblematic of the failing health of the old king, and the new prospects of honour under his grandson. Poems and pictures of the Aloe were spread through the kingdom. The omen was as imaginative as one of the poetic superstitions of Greece, and the imagination was realised.

The education of the future possessor of a sceptre is an important topic. In Germany the education of the higher orders generally embraces a sort of encyclopædia of accomplishments. The young heir to the throne thus learned music and painting, in addition to mathematics and languages. In music he became a proficient, and with his favourite instrument, the flute, could sustain his part in an orchestra. But, the chief object of his education, as that of all the German princes, being military, he learned all of the art of war that could be taught; the perfection of the art he was yet to learn in the field, and give evidence of his acquirement only in his memorable victories.

One misfortune of this education possessed and perverted him through life. Germany was, in literature, but a province of France. The licentiousness of French sentiment had tempted the rising generation to abandon the manly feelings of the Reformers. It is to the honour of our country that the principles of true religion, like those of true liberty, then found their defence within her borders; and in the existing, and still darker, period of German infidelity, the battle is still fought by the theology of England.

Adversity seems essential to the education of all great princes. Frederick was not without his share of this stern pupillage. The eccentricities of his royal father, his own waywardness, and the roughness of court discipline, produced continual collisions in the royal family, and the prince remained for some years in a kind of honourable exile from Berlin. During this period, however, he cultivated his powerful understanding to its height; but made the singular mistake of believing that he was born for a hermit, a sentimentalist, and a writer of French verses. In this fantastic spirit, he gave his immediate friends names from Greece and Rome; and was surrounded by Hephæstion, Diophanes, Cæsarion, and Quintus Icilius. Even the place of his retirement, Rheinsberg, was transformed into Remusberg, to meet a tradition that Remus was not killed by Romulus, but, flying from Rome, had settled in the spot which was afterwards to teach sentiment and solitude to the Prince of Prussia.

Those are traits worth remembering in the history of human nature. Who could have conceived the most daring of warriors, the most subtle of politicians, and the most ambitious of kings, in the writer of letters such as these?—

"My house, indeed, is not a place for those who are fond of noisy pleasures; but are not tranquillity, quiet, and the search for truth, to be preferred to the giddy and turbulent diversions of this world?"

"On the 25th I am going to Amaltheu, my beloved garden at Ruppin. I am quite impatient to see again my vines, my cherries, and my melons; there, free from all useless cares, I shall live entirely for myself. My whole soul is now intent on philosophy. It renders me incomparable services, and I am deeply indebted to it. My spirit is less agitated by impetuous emotions. I repress the first working of my passions, and I never make a choice until I have maturely considered it."

All his letters are in the same strain of studious quiet, of steady self-control, and of systematic love of retirement. He sometimes even turns enthusiast, and he thus writes to Voltaire, *then* known chiefly as the author of the *Henriade*—(his worse celebrity, as the impugner of all religion, was still at a distance.) In a letter, in 1738, he addresses the Frenchman in this rapturous effusion:—

"At Rheinsberg, to be perfectly happy, we want only a Voltaire. But, though you live far from us, still you are in our midst. Your portrait adorns my library; it hangs over the bookcase which contains our Golden Fleece, immediately above your works, and opposite to the place where I generally sit, that I may always have it in my view. I might almost say, that your picture is to me as the

statue of Memnon, which, when the sun's rays fell on it, emitted harmonious sounds, and imparted inspiration to the mind of every one who looked upon it."

In another letter he writes—

"In pagan antiquity, men offered to the gods the first fruits of the harvest and of the vintage.... In the Romish church, they devote not only the firstborn, not only the younger sons, but whole kingdoms, as we see in the instance of St Louis, who renounced his in favour of the Virgin Mary. For my part, I have no first fruits of the earth, no children, and no kingdom to devote; but I devote to you the first fruits of my muse in the year 1739. Were I a pagan, I would address you by the name of Apollo; were I a Papist, I might have chosen you for my patron saint, or my confessor; but, being none of these, I am content to admire you as a philosopher, to love you as a poet, and to esteem you as a friend."

But this romance was soon to be exchanged for reality; the elegancies of royal idleness were to be forgotten in the sound of cannon, and the fictions of a pampered fancy were to be thrown into the shade by the vicissitudes of one of the most sanguinary struggles that Europe had ever seen.

In 1740, Frederick had ascended the throne. He was at Potsdam, and confined to his chamber by illness, when the death of the Emperor Charles was announced to him. This event broke up the peace of Germany.

The Emperor, Charles VI., having no issue after a marriage of four years, established a new law of succession, known as the Pragmatic Sanction. The heirship of Austria had hitherto been limited to males; but, by the new law, the undivided monarchy was to devolve first to his own daughters, or, if they should not be living at the time of his death, to the daughters of his elder brother Joseph, Electresses of Saxony and Bavaria, and so on, always to the nearest relatives.

The death of the Emperor obviously threatened to involve all Europe, and especially Germany, in convulsion; for the mere publication of the Pragmatic Sanction, in 1724, had produced counter declarations from no less than three princes of the empire, who regarded their rights as invaded. The Elector of Bavaria, who was married to a daughter of the Emperor Joseph I., founded a claim to the Austrian dominions on the will of Ferdinand I.; France was disposed to enter into an alliance with Prussia; Sweden and Russia would have been inevitably involved in the war. And it was of this complication of events that the young Prussian monarch took advantage to make an assault upon Austria. For one hundred years Prussia had complained of the loss of Silesia. Her successive kings had severally impeached its seizure by Austria, and the Great Elector had still earlier bequeathed the recovery of the province to the gallantry, or the good fortune, of his successors. Frederick, now at the head of a powerful army, with a full treasury, and seeing an approaching contest for the possession of Austria itself, regarded this as a favourable moment for the recovery of his ancestral territory.

Frederick, having now completed all his preparations, sent an envoy to Vienna, to offer his alliance to Maria-Theresa, and his vote to her husband at the election of emperor, provided she would give up Silesia. But knowing the contempt with which the Austrian cabinet regarded the minor princes of Germany, and also knowing the advantage of promptitude, where the object is possession, he at once set his army in motion for the Silesian frontier. His proposal was, as he had foreseen, rejected; and on its rejection, without a moment's delay, he rushed over the frontier. He found, as he had expected, the Austrian government wholly unprepared. The whole disposable force of Austria, for the defence of Silesia, amounted to 3000 men. The invading army amounted to 28,000. Breslau the capital, Glogau the principal fortress, every town, speedily fell before him. In a note to his friend Jordan, who had attempted to dissuade him from the enterprise, he wrote, in a mixture of scoffing and exultation—

"My gentle M. Jordan, my kind, my mild, my peace-loving M. Jordan, I acquaint your serenity that Silesia is as good as conquered. I prepare you for most important plans, and announce to you the greatest luck that the womb of fortune ever produced. For the present this must be enough for you. Be my Cicero in defending my enterprise; in its execution I will be your Cæsar."

We now advert to the distinguished public servant whose correspondence throws the principal light on this important period of our foreign policy—the British envoy to the court of Berlin.

Andrew Mitchell was born in Edinburgh in 1708, son of one of the ministers of St Giles's, king's chaplain for Scotland. His mother, Margaret Cunningham, was a descendant of Lord Glencairn. Mitchell adopted the law as his profession, was admitted to the Middle Temple, and was called to the English bar in 1738. Besides a knowledge of the Scotch law, he was a man of general and rather elegant acquirement, having left among his papers observations on the Ciceronian philosophy, on the chief European histories, on morals, models, statues, and classic objects in general. He was also a member of the Royal Society.

Mitchell was evidently either sustained by active interest, or an opinion of his talents; for on the appointment of the Marquis of Tweeddale to the secretaryship for Scotland, he fixed on Mitchell as his undersecretary. In 1747, he was elected member for the county of Aberdeen. In 1756, he was appointed as British representative at the court of Frederick II.

In the more decorous style of modern diplomacy, we can seldom find examples of the court-candour with which the royal personages of the last age spoke of each other. George II. called

Frederick-William "my brother the corporal." Frederick-William called George II. "my brother the dancing-master." Of course those opinions made their way to the last ears which ought to have heard them, and they left stings. But the necessities of the time overcame the bitterness of the sarcasms. Some of the letters of the elder Horace Walpole, Sir Robert's brother, who had been ambassador at Paris and the Hague, then the chief scenes of foreign diplomacy, probably expressed the chief feeling of English public men in his day, as they certainly were soon embodied in their policy. Of Frederick II. he says,—

"I know the character of that prince. I know how little he is to be trusted, and I would not have trusted him without good security for the execution of his engagements.... I need not tell you that the house of Brandenburg is a rising house. The economy of the late king, the spirit of discipline he introduced into his army, the ambition, talents, and active genius of the present monarch, must render that house a powerful friend or formidable enemy."

He gives an equally decisive opinion of the Austrian policy—

"I apprehend that the principal object of the court of Vienna will be to distract, divide, and *devour* the Prussian dominions. Their pride, their vengeance, and, above all, their *bigotry* will naturally lead them to destroy a *Protestant* power that has dared to offend them."

At length it was ascertained that a private negotiation had been commenced between Austria and France, the result of which must expose the Electoral dominions to invasion by France. An alliance with Prussia was immediately concluded. The account subsequently given by Thiébault, in his *Memoirs of the Prussian Court*, gives a strong impression of Mitchell's manliness and intelligence:—

"Sir Andrew Mitchell, Knight of the Order of the Garter, [a mistake for the Bath,] had been for several years the English ambassador at Berlin, when I first arrived there. Some time, however, elapsed before I had the least acquaintance with him, not only because it was little to be expected that Englishmen should be desirous of the society of Frenchmen, but also because Sir Andrew Mitchell was of the number of those meritorious characters who stand in no need of perpetual society for existence, and have the philosophy to prefer being occasionally alone. When he first arrived in Berlin, he had caused the persons who necessarily invited him to their houses considerable perplexity; for he played at no game of cards, so that his hosts constantly said,—'What shall we do with the Englishman, who never plays at cards?' In a few days, however, the contest was, who should withhold himself from the card-table, and have the advantage of conversing with a man in whom they had discovered every requisite to afford the highest pleasure in colloquial intercourse. In reality, his understanding was no less admirable than the virtues of his character. Of this I cannot give a more substantial proof, than by observing that he was united in the strictest bonds of friendship with the author of *L'Esprit des Loix*."

Some of the shrewd *bons-mots* of the diplomatic Scot are given by the Frenchman. On one occasion, when the English mail had three times been due, the king said to him at the levée—"Have you not the spleen, M. Mitchell, when the mail is thus delayed?" The reply was,—"No, Sire, not when it is delayed, but often enough when it duly arrives."

The English cabinet having promised to send a fleet to the Baltic, to prevent the Russians from sending troops against the king, and the fleet not appearing, Frederick was chagrined; at length he ceased to invite the envoy to the royal table. One day some of the servants, meeting him, asked,—"Is it dinner-time, M. Mitchell?" The significant retort was,—"Gentlemen, no fleet, no dinner." This was told to Frederick, and the invitations were renewed.

The next *bon-mot* is happier still. After the taking of Port Mahon, and the retreat of the unfortunate Admiral Byng, the king, meeting the envoy, said,—"You have made a bad beginning, M. Mitchell; your trial of Admiral Byng is but a bad plaster for the disease; you have made an unlucky campaign." "Sire," observed Mitchell, "we hope, with God's assistance, to make a better one next year."

"With God's assistance, sir! I did not know that you had such an ally," said the king.

"We hope we have, Sire; and he is the *only one* of our allies that costs us nothing," was the pungent reply.

In the latter portion of the war against Napoleon, it was the custom to send British officers to attend the headquarters of the Allies, and diplomatists frequently moved along with the armies. But the instance of Mitchell's moving along with the Prussian monarch was, we believe, the first example of the kind. On this subject, we have a lively letter from the Earl of Holderness, then Secretary of State to the envoy:—

"Dear Sir,—I heartily wish you health and success in the new trade you are going to undertake. However, do not grow too much a soldier, and set a bad precedent for the rest of your black brethren of the ink-bottle. Observation is our business, not fighting. Remember, if you do get a knock of the pate, *vous en emporterez la peine, et l'on dira—Que diable y avoit-il à faire*. Yet I would not advise you to follow the steps of the minister of Mayence at Dettingen,

who, during the time of action, came up to Lord Granville's coach, crying out, '*Je proteste contre toute violence.*'

"I can find no trace in the office books of any particular allowance made to Foreign Ministers for such sort of expeditions; but I am persuaded I shall adjust it easily with the Duke of Newcastle. Once more, adieu. Our constant toast now here is, 'Success to the King of Prussia.' He grows vastly popular among us. For my part, I always add a gulp more to my old friend Mitchell."

A letter from the envoy, addressed to the King of Prussia, makes the formal request that he may be allowed to follow the headquarters—a permission which was immediately conceded by the king. The object of this request, (suggested by the English Ministry,) was twofold—to have an intelligent observer of the politics of Prussia on the spot; and to supply George II. with anecdotes of war, for which he conceived himself to have a peculiar talent; and on which subject the despatches of the envoy were always read by him with peculiar interest.

The envoy was not long without material. Before he left Berlin, he had the following despatch to write to the Earl of Holderness—

"My Lord,—This morning, about seven o'clock, Monsieur Oppen, an officer in the Guards, arrived here from the Prussian army. He had no letters, only a scrap of paper without date, which he was directed to deliver to the queen-mother, in which was written with a pencil, in the king's own hand, that his troops had beaten the Austrians, *platte couture*, that he reckoned his loss about two thousand, and that of the Austrians at four thousand men."

This was a hard-fought but indecisive action. The Austrians, under Marshal Browne, were the assailants; and the engagement continued from morning till past midday, when they retreated; but they numbered two-thirds more than the Prussians, their force being nearly seventy thousand to about forty thousand.

But a more important success immediately followed. The Saxon army, amounting to sixteen thousand, had been surrounded in their fortified camp at Pirna; the fortifications were so strong that the only hope of reducing them was by famine. To the universal astonishment, they suddenly quitted this impregnable position, and marched into a defile, where they could neither advance nor retreat. The king offered them conditions, which they accepted; and Mitchell, who had waited at Berlin only for the royal permission to join the army, arrived just in time to see the surrender; and what was more curious still, the quiet transfer of their allegiance to the Prussian service. He thus writes—

"October 21, 1756.

"On Sunday the 17th, the Saxon troops, preceded by their general officers, crossed the Elbe.... Thence they marched into a plain in the neighbourhood, and, after passing between two battalions of Prussian Guards, they were received by the battalions of the Prince of Prussia's regiments, drawn up on the right and left. They were then formed into a hollow square, and had the articles of war read, and the military oath administered to them, in the presence of Prince Maurice of Anhalt-Dessau, or of Prince Ferdinand, the King of Prussia's brother. The soldiers were all armed; but the officers, almost to a man, refused to enter into the Prussian service.

"The whole Saxon army consisted of sixteen thousand, of which three thousand were horse and dragoons. The soldiers are extremely well-looking, mostly young men, and do not seem to have suffered for want of provisions during the blockade of five weeks. The cavalry have suffered more—many of their horses are ruined."

But we are not to suppose that this association with the mighty of the earth, and these exhibitions of capitulating armies were without their drawbacks. The Prussian king's politics were always subtle, the English cabinet was already tottering, and the campaign was already prolonged into winter. The envoy's correspondence at length sinks into complaint, and his description of his harassed life might make a man shrink from the honours of travelling diplomacy. He writes in November from Seidlitz—

"I am here in a very awkward situation—quite out of my element; and though I have great reason to be satisfied with the King of Prussia's manner of treating me, I wish I was at Berlin again, or rather in England, notwithstanding the absurd speeches that I should hear in parliament.

"The Prussian camp is no place of pleasure. Neither convenience nor luxury dwell here. You are well provided with everything, *if* you bring it along with you. I find I must increase my equipage, or *starve*. *All my family are like spectres*. It is true I am fed at the king's table, because he desired me to leave my equipage at Dresden. The Duke of Newcastle has this *encouraging* paragraph in his letter: 'I will forward your demands for the expenses of your journey, whenever you send them over in a *proper manner* to my Lord Holderness.' I have spent a great deal of money, and have *hardly* the necessaries of life, and *none* of its comforts."

Correspondence of this intimate kind gives us a true view of that life which the world in general sees so gilded and glittering. It thus has a value superior to even its historical interest. It tells the

humbler conditions of life to be content with their fate; and perhaps demonstrates that, like the traveller among mountains, the higher man goes, the more slippery is his path, and the more stormy his atmosphere. The Secretary of State thus writes:—

"November, 1766.

"Mr Pitt [Chatham] has been laid up with a severe fit of the gout ever since his nomination to office, which has greatly retarded business. I think his opinions on foreign affairs, *now he is in place*, are exactly the same with mine, however different they were some time ago. *Tempora mutantur et nos, &c.*—I hope you will never find that maxim applicable to your old friend in Arlington Street. I knew long ago of some *private letters* written to you by the Duke of Newcastle. You were in the right not to discover a secret intrusted to you; but though—for reasons you know—I bore this from *him*, such matters must cease for the future with *others*. I therefore insist that I may know directly if any other person in the Administration offers to correspond with you. While I remain in business, I will do the duty of my office *myself*, and without submitting to those disagreeable interruptions I have met with from others; nor will I henceforward be led by persons of my own age, and less experience.

"In short, dear Mitchell, if I stay in, I must now have my share of the cake; and if you hear I continue, depend upon it I have succeeded in what I think just and reasonable pretensions. A volume would not explain to you the transactions of these last six weeks. We have five Administrations in one day, and none existing at night.

"The parliament will produce a motley scene next week; you are happy to be out of the scrape."

The next campaign was one of still greater political perplexity, and of still more desperate fighting. It was signalised by the then unheard-of number of four pitched battles; but the French war has since accustomed history to more ruinous and more frequent conflicts. The first engagement was the battle of Prague, thus hastily sketched in a flying despatch to Lord Holderness:—

"May 6.

"I have the honour to acquaint your lordship that this day, a little before ten o'clock in the morning, a general engagement began between the Prussian and Austrian armies, which lasted till half an hour past two in the afternoon. The fire of the artillery and small arms was dreadful; but I can yet give no account of particulars on either side. All we know is, that the left of the Prussians, commanded by the king, attacked the right of the Austrians, and, after a very obstinate resistance, drove them from the field of battle. The Prussian hussars and cavalry are now in full pursuit of them, and the right wing of the Austrians are now retiring towards the Zasawa. The right of the Prussians attacked the left of the Austrians, have likewise defeated them, and drove them towards the Moldan. A great part of their infantry have thrown themselves into Prague.

"The place where this action happened is in the high grounds on the other side of Prague. The King of Prussia's army, after the junction with Marshal Schwerin, might be seventy or eighty thousand men; and that of the Austrians upwards of one hundred thousand—the deserters say one hundred and fifty thousand.

"I can say nothing of the loss on either side, which must be considerable. But the whole Prussian army are now in tears for the loss of Marshal Schwerin, one of the greatest officers this, or perhaps any country, has produced, and one of the best of men. The King of Prussia is well, but greatly afflicted for the loss of Marshal Schwerin."

This victory cost a terrible sacrifice of human life. The victors had eighteen thousand men *hors-de-combat*; the vanquished had twenty-four thousand killed, wounded, and taken. The struggle was long doubtful. At one period of the day, the Prussian infantry, moving through a defile, recoiled from the showers of ball which swept the head of the defile; the Marshal rushed forward to the front, and, taking a standard from its bearer, led back the column, and charged the enemy. In this charge the gallant old man was struck by a ball, and fell. He was seventy-two.

This battle was useless, for all its fruits were lost immediately after; but in a military sense it was justifiable, for it was fought to prevent the junction of Marshal Daun with General Browne, whose army protected Prague. Its effects in England, however, were greatly to increase the popular feeling in favour of Frederick. A letter from Lord Holderness gives a strong picture of the public excitement:—

"May 20, 1757.

"Dear Mitchell,—A fishing-boat despatched by Colonel Yorke, (Sir Joseph,) brought us, last night, the news of the great and glorious victory obtained by the King of Prussia, near Prague, on the 6th inst., which fortunate event has filled the Court and the whole nation with the highest joy, and raised the

admiration we already had of his Prussian Majesty's heroism to the highest pitch. Women and children are singing his praises; the most frantic marks of joy appear in the public streets: he is, in short, become the idol of the people. It only remains that we make a proper use of those advantages, and neither suffer ourselves to be elated beyond bounds, or to lose precious moments."

But, from the beginning, the struggle was unequal between Austria and Prussia. Nothing but a miracle could make a country then but of five millions vanquish a country of thirty; and the prodigious rapidity with which the Austrian armies were recruited after the severest losses, made perpetual battles actually necessary to keep them at bay. The Prussians had blockaded Prague. An Austrian force of forty-two thousand, or upwards, was advancing to raise the blockade; and Frederick, with his usual promptitude, rushed to meet it on its march, with thirty-two thousand. The armies met at Kaurzim, (better known as Kolin.) The battle began at noon, and was carried into night. The Prussians attacked: the Austrian positions were too strong for even the impetuosity and the perseverance of their brave assailants. The Prussians, after driving them from two heights, were ascending the *third*, when, from some mistake, their flank was exposed. The Austrian cavalry, then the finest on the Continent, took instant advantage of the misfortune, charged, and threw the whole movement into confusion. The battle was lost; and though the king retained the honour of the day by resting that night on the field, the result was unequivocal, in a retrograde march next day, and the raising of the blockade of Prague.

This battle diminished his army by thirteen thousand men! The king exposed himself with almost desperation. At last his staff remonstrated with him on his gallant obstinacy, and one of his officers even exclaimed, "Does your Majesty mean to storm those batteries alone?"

Frederick was now in the deepest distress. The Austrian hussars had advanced to the gates of Berlin, and even levied a contribution on the city. The scandalous convention by which the Hanoverian army laid down its arms, let loose its French assailants; and Prussia was about to be crushed by a weight of force then unexampled in European hostilities. On this occasion the envoy speaks in the spirit of a man who saw no hope for the king, but to save himself by a negotiation in which he must concede everything, or take his chance of an honourable death in the field. But he strikingly reminds the British Cabinet of the probable consequences of disaster to Prussia.

"If the King of Prussia should be ruined, or obliged, from necessity, to throw himself into the arms of France, (which he has no inclination to do,) my duty obliges me to put your lordship in mind what the situation of England will be next year, without a single friend on the Continent to resist the whole undiverted power of France, instigated by the malice of the house of Austria, against which too early and too vigorous preparations cannot be made, and I most heartily wish they may be effectual.

"I have but *one* imagination which comforts me, which arises from the *insatiable ambition* of the French. They have already ruined a great part of Germany and reduced the house of Brandenburg; they are at this moment masters of Germany, and have the Empress-Queen almost as much in their power as they have the King of Prussia. Now, it is not consistent with common sense to leave the house of Austria possessed of a greater degree of power than it ever had, and without a rival in the empire. I therefore flatter myself they will find some pretence to save the King of Prussia, which may embroil them with their new ally, and give a breathing-time to England."

The British envoy, sagacious as he certainly was, here adopted the common error of conceiving that the safety of England depended on her Continental allies. The cry has been repeated in every war in which England has been subsequently engaged; and the British diplomatist at foreign courts has habitually employed his ingenuity in the elaborate effort to warn us that the national existence depended at one time on the triumph of Prussia; at another, of Austria; or, at another, of Spain. All these are follies. The whole Continent, not merely alienated from us, but combined against us, was not able to shake the strength of England, during the last and bloodiest of all wars, urged by the last and bloodiest of all ambitions. In this foolish spirit, it has been echoed from one desponding party to another, that England was saved from ruin by the march from Moscow, then by the battle of Leipzig, then by the battle of Waterloo. England would have survived, if Napoleon had grasped every province of Prussia, if Leipzig had been a field of German massacre, and if Waterloo had only exhibited the bravery without the fortune of the British army. This style of talking is trifling and pusillanimous—it exhibits an utter forgetfulness of history, and an utter ignorance of the actual capacities of the country. England, if true to herself, is unconquerable, and might look on Continental battles with no more personal consideration of the consequences than if they were battles in the clouds. Still, it will fully be admitted, that our Continental alliances ought to be scrupulously sustained; that, in the event of war with any of the Continental powers, it must be of importance to have as few enemies, and as many friends as we can; and that there can be no more short-sighted sense of the true interests of England than insult to foreign thrones, under the shallow pretext of forwarding the privileges of the people. Monarchs are the natural allies of a monarchy—rebels are the natural enemies of all government; and the attempt to create liberty on the Continent, by encouraging the absurdities of the rabble, is only to waste the noble influence of England in the most hopeless of all projects, and to degrade the national character by the abuse of the national principles.

The proverbial uncertainty of war was now about to be vividly illustrated by a new phase of Frederick's varied career. The French army, under the Prince Soubise, had poured into the centre of Germany in great force, and Marshal Keith, a gallant Scot, distinguished in the service

of Prussia, was sent to check their irruption. The result was one of the most extraordinary victories on record. Frederick had arrived at Rosbach with but eighteen thousand men; the French and Imperialists, amounting to sixty thousand, made sure of his capture. It was even said that the Prince de Soubise had already sent a courier to Paris announcing it, and the ruin of the whole army. The French officers, in the spirit of their nation, actually scoffed at the idea of war with so small a kingdom as Prussia. They said "it was doing Monsieur le Marquis de Brandenbourg too much honour to carry on a *sort* of war with him."

On the 6th of November, Soubise advanced; the King then formed his plan of attack. It was to fall on the enemy before they had time to form. The general of cavalry, Seydlitz, was to turn the enemy's horse, and fall on their infantry in the act of formation. The two armies moved parallel to each other, until Seydlitz had turned the enemy's right unseen. The Prussian infantry were in movement after him; but seeing, with the quick eye of a thorough soldier, a favourable moment, he galloped in front of his squadrons, threw up his meerschaum in the air, as the signal for attack, and plunged into the enemy's columns. Two Austrian cuirassier regiments and two French battalions fought stoutly, but they were overwhelmed. All thenceforth was confusion. Though the king's infantry had scarcely been engaged, the enemy's infantry had been driven together in a mass, and, on nightfall, had broken up. By six in the evening the victory was complete. Six thousand prisoners were taken, with five generals and three hundred officers. The Allied army lost, on the whole, ten thousand men; the Prussians about four hundred in killed and wounded. They took seventy guns, fifteen standards, &c.

This victory spread universal exultation through Germany. It was scarcely to be called a German defeat, for the weight of the action fell on the French. It was regarded as a trial of strength between the German and the Frenchman. The victory made the king a National champion.

Many years after the battle, the inhabitants of the vicinity erected a pillar as its memorial. In the disastrous days of Prussia in our time, Napoleon, after surveying the scene of the battle, ordered the pillar to be conveyed to Paris. But, on the day before the first entrance of the Allies into Paris, in 1814, the veterans of the Invalides threw the pillar into the Seine, that it might not be restored to the Prussians. After the victory of Leipzig, however, an iron column was placed on the site of the old memorial.

The victory gave occasion to one of Frederick's *bons-mots*. The conversation at table turned on the comparative style of living among the German princes; the king pronounced that of the Prince Hildburg-Hausen to be the most magnificent, "for," said he, "he keeps thirty thousand *runners*." (The prince had commanded the German troops who were beaten along with Soubise.)

But all was vicissitude in this campaign. While the king was triumphing in one quarter, he was all but ruined in another. The Duke of Bevern, commanding in Silesia, was attacked by a force so overpowering that the province was soon in the hands of the Austrians. Their purpose was now to fall upon the king, and extinguish him. Frederick, in this knowledge, made an appeal to the loyalty of his generals; and, declaring that he had no alternative but victory or death, offered to give his dismissal to any officer who was unwilling to follow him farther. The whole levée burst into protestations of fidelity; and the king marched to fight the Austrians at Leuthen, under the command of Prince Charles of Lorraine, assisted by the most distinguished of their generals, Marshal Daun. But this was the battle of despair. In the king's last speech to his officers, he said—"Should I fall, and not be able to remunerate the services which you have rendered me, the country must do it. Now, go to the camp, and repeat to the regiments what I have said to you."

On the morning of the 5th, at daybreak, the Prussians moved. On their march they fell in with cavalry pushed forward under the well-known General Wostitz. The Austrians were instantly overwhelmed, and Wostitz, furious at his misfortune, rushing into the midst of the Prussian cavalry, received fourteen wounds, of which he died two days after.

Among the prisoners was a deserter, a Frenchman. The king questioned him, "Why did you leave me?" "The fact is," answered the deserter, "things were going on very badly with us." "Come, come," replied Frederick, probably amused by the fellow's nonchalance in a moment of such peril to himself, "let us fight another battle to-day. If I am beaten, we shall desert together to-morrow." He then sent him back to join his old regiment.

The king's manœuvre, on his advance, was so dexterous that, even to the experienced eye of Daun, he appeared to be in retreat. "The Prussians are off," said he to Prince Charles; "let us not disturb them." The cautious marshal always practised the maxim of "a bridge of gold for a retreating enemy." But the hasty Prince resolved on a battle. He was speedily to feel the hazard of such an antagonist as Frederick. The manœuvre was intended to throw the whole force of the Prussians on the Austrian left wing. It succeeded perfectly. The wing was turned, and, after a brief resistance, was driven from the field. The village of Leuthen, the centre of their position, was then stormed; but the Austrian artillery was powerful, and every attack cost great slaughter. The battle was now for a while doubtful—but it was at last decided by a charge of cavalry. The Austrian general, Luchesi, had attempted to fall with his troopers on the Prussian flank; but, in the act, he was unexpectedly charged by the main body of the Prussian cavalry. Luchesi fell, his cavalry were broken, and the battle was at an end. The rest was the capture of the separate posts of the Austrians, and the pursuit of the right wing, which, though not engaged, had disbanded. This success was unexampled. The Prussians took twenty thousand prisoners, one hundred and sixteen guns, fifty-one pair of colours, and four thousand baggage waggons. The Austrians left seven thousand four hundred men on the field. The victors lost, in killed and wounded, six thousand men. This victory produced a prodigious effect on the public opinion of Europe. To have won two pitched battles, with inferior numbers, and in the midst of political difficulties, with all

his conquests torn from him, and his capital insulted and laid under contribution, appeared like the work of romance. The king was, from that moment, the first of European generals. He was the invincible Frederick the Great in German lips; the Protestant hero, by a still more honourable title, in England. Germany then first felt that she had poets, and a theme for poetry. Bards sprang up on every side, and the Prussian king's exploits were sung in palace, cottage, and bivouac. The war-songs of Glein exhibited the true fire of poetry, and form stirring and noble records of the time to this day.

Mitchell's correspondence, on this important occasion, was exulting. On the 9th December, he writes—

"My Lord,—This moment a chasseur has arrived from Silesia, with the news of a complete victory obtained by his Prussian Majesty on the 5th, between Neumarkt and Lissa. The chasseur was present in, and despatched from the field of battle.... In a letter from the king to his brother, Prince Henry, he says he had taken eight thousand prisoners, many standards, colours, and cannon that he had attacked with his right, *et qu'il avait refusé la gauche*, which had succeeded perfectly well, *parce qu'il avait tourné l'ennemi*."

The envoy, in his subsequent letters, collects intelligence from all quarters, and sends it in fragments.

"We have yet no *relation* of the *victory of victories*, but there are letters from the King of Prussia which say that he expected soon to be master of Breslau, and of the garrison and wounded in that town, amounting to ten thousand men. He computes the loss of the Austrians at thirty thousand.... What I write is almost incredible; but two miracles, in the space of one month, two victories gained by the same handful of men—for the Prussian army, in the first action of the 5th of November, did not exceed eighteen thousand, and in the last might be from thirty to thirty-five thousand—have, I hope, restored affairs to a situation I never expected to see them in."

The merit of this diligence may be estimated from the difficulty of correspondence in those days of convulsion. In his first despatch on this subject, so important to the English cabinet, he says,—

"In case this letter should be stopped, I have prevailed with a Jew to write to his correspondent at the Hague a letter in *Hebrew*, which contains further particulars, &c., which he is directed forthwith to communicate to Colonel Yorke, (the British Resident with the States of Holland.)"

We then have a curious specimen of the spirit of diplomacy.

"TO THE EARL OF HOLDERNESSE.

"*December 1757.*

"My Lord,—I have had some suspicion that Prince Henry is paving the way to a negotiation with France, without the knowledge of the king his brother.

"The prince is very vain, and hates his brother, of whose greatness he is jealous; at the same time, he has talents, but more cunning than real parts, and is French to the bone.

"I live well with him, but have carefully watched him. He owed to me the other day that he had taken upon himself to release Monsieur Martinfort, *commissaire des vivres* to Soubise's army, taken at the battle of the 5th of November. The pretence for releasing him is, that Martinfort has no rank in the army, and therefore cannot be exchanged; and that he will prevail on the Prince of Soubise to release, in his room, a Prussian counsellor, who was carried off as a hostage by the French.

"I know the prince's way of thinking—ambition is his only principle. He imagined—looking on the state of the King of Prussia's affairs as desperate—that he should have the glory of making peace. For this purpose, he first began to show an enormous partiality to the French officers, and to hold frequent and long conferences with Martinfort, who is a shrewd, sensible man; and I am convinced that the prince flatters himself that he shall bring about something by his means.... I judge it necessary to give your lordship these hints, that Martinfort may be *properly watched* in Paris."

Napoleon, in his memoirs of the campaigns of the great European generals, gave a high place to the battle of Leuthen, pronounced it a masterpiece, and declared it of itself sufficient to fix Frederick in the foremost rank of generalship.

During this memorable year, the envoy frequently attended the headquarters, and shared not merely the privations but the dangers of the campaign. Of this period he kept a diary, containing the more remarkable particulars, and giving a curious picture of the harassing life, even of the highest rank, once engaged in war. But of this service there was soon to be an interruption. The Hanoverian Convention had soured the King of Prussia's mind against the English cabinet: the failure of the expedition against Rochfort—a failure, however, which arose simply from a precipitate embarkation, (for the English troops had, until that moment, driven everything before them)—and the delay of sending a fleet to the Baltic, were topics of irritation at the Prussian court, which, of course, were first visited on the head of the envoy, and which, in turn, he visited

(with whatever reserve) on the head of the British cabinet. But Chatham had then succeeded to the direction of affairs, and he was not a man to take remonstrance patiently. The immediate result was the mission of Yorke to Berlin, and the recall of Mitchell. But another change in the public councils made Yorke's mission only temporary, and Mitchell was ordered to remain "until further orders."

The brilliant successes of Rosbach and Leuthen had raised the King's military name to the highest rank, but they only increased the number of his enemies. The Russians, fresh in the field, admirably equipped for the campaign, and longing to gather German laurels, had poured down upon his army, exhausted as it was by incessant fighting, and almost hopeless of seeing an end to the war, but still proud of their reputation, and confident in their King. A letter from the envoy to Lord Holderness gives an animated though brief account of their first collision.

"FIELD OF BATTLE, ZORNDORF, 26th August 1753.

"My Lord,—I have the satisfaction to acquaint your Lordship, that yesterday, after an action which lasted *ten hours*, the King of Prussia has gained a victory over the Russian army, taken many pieces of cannon, and many colours and standards.

"The army marched in four columns. The whole cavalry made the fourth column. They arrived in a large open plain, edged with woods, about eight o'clock in the morning, and formed very quickly, as they had marched in order of battle. At nine in the morning, the whole army was formed. The vanguard began the action before the village of Zorndorf, which had been set on fire by the enemy; and as soon as the King of Prussia, thought that he had gained their flank, he ordered the attack to be made by his left wing, while he refused his right. The cavalry, commanded by General Seidletz, formed a fourth line, which, after the infantry should have broken in upon that of the enemy, were to act on either flank, as occasion should offer.

"The fire of the artillery was terrible on both sides, and continued almost without interruption till the end of the battle. What added to the horror of the spectacle was, that the Cossacks and Calmucks had set fire to the villages all round, and a great number of Russian powder-waggons blew up in the woods which surrounded the field."

This was a tremendous conflict, and the particulars of the loss on both sides made it amount to nearly 24,000, killed and wounded, of which the Prussian loss was about 4000. The Russians lost ninety pieces of cannon, standards, and several military chests, containing 858,000 roubles. The subsequent despatches give us some idea of the feelings of men in the field, even though not actually combatants. In one of these the envoy says,—

"I have had many unpleasant moments of late—we were upon the very brink of destruction. The Russians fought like devils. The King of Prussia's presence of mind saved us all. There are many particulars which I would willingly write, but I am almost dead with fatigue. *Would to God I were out of this scene of horror and bloodshed.*"

All now was anxiety.

"Last night the King of Prussia called me to him, between seven and eight o'clock, *just after the battle ended*, and told me that he had not time to write to the King (George II.) that night. He desired I should delay despatching a courier to England *till the affair was ended*; that, in the mean time, he would write a short letter to Berlin to *keep up their spirits.*"

Such is the life of kings and generals.

"As the Russians continue firm in their position, I fear we shall have *another action to-morrow*, for which we are by no means well prepared."

It is remarkable, in nearly all the great Prussian victories, how much the King owed to his cavalry. The battles of Rosbach and Leuthen were actually won by cavalry charges, and the value of cavalry seems to have been fully appreciated by Frederick. It is equally remarkable, that they scarcely appear to have been used since, except to repulse a charge, or to follow a broken enemy. There is a fashion in those things. Napoleon relied on artillery. Wellington relied on infantry. The Russian and German generals, in the French war, relied upon redoubts and fieldworks—a tactic perhaps partly imposed on them by the nature of their troops, which were new to discipline, and, though brave, were unprepared for manœuvring. But novelty has great effect in war, and the first general who will try the momentum of cavalry on a large scale will probably beat his enemy. The common objection, that cavalry costs too much to bring it into the field in force, is absurd: nothing can be too costly which wins the battle.

The envoy now went to Dresden, where the Austrian generals had collected a force, and commenced the siege. Here he was the spectator of some severe attacks, and had his share in the wretchedness of war. On the Austrian demonstration, the general commanding in the city ordered the suburbs to be set on fire, to deprive the enemy of their cover for the assault.

"On the 10th, about three in the morning, General Schmettau set fire to the suburb adjoining the Pirna Gate, and to many of the houses built on the edge of the fosse, apprehensive that they might be occupied by the enemy. I will not describe to your Lordship the *horror of this night*, nor the terror and

confusion it struck into the poor inhabitants, as the whole town seemed to be environed with flames. I mounted into one of the steeples, from which I saw the most melancholy prospect—the poor frightened inhabitants running from the burning suburbs, with the wretched remains of their furniture, towards the Great Garden, and the whole circuit of the town appearing in flames, ruins, and smoke."

Marshal Daun next day remonstrated against this act, as contrary to the laws of war. The Prussian general replied "that the Marshal knew better, and that he must do his duty; but that if the Marshal wished to save the rest of the suburbs, he had only to withdraw his troops." Daun replied "that he would receive no directions *how* he was to attack." The military repartees passed away, but the people were ruined.

The name of Dresden was familiarised to English ears in the last war by the battles fought round it, and the sufferings of its inhabitants. It is difficult to think of those calamities, and of the calamities to which every Continental city is exposed in the first breaking out of hostilities, without a sense of the superior security of our country, and, it is to be hoped, without a sense of the gratitude due for that security to the Supreme Disposer of the fates of nations. Of war England knows little but by her victories.

The close of the Seven Years' War, in 1763, released the envoy from the more arduous part of his service; and in 1765 he returned to England, and was made a Knight of the Bath, then an honour much more restricted than now—the number being few, and the reward unshared, but by public ministers and military men of the first distinction. His health at this period had been declining, and, retaining his envoyship to the last, and with the same vigour of faculties, he died by a short illness in June 1771. Sir Andrew Mitchell was evidently a man of high spirit, clear understanding, and active intelligence. His Journals are brief, yet interesting; and if, instead of writing a Diary, he had given us a History, no man would have rendered a more important account of one of the most important periods of Europe.

The remaining career of Frederick we pass, as a portion of universal history. His battles, his share in the fatal partition of Poland, the vigorous administration which raised Prussia from a third-rate state to a first, and from a population of five millions to one of three times the number, are matters of high interest to the political philosopher. In the character of Frederick II., there was much that no man of religious principle can applaud; but the habits of France had been rendered infidel by the effects of Popery on a lively and ingenious people. The religion which Voltaire and his followers saw from day to day was *not* Christianity—the miracles of supposed saints, and the worship of a supposed Queen of Heaven, which revolted the common sense of mankind, extinguished the implicit faith of these keen-witted Frenchmen. The infidel was only a scoffer at a graver infidelity. The wit of the Frenchman made his scoff popular; and the German, destined to be always an imitator, was proud to follow the laugh, without attempting to examine the logic, of Voltaire.

The later history of Prussia has grown in importance with the growing pressure of our time. Prussia is no longer a struggling state; she is a great European power. No longer a dependent on the policy of Europe, she constitutes a prime mover of that policy. The French have trampled her under foot, apparently only to give her the great lesson that the strength of a nation is in the national virtue. The cause, which was lost by the army, was restored by the population. There was no army in Europe which fell into such instant ruin; there was no population of Europe which started on its feet with such invincible vigour. No defeat was so desperate, no victory so memorable. The peasant restored the monarchy.

Prussia has since been scourged in the common insurgency of the Continent; yet even that suffering will be of infinite value, if it shall remind her that the safety of thrones is in the religion of the people. The connexion is evident. Revolution is the natural tempter of man; it offers opulence to the poor, rank to the vain, agitation to the active, and power to the ambitious. To resist these original stimulants of our nature, what is there in the arm of kings, in the frowns of law, or in the morals of philosophy? There must be a protector, not to be found among the dubious impulses or infirm decencies of this world. That only protector is Religion!

Germany is irreligious. Its Protestant population is infidel, its Popish is sunk in the depths of superstition. In neither is it *Christian*. Individuals may still *protest*, in the once famous land of Protestantism; but the volumes with which Germany is now inundating the world are hostile to every principle of the Gospel. Germany must return to the Bible before her monarchs can sit safely in their palaces. The offer of Constitutions to their people is only the offer of wine to the intoxicated. It is the abuse of a noble gift, and the conversion of a source of natural vigour into the nutriment of a habitual vice. Prussia has now a great vocation. Whatever share of rational liberty exists in Germany is to be sought for at her hands. She possesses the most enlightened intellect, the most vigorous learning, and the most inquiring spirit of Germany. Every man who wishes well to the progress of the Continent must give his aspirations to the progress of Prussia. But her superior advantages will only insure the keener suffering, unless guided by superior virtue.

Her late interference in the war of the Northern Duchies was suspicious; and the passion for naval power, and the hope of acquiring the protectorate of Northern and Central Germany, may have betrayed her into encroachments on her neighbours. But these dreams seem to be past; and it must depend wholly on herself whether she shall disappoint a noble experiment, or shall establish an imperishable name; whether her emblem shall be the scaffold or the altar; whether she shall be the great magazine of political combustion, or the great armoury of political defence

to Europe; whether the shade of the royal tree shall shelter the fugitive principles of rational freedom, or direct the lightnings upon them. There can be no question that we live in times of vast political peril: the pealing of the tempest has scarcely sunk behind our march, when clouds gather on it before. New expedients are required to revive the preservative power of old principles. Religion is on its trial among ourselves; but *here* it will not meet its catastrophe. The Continent will be the scene of the great conflict; and Prussia, more probably than any other portion of the Continent, will witness the severity of the struggle. It may be decided even within the lapse of a few years, and by the exercise of her own wisdom, whether her throne shall stand forth the barren centre of German revolution, or a magnificent creation of power—a central temple, to which the nations of the Continent shall come for the sacred fire, appointed to administer virtue to the living generation, and illustrate posterity.

FOOTNOTES:

- [1] *Memoirs and Papers of Sir Andrew Mitchell, K.B.*, Envoy Extraordinary and Minister Plenipotentiary from the Court of Great Britain to the Court of Prussia, from 1756 to 1771. By ANDREW BISSET, of Lincoln's Inn, Barrister-at-Law. 2 Vols. Chapman & Hall, London.

HOURS IN SPAIN.

The neglect of Spanish literature is perhaps, after the decay of Spanish power, the most striking instance of the precarious tenure of greatness that modern history can supply. Various causes have contributed to this result; none more powerfully perhaps than that ecclesiastical domination which included all that could embellish and exalt our nature in the sphere of its malignant activity, and after poisoning the sources of material prosperity—after making the river, the forest, and the mine useless to their possessors—after turning the land of corn, and wine, and oil into a wilderness—extended its destructive conquest to the informing soul of its inhabitants, and to the ruin of commerce added the extermination of thought itself.

There were many causes which contributed to the triumph of this influence in Spain. The long war against the Moors, carried on with such unequalled pertinacity, and terminated by such complete success, could hardly fail to prolong and exasperate the feelings of religious antipathy, and to make the bigotry, which so many generations had identified with patriotic feeling, precious and venerable to their descendants. And as in France it must for many centuries have been the great object of every true patriot to fortify and to consolidate, at the sacrifice even of constitutional principle, the central power which alone could protect her from invasion, and prevent her from being reduced to the state of wretched insignificance to which a minute subdivision of power into petty principalities had degraded Germany,—so in Spain, national pride mingled itself with religious principle; the hostility of race combined with the hatred of sect; and if the latter made the former furious, the former made the last implacable. The Saxon submitted to the Norman. But the Spaniard, under circumstances far less favourable to resistance, never for one moment abandoned his hostility to the Moor. Again, when Louis the Fourteenth had been compelled by adverse fortune to surrender the cause of his own grandson, the Spanish peasant, without resources, without commerce, without fleets, without armies, adhered with inflexible fidelity to the cause he had once embraced, and in spite of Blenheim and Ramilies and Oudenarde—in spite of Marlborough, Eugene, and Peterborough—kept the sovereign of his affections on the throne;—and finally, when the rest of Continental Europe quailed before the first of conquerors, the spirit which had triumphed at Almanza and Granada showed itself once more to be invincible, and taught mankind the memorable lesson that "all was not lost" where hatred was immortal, and the determination of resistance not to be overcome. Such a nation must leave an imperishable mark in history. As, however, these elements of pride and bigotry acquired an ascendancy in the Spanish character, it gradually sank into a sullen apathy of unsocial indolence, which its declining influence and repeated mortifications tended materially to confirm. Shut up behind the barrier of the Pyrenees—living only in the past, consoling itself by the recollections of former grandeur for the consciousness of actual insignificance and decay; the slave of priests, the victim of kings—it clung to habits unknown in the rest of Europe, and to feelings with which all sympathy had long since passed away. The language, which in the sixteenth century had been spoken in every court of Europe, was unknown—the writers, whom the giant intellects that surrounded the throne of our Elizabeth had studied with so much care, were forgotten. In spite of her noble colonies, in spite of her glorious dialect, in spite of writers more nearly approaching the great models of antiquity in the exquisite perfection of style than those of any modern country, in spite of a drama the wealth of which was inexhaustible Spain ceased to have any influence on the progress of human thought and action. Her vast empire was a corpse from which life had fled. So complete was the ignorance of Spanish literature, that Montesquieu said of the Spaniards, without incurring the charge of having sacrificed truth to epigram, "Le seul de leurs livres qui soit bon est celui qui a fait voir le ridicule de tous les autres:" a singular proof of literary ingratitude in the countryman of Molière, Corneille, and Le Sage—and a still more remarkable proof of the fluctuation of national studies in a country where, scarce a century before, ignorance of Spanish would have been looked upon as a proof of the most barbarous rusticity.

In France, says Cervantes, there is no one man or woman who does not learn Spanish. "En Francia, ni varon ni muger dexa de aprender la lengua Castellana."

To the effect of this very circumstance the growing indifference to Spanish literature may, in some measure, be ascribed. During the palmy state of Spanish greatness, the Spaniard, finding his language, as the French is now, the received organ of social intercourse throughout Europe, seldom vouchsafed to study modern languages. Nor, indeed, were such studies congenial to the taste and temper of that fastidious and haughty nation. In earlier days, poetical traditions and popular ballads had wandered across the Pyrenees. The songs of the Troubadours, and the effusions in the tongue of Oc, had, by means of the kindred dialect of Catalonia, exercised great influence over Castilian poetry. But, towards the end of the fifteenth century, the connection between French and Spanish literature was altogether interrupted: as the language of Catalonia sank to the level of a mere provincial dialect, the channel of communication was blocked up. The family relations between the different members of the houses of Hapsburg and Bourbon could not fill up the chasm which nature had placed between the inhabitants of different sides of the Pyrenees, and which centuries of almost incessant warfare had contributed to widen; and as the provinces of Berne and Languedoc became scandalous as the seats of heresy, everything that came from France was looked upon with aversion and distrust. Still stronger and more insurmountable were the barriers against English literature. He who will read the *Dragontea* of Lope de Vega, the most amiable of authors, and the ode of Gongora, *Al armamento de Felipe segundo contra Inglaterra*, may form some idea of the scorn and hatred with which the Spaniard, proud of his race, proud of his victories, proud of his language, and, above all, tenacious to madness of the unsullied purity of his faith, looked upon the piratical English, twice apostates

from the Holy See, who spoke a barbarous dialect, unknown to the nations of the South, clogged with consonants and monosyllables, incapable of sonorous cadences, and in every respect the opposite of his own. Even at the present day, it is remarkable that Southey—with all his faults, the best writer of English prose that our age has produced—was deeply versed in Spanish literature; and in spite of our acquisitions in physical science, a native of the South, to whom his own beautiful dialect is familiar, might be forgiven when he reads the clumsy prose and prosaic verse of the present day, if he reflect with delight on the Ciceronian eloquence of Cervantes, and the finished periods of Saavedra Faxardo. A Spanish artisan would be ashamed to write like our learned men, or to speak like many members of the House of Commons—so true and so universal is the doctrine of compensation. In the year 1754, Velasquez assures us that there was in Spain no single translation of an English author. But the aversion was not reciprocal. In the days of our great Elizabeth, when the English intellect was at a height from which it has ever since been travelling downwards, Spanish novels and romances were diligently studied, and perpetually translated. There is strong evidence to show that the great dramatists of that day were not ignorant of the Spanish stage.

A translation, or rather an abridgment, of the *Celestina*, was printed in London in 1530, and in 1580 the story was acted in a London theatre.

But as all our readers may not have heard—and many of them probably have not read a line of the *Celestina*—we will, before we proceed farther, explain the nature of this most remarkable—and if the age when it was written be considered—this quite unequalled production.

The *Celestina*, or *Tragi-comedia di Calisto y Melibœa*, is the title of a book which appeared at Salamanca in the year 1500. It is named from the principal person, a procuress, who is the instrument by which all the events that it describes are brought about. It is the work of two authors. The name of the first, who wrote the first act only, cannot certainly be determined. Some ascribe it to Juan de Mena, and some to Rodrigo Cota. The language seems to prove that the date of the first act cannot be much earlier than the end of the fifteenth century, or than that of the twenty acts added to it by the Bachelor, Fernando de Rozas, by whom the whole was published. The work was received with universal, but, if its merit be considered, not with excessive approbation. This is testified by the numerous editions which succeeded each other with great rapidity, not only throughout Spain, but in Venice, Milan, and Antwerp; and translations of it were eagerly studied in France, England, Italy, and Germany. The great length of the *Celestina* proves that it never could have been intended for the stage; but its influence on the dramatic literature of Spain has been, nevertheless, considerable. For the language of the dialogue is so exquisitely beautiful—the representations it contains are so vivid—and the pathos of several passages so touching,—above all, the characters are drawn with so much spirit and truth of colouring, that it became the favourite model of the great Spanish dramatists of the sixteenth century.

To enter into a detailed account of this beautiful composition would be mere pedantry. It might, perhaps, be agreeable to an age which receives with exultation and delight prose translations of the most beautiful poetry, and places equestrian statues over archways; but it must fill every one to whom the rudiments of taste are not absolutely unknown—every one for whom eloquence and poetry are not merely a dead letter—with unspeakable disgust. It would bear the same resemblance to the original that a corpse does to the body animated by an informing spirit. The plot is extremely simple. Calisto, a youth of high birth, cherishes the most passionate love for the beautiful Melibœa. In order to gratify his passion, he has recourse to Celestina, and by her arts and love-potions, and intrigues, he at length accomplishes his object. They meet at her house; and while

"Imparadised in one another's arms,"

the servants of Calisto quarrel, a conflict ensues, in which Celestina loses her life. The law interferes, seizes upon the malefactors, and condemns them to the gallows. The friends of the servants agree to revenge their death. They beset the house, in which Calisto and his beloved have met again. Calisto, who wishes to encounter them, is slain. Melibœa, distracted with remorse and sorrow, and resolved not to survive her lover, ascends a lofty tower, and, after informing her parents of her errors, and of the death of him who shared them, precipitates herself from its summit. Such is the outline of this primitive effort of dramatic art, the eloquence of which is as various and astonishing as the plot is simple and inadequate. There are passages in it which may remind the reader of *Clarissa Harlowe*; and it is very possible that it may have suggested hints to Richardson. Bouterwek's remarks upon the *Celestina* are trivial and insignificant.

"I may boldly say it, because I have seen it," says Stephen Gosson, in 1581, writing under the influence of those puritanical feelings which were soon to play so conspicuous a part in our dramatic history, "that the *Palace of Pleasure*, the *Golden Ass*, the *Æthiopian History*, *Amadis of France*, and the *Round Table*, indecent histories in Latin, French, Italian, and Spanish, have been thoroughly ransacked to furnish the playhouses in London." Robert Green, the author of *Friar Bacon*, one of the most eminent of Shakspeare's immediate predecessors, tells us that he had travelled in Spain. There are several expressions in Shakspeare which indicate an acquaintance with Spanish literature—among others, the remarkable phrase, "this is mischief malikin," which is evidently a corruption of "mucho malhecho." The origin of the *Taming of the Shrew* is Spanish. The alternate rhymes of *Love's Labour Lost* prove, beyond a doubt, a Spanish model. The advice from Polonius to his son is said to be a literal translation from a Spanish dramatist. The resemblance between *Twelfth Night* and an anonymous comedy, *La Española in Florencia*, is too

striking to be merely accidental. It is, indeed, most improbable that Shakspeare who was acquainted with French, and has inserted in his works—in the *Tempest* for instance—several paraphrases of Montaigne, should have been ignorant of Spanish, which was not only a more popular language, but one which contained far more to reward and stimulate the labour of the student. And here we may observe, that the prodigy of the Spanish stage, Lope de Vega—the "monster of nature," as Cervantes calls him, and certainly the most surprising instance of the combination of facility and genius which the modern world has seen—was born on the 25th November 1562, at Madrid, two years before Shakspeare. If we pursue our examination of the influence of Spanish literature on the English drama, we shall find a close resemblance between Fletcher's beautiful play of the *Elder Brother*—which was mutilated to please our barbarous grandfathers by Cibber,—and Calderon's *Two Effects from one Cause*, (*De una Causa dos Efectos*;) the *Maid of the Mill*, by Beaumont and Fletcher, and Lope's *Quinta de Florencia*; Webster's *Duchess of Malfi*, and Lope de Vega's *Mayor Domo de la Duquesa de Amalfi*. So the *Señora Cornelia*, a novel of Cervantes', is the foundation of the brilliant play of the *Chances*. The third scene of the third act of the *Little French Lawyer*, is taken from the fourth chapter of the second part of the first book of Aleman's *Guzman d'Alfarache*. *The Knight of the Burning Perkle*, shows that *Don Quixote* was commonly read in England. The *Spanish Gipsy* of Middleton and Rowley, and *Beggars' Bush* of Fletcher, are taken from the *Fuerza de la Sangre*, and *Gitanilla* of Cervantes; and the plan of *Love's Pilgrimage* is borrowed from the *Dos Doncellas* of the same author. *The Spanish Curate* is taken from the *Gerardo* of Gonzalo de Cerpedes; and *The History of Alphonso, or a Wife for a Month*, is that related by many Spanish writers of Sancho, the eighth King of Leon. To this list may be added a remarkable passage in Milton's *Areopagitica*, in which he alludes to Spanish poetry as we should allude to Manzoni and Lamartine. "The villages also must have *their* visitors, to inquire what lectures the bagpipe and the rebec reads even to the gamut of every municipal fiddler; for *these* are the *countryman's* Arcadias and his Monte Mayors." In 1663 was printed, *The Adventures of Five Hours*, from the Spanish comedy, *Los Empeños de Seis Horas*. Lord Digby's *'Tis better than it was* is taken from Calderon's *Mejor está que estaba*. His *Worse and Worse from Peor está que estaba*. His *Elvira, or the Worst not always True*, from Calderon's *No siempre lo Peor es Cierto*. There can be little doubt, as a careful and elaborate writer, Shack, remarks in his instructive work on the Spanish stage, that a more accurate inquiry than has yet been instituted into the English drama, would lead to the conclusion, that many of the works of Lope de Vega were familiar to the great writers of Elizabeth's time; not, indeed, that it is contended, or that with any shadow of plausibility it can be maintained, that the Spanish is the origin of the English drama, or, indeed, that it ever exercised a decided influence on the English stage. The rapid intrigue, the brilliant accumulation of incidents, which the peasant of the South follows with delight and ease in scenic representation, would confound and bewilder the most educated classes of which a Northern audience is composed. Let an English or German reader try the experiment of reading one of Calderon's most agreeable plays, *Tambien, hay duelo en las Damas*, which may be freely translated, "There may be Trust in Women," and see whether, even in the quiet of his study, his brain does not grow dizzy with the complicated intrigue that it describes.

The truth is, that both in Spain and England, the drama, at the period of its greatest splendour, was drawn from the inmost sources of the national character and genius. It spoke the language of the different races amid which it appeared, and the peculiarities of each were wrought into the stamina of its existence. Before that time, and while it was seeking the track which it was to illuminate with such a flood of glory, before the days of Shakspeare and Lope de Vega, its effects had been feeble and unsuccessful. *Ferrex and Porrex, Ralph Royster, Doyster, Damon and Pythias*, bear, like the contemporary works of Spanish and Italian authors, traces of the attempt to substitute, as in the *Sophonisba* of Trissino, a cold, stiff, and affected imitation of ancient models for the appeal to those passions, and the image of those manners, with which man has an unchangeable and an everlasting sympathy. In the rude comedies of that day, as in the Spanish farces in the middle of the sixteenth century, coarse buffoonery and the realities of vulgar detail predominate. After this phasis, there may be still observed, in the dramatists of the day, a want of power to manage the materials which they had just begun to discover and appreciate. In the plays of Green, as well as of Juan de la Cueva, the sudden and inartificial incidents, the actions without a motive, and the want of a regularly constructed plot, betray the authors' want of experience and self-command. Marlow and Christoval de Vines resemble each other in their love of what is horrible and extravagant, and their use of a turgid and inflated diction. Neither in Peele, Kyd, or Lily, in our country, nor in Argueda, Artieda, or Cervantes, (considered exclusively as a dramatist,) in the other, is any fixed, systematic, matured, independent, national drama distinctly to be traced. They were, however, the harbingers, in their respective lands, of the meridian light which was fast travelling to its maturity of splendour, and rejoicing as a giant to run its course. A lustre then was shed over the Western skies, which more than rivalled the earlier glories of the East. How did this come to pass? to what are we to ascribe the surprising resemblance of dramatic literature, in so many essential points, of Spain and England? this simultaneous outbreak of genius, this selection of the same path, and this arrival at the same goal—a goal which the utmost exertions of other modern nations have never enabled them to come within sight of, much less to reach? What is the seed of the noble and stately plant that shot up at once in such prodigality of magnificence? Shall we content ourselves with the cant of a romantic school, which, after it had wearied the Continent, has, of course, been put forward as a great discovery by our wretched sciolists, in explanation of this curious epoch in the history of the human mind? Or shall we look to the national feelings, sympathies, tastes, and legends, which the masters of the Greek, as well of the Spanish and of the English drama, unveiled in their immortal creations to the very depths? This is the true reason why these nations alone possess a drama of

their own—this is the reason which accounts for the triumph of ancient as well as modern art—not an ambiguous and obscure phrase, but a principle which must insure the originality of the drama, so long as man is man.

If we pursue the comparison between the drama of Spain and England, we shall find the period of its golden age far more circumscribed in the latter than in the former. In the latter, it cannot be said to reach beyond the time of Charles the First; and from the time of Shakspeare its decline is visible. But in Spain, from the end of the sixteenth to the beginning of the eighteenth century, during a period when poetry was almost forgotten throughout the rest of Europe, the stream of the Spanish drama held on its majestic course, supplied from an ever-gushing fountain, and reflecting from its radiant surface all the varieties of human life. If Shakspeare has reached the very summit of all poetry, and a height to which no Spanish dramatist has ascended, the interval which divides him from every other of his countrymen is enormous. But the drama in Spain is not bound up with a single name, or with individual genius; it can exhibit a galaxy of light, and many constellations contribute to its lustre.

The starry host, of which Lope de Vega and Calderon de la Barca are the Lucifers, far surpasses in numbers and splendour that which any other country can exhibit; nor would the dull, brutal, stupid, hard-hearted, and obscene ribaldry which (Congreve excepted) is the prevailing characteristic of the popular writers of Charles the Second's time, and especially of Wycherley, have been endured by the Spanish peasant for a moment.

Christoval Suavey de Figueroa, who lived towards the end of the sixteenth and about the beginning of the seventeenth century, was of all enemies to the theatre of his day the most bitter and the most implacable. The influence of the priesthood had been early turned against the drama, especially on the grounds which had induced the Catholic Church of all ages to oppose itself to the drama, but in reality because the secular plays had superseded the rude and gross religious representations from which they sprang in Spain, as well as in France and England, and which had long been a principal means by which the priests had preserved their influence over the vulgar. Figueroa's animadversions are to be found in two works, one, the *Playa universal de todas las Ciencias*, published at Madrid, 1615; the other, *Advertencios utilissimas a la Vida humana*, Madrid, 1617. The writer complains that the nourishment which the writers of plays furnish for the diseased appetites of the vulgar is poisonous; and that, far from intermixing with their levity any moral or instructive sentences, the sole object of the writers is to provoke the laughter of the audience. Hence men, who are scarcely able to read, venture to write comedies, as is proved by the *Tailor of Toledo*, the *Weaver of Seville*, and other instances of success equally disgraceful. "Hence it happens that scandalous comedies, full of obscene language and trivial conceptions, are represented on the stage, in which all respect for sovereigns is trampled under foot, together with the rules of reason and morality. In these pieces the valet speaks without shame, the maid without modesty, and the old man without discretion."

In the *Pasagero*, which is a dialogue, the principal person says that "if Plautus and Terence were now living they would be driven from the stage, as a certain person, (Lope de Vega,) who considers himself beyond all rule, has invented a particular kind of farce, as lucrative as it is monstrous." But the exhortations of Figueroa were in vain. The passion for writing plays, far from diminishing, increased with tenfold fury, in spite of the Church and the critic, and even Philip the Second's edict. Nor can it be denied that, amid the prodigious and almost incredible mass of plays which increased with every year, some were of a very moderate description. But the very worst were above the level of the great majority of plays in other countries, and especially in our own. It would be difficult to find a single play in the time of Lope de Vega or of Calderon, in which some redeeming quality, happy incidents, or fiery invective, or beautiful language did not appear. Some of these writers, however, acquired an imperishable reputation. Of these, Gabriel Tellez, who wrote under the name of Tirso de Molina, was the most illustrious.

It may be quoted, as a proof of the profound disregard for Spanish literature in Europe, that Bouterwek never mentions this extraordinary dramatist; and that Schlegel, who affected such profound knowledge of the Spanish drama, and whose remarks on Euripides and Molière are so thoroughly unjust and absurd, has been to all real purpose equally silent concerning him; though no man, not even Lope de Vega, or Calderon himself, whom Schlegel praises (not because he was a great poet, but because he was a bigoted Roman Catholic,) bears a stronger impress of true Castilian genius, or is more identified with the drama of his country. Gabriel Tellez was considerably younger than Lope de Vega: he was born about 1570. Little is known of his life till he became a monk at Madrid. He became a doctor of theology, and died in 1648, prior of the monastery at Soria. His comedies are second only, in point of number, to those of Lope de Vega—a circumstance which makes Schlegel's absolute omission of all but his very name, and perhaps of that, the more unpardonable; and he was, besides, the author of many other works—among others, of a defence of the national drama of Spain against the champions of the unities. This was written twelve years before *The Cid* of Corneille, and therefore anticipated a controversy to which we invariably assign a more recent, as well as a Gallic origin. The following are extracts from this admirable vindication.

"The delightful interest excited by the drama, the skill of the actors, and the succession of various incidents, make the time appear so short, that no man, though the representation had lasted three hours, would find aught to censure but its brevity. This at least was the judgment of the unprejudiced—I mean of those who attend a dramatic representation, not so much to find fault as to procure for themselves a poetical gratification. The drones who do not themselves know how to labour, but how to rob the industrious bees, could not indeed renounce their nature, and plunged their stings, with a malignant hum, into the honeyed treasures of genius. One says the

piece is intolerably too long; another says it is unseemly; a pedantic historian said the poet should be chastised, because he has, against the truth of Portuguese history, made the Duke Pedro of Coimbra a shepherd—though he was in fact slain in battle against his cousin, King Alonzo, and left no posterity. It is an affront to the house of Aveiro, and its great duke, that the daughters of the last should be described as reckless damsels, who, in defiance of all the laws of decency, turn their garden into a scene of their licentiousness—as if the liberties of Apollo were tethered to historical accuracy, and might not raise the fabric of poetry on true historical foundations. In the mean time there were not wanting defenders of the absent poet, who maintained his honour, and struck to earth the argument of the envious censors; although besotted minds, who are in love with their own opinion, and display their acuteness rather in the censure of others' works than in any productions of their own, never will allow that they are overcome.... Among many absurdities," says the critic to be refuted, "it has most shocked me to observe the impudence with which the poet has transgressed the limits assigned to their art by the inventors of the drama; for though the action required by them is one which is complete in twenty-four hours at the most, he has crowded months into his play, crammed with love adventures; and even that time is not long enough for ladies of rank and education to fall blindly in love with a shepherd, to make him their secretary, and enable him to decipher their real purpose amid the riddles with which it is expressed.... Moreover, I am at a loss to comprehend with what propriety a piece, in which dukes and counts make their appearance, can be called a comedy." So far the malignant censor proceeds, when he is interrupted by Don Alejo, the other speaker in the Dialogue. "I cannot assent to your opinion, inasmuch as, setting aside the rule that, in common courtesy, the guest is bound not to quarrel with the viands set before him, this particular comedy does comply with the rules which still are valid; and, in my opinion, which is common to all who are free from prejudice with myself, the dramas actually represented in our Spain have a great advantage over those of antiquity, although they depart from the rules laid down by the creators of the stage. If they establish this principle, that a play should only represent such transactions as can by possibility be compressed within the space of twenty-four hours—can there be a more flagrant absurdity than that a man in his senses should, in so short a period, fall passionately in love with a woman equally in possession of hers, and carry the matter on so rapidly, that the love, which is announced in the morning, ends in a marriage at night? Is that time enough to represent jealousy, despair, hope—in short, all the passions and incidents, without which love is a mere word, without any signification? These evils are, according to the judgment of all persons competent to form an opinion, far greater than those arising from the circumstance that the spectators, without moving from their seats, see and hear things which must occupy several days. For as he who reads a history of a few pages, informs himself of events which have occurred in remote countries during many centuries, even so may comedy, which is the image and representation of that on which it is founded, in describing the events which befall two lovers, paint in the most vivid colours all that can take place on such an occasion; and as it is improbable that all these incidents should occur in one day, may feign also for itself the longer time, of which it stands in need. Not improperly has poetry been called a living picture; and as the pencil represents on a few feet of canvass remote distances, which cheat the eye with an appearance of reality, so must the same privilege be conceded to the pen; and so much the rather, as the latter is incomparably more energetic than the former, inasmuch as articulated syllables are more intelligible than silent images, which can explain thought by signs only. And if you object to me, that, under pain of being esteemed presumptuous and ungrateful, we must obey the precepts of the first inventors of the drama, I reply to you, that we owe them indeed reverence for having triumphed over the difficulties which belong to a beginning in any matter, but that we are bound to bring what they have discovered to perfection; so that, without impairing the substance, we may change the manner of proceeding, and improve it by the lessons of experience.

"It were indeed a precious state of things if the musician, because the inventors of music studied harmony of sound from the blows of the hammer on the anvil, were at the present day to use the instruments of Vulcan, and incur censure because they introduced a harp with strings, and thus brought to perfection what originally was imperfect. Herein it is that art differs from nature, because what the one has established since the creation remains immutable—as the pear-tree always produces pears, and the oak its acorns (for we shall not now stop to consider the exceptions arising from soil and climate, and the skill and graftings of the gardener); while in art, the roots of which grow in the shifting qualities of men, use causes the most important changes and modifications. What reason is there for surprise, then, if comedy transgresses the rules of our forefathers, and, according to the analogy of nature and of art, grafts the comic on the tragic, while it combines these opposite kinds of poetry in a fascinating whole, in which sometimes the serious characters of the one, sometimes the ludicrous and playful characters of the other, make their appearance. Moreover, if the pre-eminence of Æschylus and Menander in Greece, and that of Terence and Seneca in Rome, were sufficient to make their rules immutable, the excellence of our Lope de Vega, the pearl of the Manzanares, the Tully of Castile, the phoenix of our nation, so far surpasses these in the quantity as well as the quality of his writings, that his authority is abundantly sufficient to weigh down the doctrine I have cited; and as he has brought comedy to the perfection and consummate refinement in which we now behold it, we must think ourselves fortunate in having such a teacher, and zealously defend his school of poetry against its passionate antagonists. For when he says, in many passages of his writings, that he has deviated from the rules of the ancients only out of condescension to the taste of the multitude, this is only said from the modesty of his nature, and in order that the malevolence of the ignorant should not ascribe that to arrogance which is in fact aiming at perfection. But it is incumbent on us who are his followers, for the reasons which I have enumerated, as well as many others which I will not

now allege, to look upon him as the reformer of the new comedy, and to hold in honour modern writers as more beautiful and more instructive than those of former ages." It is difficult to conceive a more ingenious and solid defence of the Spanish drama than Tellez has here put forward; and it is time to examine how far his practice exemplifies his theory. Many of our readers will be surprised to hear that Tirso de Molina, or Gabriel Tellez, is the first author who brought Don Juan and the famous story of the statue-guest upon the stage, under the title of the *Burlador de Sevilla*, or the *Convidado de Piedra*. The name of the hero is Don Juan Tenorio. The story still lives in the tradition of the people of Seville, in which city the Tenorios were a distinguished race, though the name exists no longer. It was one of the famous twenty-four, the "*veinti-cuatros*" of Seville. The basis of the story is, that, after seducing the daughter of the Comendador Ulloa, Don Juan killed the father, who was buried in the convent of San Francisco. Don Juan's birth and connections placed him above the reach of legal punishment; but the monks of San Francisco contrived to get him within their walls, where they put him to death, and propagated a rumour that Don Juan had gone to the chapel in which the statue of the Comendador was placed, for the purpose of insulting his memory, when the statue had seized him and precipitated him into the infernal regions. Such is the legend on which rests *El Burlador de Sevilla*. It became extremely popular in Spain, and even more so in foreign countries. In 1620 it was transplanted to the Italian stage. Three translations of it appeared in France, under the not very happily chosen title of the *Festin de Pierre*; the first in 1659 by De Villiers; the second 1661, by Dorimon; the third 1665, by Molière. In Spain the same subject was dramatised by Zamora, in a play which still keeps possession of the stage.

As a specimen, we subjoin a translation from one of his most amusing plays, *The Pious Martha*, (*Martha la Piadosa*) in which long before the Tartuffe, and in Spain, hypocrisy was exposed to ridicule. A girl, in order to get rid of a rich and aged suitor, pretends to be seized with a fit of piety, and an aversion to marriage. Her father, after some little resistance, allows her to follow the bent of her inclination without restraint, under pretence of visiting the sick in hospitals. She contrives to obtain repeated interviews with her favoured lover, who—the trait is thoroughly Spanish—has killed her brother in a duel; and at last to procure admittance for him, under the disguise of a palsied and penniless student, into her father's house to teach her the Latin grammar. Some of the scenes are in the highest vein of comedy:—one, where the student pretends to faint from weakness, and her father desires her to hold him up, and bids him lean upon her without scruple; another where the lady, having given vent to her jealousy in a very vivid exclamation which her father overhears, escapes from the detection of her hypocrisy by pretending that the student has said it, and that she is repeating it in anger. The expression is tantamount to "By heavens!" (*vive Dios*;) and the father tells her she is too severe. The lover pretends that his feelings are too much hurt for him to stay any longer in the house: the father desires the daughter to appease him; and with wit equal to Molière, the girl, in her father's presence, goes down on her knees before her lover, and kisses his hand, which is the only condition upon which he has said that he will remain.

Martha.—Forgive me, brother,—stay.

Felip.—Yes, if you kiss upon your knees my hand.

(*Martha kneels.*)

Martha.—This is an act to mortify the flesh.

The Father.—What matchless virtue!

Martha, (*aside*).—Were I to say the truth, the kiss was honey.

As a farther specimen of Molina's style, we subjoin the following translation. The lover and his friend Pastrana, a man full of dry caustic wit, are present at a bull-fight. The following dialogue ensues:—

Pastrana.—Think not to see me at the bull-fight here,
Unless indeed upon the platform perched,
Or looking from a window.

Felip.—Friend Pastrana,
That is a woman's post, and not a man's,
Unless he's wool and water. Let us dare
What fate may bring us, so may we acquire
Perchance eternal blazon and renown.

Pastrana.—No, brother; death sits on the pointed horn.

Felip.—Talk not so fondly; but that well I know
Your lofty spirit and your courage tried,
I'd call it cowardice.

Pastrana.—I give you leave.
Call my resolve by any name you please,
So long as we remain no longer here.

Felip.—And can it be that you, who swallow men,
Now tremble at a beast?

Pastrana.—"Tis true, indeed.
Wonder at my opinion as you may,
To fight with two men, or with three men, oft
Is valour rather than temerity.
Since courtesy or valour furnish means
Of safety—and much more the cunning art
Taught by Cararvza of the dextrous thrust,
Strait or oblique—the science of revenge.
Then one may say, if one is hardly pressed,
"Sir, my experience shows me, that your worship
Is an epitome of human valour;
So I will never haunt this street again,
Nor speak with Donna Mencia any more.
And if you will accept me as a friend,
My services attend you from this day."
Words soft as these control a gentleman—
Money the robber. If your foe be brave,
He must to greater pride and courage yield.
In short, there's always hope, however fierce
His wrath and keen his passion for revenge,
To soothe the fury of the incensed *man*,
If he be one whom gold or breeding win.
But when a *bull* has rent your cloak to shreds,
And bellows at the shoulders of its owner,
In hot pursuit—then try your time—advance,
And whisper in the yelling monster's ear,
"Sir Bull, a gentle bearing sets off valour—
Put some restraint upon your boiling rage.
Indeed, that constant tossing of the head
Can only suit a madman or a fool."
And you will see the fruit of your advice.
Offer your friendship to him, turn your head,
You'll find the light at once shine through your back,
Through two clear holes, each half a yard in length.

But the most popular play of this great writer, and one which is always received with the most rapturous applause, is *Gil de las Calzas Verdes*, (*Gil of the Green Trousers*.) A lady has been abandoned by her lover for a rich beauty of Madrid. She calls herself Don Gil—follows him thither, dresses herself in male attire, of which the green trousers are the most conspicuous part—torments him with letters from the convent where he supposes her to be, describing her suffering, her illness, and at last her death; interrupts his remittances, destroys his credit, carries off his mistress, who falls desperately in love with her; thwarts him at every turn; obliges him to believe that he is really haunted by the ghost of her whom he has wronged; and at last causes him to be arrested for her murder. The rage, amazement, confusion, repentance and despair of the faithless lover are portrayed in the most brilliant colours. Do what he will, mean what he will, attempt what he will, Gil of the Green Trousers, though invisible, has been beforehand with him. He goes to his bankers: the check is paid to Don Gil of the Green Trousers. He endeavours to mislead his intended father-in-law: the plot is unravelled by Don Gil of the Green Trousers. He tries to soften his mistress: she raves of nothing but Don Gil of the Green Trousers. As Don Gil is so successful with his green trousers, other suitors of the Madrid lady dress in green trousers, and assume his name in the dark under her window. There are at one time four persons in the street, each calling himself Gil with the Green Trousers. The faithless suitor of the true Gil is one of them. His rival challenges him; but no sooner does the challenged see the fatal garment, than his conscience smites him, and he addresses his furious rival as the ghost of his injured mistress.

"O soul most innocent! by that sweet love
Which once thou cherished for me, and which now
Delights my memory, I charge thee, rest
My punishment, thy rigour, are complete
If haply to disturb my present love,
Thou hast assumed a body here on earth,
And at Madrid calling thyself Don Gil,
In such attire, and bearing such a name,
Dost meditate to wreak revenge on me,

* * * * *

O cease, blest spirit! from thy fierce pursuit."

The other lover, who hears this grotesque invocation, thinks it a mere trick of his rival to escape a duel, and overwhelms him with every epithet of abuse.

The play ends by the marriage of Don Gil with her fickle suitor. We are almost ashamed to add,

that this was the favourite play of Ferdinand VII., and was ordered for him on all solemn occasions by the municipality of Madrid. Without the refinement of Calderon or Lope de Vega, Molina surpasses both in his verve and gaiety. His satire is unlimited; it spares neither the authorities of earth, nor the ministers of heaven—nay, it does not even spare the great national amusement. Epigram after epigram is poured out upon every object that attracts his notice; his brilliant and sparkling wit is inexhaustible; and his "malice" as boundless as it is subtle. Of all French writers, it has been said, by a very competent judge, that he resembles Beaumarchais most closely; and however strange it may seem, that the Spanish monk of the seventeenth century should bear so close an analogy to the Parisian *bel esprit* of the eighteenth, the remark is undoubtedly correct. We have dwelt more especially on this writer, because he is not well known in Europe, and because even Mr Ticknor, in his accurate and valuable work on Spanish literature—a work we hail both for what it proves, and for what it makes us expect, with the greatest delight—has failed to do him complete justice. Shack seems to us to have appreciated him more justly in his excellent and useful dissertation. But our limits are exhausted for the present.

PART II.

Impelled by motives which we own to be with difficulty effectively justifiable, and which we must resolve into an overmastering anxiety to behold how doomed human nature can confront terror-inspiring circumstances, felt sufficient to palsy one's own soul, we found ourselves, on Sunday morning, the 5th of July 1840, in the front seat of the stranger's gallery in the Chapel of Newgate, in order to hear the condemned sermon preached to Benjamin Courvoisier, and witness the demeanour of one who was to be publicly strangled on the ensuing morning, and in the ensuing evening buried within the precincts of the prison. Callous must he have been who could witness the scene of that morning without being profoundly affected. It was the house of God; and yet, (with reverence be the allusion made,) in one sense, alas! a *den of thieves*—of outcasts from society; whose laws they had, or were charged with having, disregarded and openly violated. Some were there under the pressure of violent suspicion—amounting to a moral, soon to pass into a legal, certainty—of various kinds and degrees of guilt: others bore the blighting brand of established crime, and were suffering, or about to suffer, its penalty. With what feelings would they enter the house of Him who is of purer eyes than to behold iniquity—to Whom all hearts are open, all desires known, and from Whom no secrets are hid! Would any of that guilty throng take their places there, brutally ignorant, indifferent, reckless, or desperate? Would their polluted souls be swelling with ill-suppressed feelings of impiety and blasphemy? Would any approach with broken and contrite spirits, having been shaken, by the stern hand of offended human law alone, out of a life's lethargy and insensibility? How would the holy accents of warning, of expostulation, of mercy, of dread denunciation, sound in the ears of those who were presently to fill that dismal chapel—dismal, only from its locality, and the character of its occupants? With what feelings would *one* enter—the death-doomed—for whom, and for whom alone, was reserved that solitary, central, ominous black bench? who was so terribly far advanced in his passage from a human tribunal to that of the dread Eternal!—on whose brow already faintly glistened the dread twilight between here and hereafter,—the black night of time breaking before the dawning of an eternal day!

They come! Yonder gallery, curtained off, is filling with the female prisoners; no sounds audible but their rustling dresses, and perhaps a half-choked sigh or sob. It is well, poor souls! that you are hidden from the public gaze—from the rude eye of your male comrades in crime! *They* are now entering below, silent and orderly, the eye of the governor upon them, as they are led by burly turnkeys and inspectors to their appropriate places, classed as untried and convicted—the latter according to their respective kinds and degree of punishment. All, at length, are seated. What an assemblage! Almost all clad in prison costume; many with sullen, determined countenances—others with harassed features and downcast look—one or two exhibiting unequivocally an air of insolent and reckless defiance—but all conscious of the stern surveillance under which they sate. Alas, *those boys!* some already, others about to be, condemned—all gazing, terror-struck, at the black seat in the centre!

The chaplain enters the desk immediately under the pulpit, which, attached to the blank wall, faces the communion-table. *He*, also, casts an ominous glance at the black bench before him, in the centre of the floor, to which all faces are directed, amidst moody and troubled silence. At length a door on the left is heard being unbolted; a turnkey enters, followed by the great criminal—one whose name was ringing in the ears of the public—one on whom every eye is instantly fixed with sickening intensity. It is Courvoisier—the monster who, a few weeks before, had barbarously murdered his sleeping lord!—He was led to his seat, a glass of water being placed near him, in case of his faintness, and on one side of him sate a turnkey. Courvoisier knelt down; and then, a prayer-book having been given him, (which he held in an untrembling hand,) took his seat, not far from the reading-desk, covering his eyes for a few moments with his left hand. His demeanour was signally calm and self-possessed, and his motions were deliberate. He was a man about twenty-four years of age. His countenance wore such an expression of pensive good-nature and docility, as rendered it a consolatory reflection that he had unequivocally and spontaneously confessed the fiendish act of which the law had pronounced him guilty, and for which, under holy sanctions, it was on the morrow to take away his life.^[3] Yes—there he sate, where we had seen sitting, also, his blood-stained predecessor Greenacre; and, moreover, Fauntleroy the forger; also a young banker's clerk—a widowed mother's sole support, her only child—for forging a trifling check. Alas, alas! how he wept during the whole service!—but how calmly he behaved the next morning on the gallows!

After gazing long and earnestly on the central figure in the gloomy picture, our eyes were casually attracted by a very different one,—that of a youth sitting on the steps of the altar, as though he had been a privileged spectator. We regarded him as a friend of some subordinate functionary of the gaol. He seemed a silly, vulgar, little dandy, who had put on his very best clothes for the occasion. He looked about eighteen or nineteen years old, and was of slender figure, and a little under the average height. His hair was full and curly—displayed in a very affected style. He wore a sort of second-hand blue surtout with velvet collar, a black satin stock, a light figured waistcoat, and light slate-coloured trousers—the latter a trifle too short, and strained down by a pair of elongated straps, so as to reach as nearly as possible to the brightly-polished boots. Beside him was a hat, of which he seemed very careful, and smoothed it round delicately, once or twice, with his hand. His eyes were quick, and inquisitive; and he seemed to share the interest with which others contemplated Courvoisier. Several times, during the service,

his fingers passed jauntily through his hair, as if to dispose it effectively round his temples. A prayer-book was handed to him, to which he seemed tolerably attentive; but during the sermon he was evidently more occupied with his dress than the exciting and instructive topics of the chaplain—frequently pulling off and putting on his gloves, and arranging different portions of his dress, as though he feared they did not sit upon him sufficiently becomingly. When, however, the chaplain addressed himself personally, and with fearful solemnity, to the murderer before him, the young occupant of the altar-steps was roused into attention, and he listened a few minutes—his eyes fixed now on the preacher, then on the condemned. When the service was over, Courvoisier (whose demeanour had been throughout most satisfactory—solemn, composed, and reverent) was beckoned out to the door through which he had entered, and he obeyed, walking with complete self-possession.—We had looked our last on him!—"Do you see that young fellow on the altar-steps?—do you know who he is?" said a gentleman who approached us for the purpose. "No; he seems a vulgar little puppy," we exclaimed, "whoever he may be." "It is Oxford, who shot at the Queen, and is to be tried this week!" was the reply; and while we turned round to gaze at him, he was in the act of quitting the chapel, holding his hat very carefully, and gazing towards the gallery with an expression of cheerful inquisitiveness. Had it occurred to him that, in all human probability, a week or two would behold *him* an occupant of the black bench just quitted by the murderer?

Yes! that was Edward Oxford, the little caitiff, first of a small and ignominious series of similar ones, who had, on the preceding 9th of June, twice deliberately fired at his young Queen, as she was driving, in fancied security, with her consort, up Constitution Hill, and on each occasion apparently with ball! The following was his own free-and-easy account of the matter, on being examined before the Privy Council:—

"A great many witnesses against me. Some say I shot with my left, others with my right. They vary as to the distance. After I had fired the first pistol, Prince Albert got up, as if he would jump out of the coach, and sate down again, as if he thought better of it. Then I fired the second pistol. This is all I shall say at present."

(Signed) "EDWARD OXFORD."

In the case of this young miscreant, (for it is difficult to speak of him temperately,) however, was, within four days' time, to be resolved a problem of unspeakable difficulty and moment, by such means as the law of the country could command,—viz., responsibility or irresponsibility for criminal acts, according to the state of mind existing at the time of committing them. It is needless to affirm that this is a question of public, permanent, universal interest; one in which every individual, young or old, *may* become personally concerned; one which no humane jurist, practical or speculative, can approach without lively anxiety; one worthy of frequent and deep consideration by every one concerned in the administration of criminal justice. To punish an individual utterly unconscious of the difference between right and wrong at the time of committing the alleged crime, shocks one's sense of natural justice, and confounds all the principles on which it can be administered by man. How can we hang a maniac who, in a paroxysm of madness, kills the keeper who was endeavouring to soothe or to restrain him? Or one who shoots another whom, under the veritable and sole influence of delusion, he believed to be in the act of killing *him*, and that he was therefore acting solely in self-defence? These are plain cases, as stated; but still they require, of course, very clear proof of the facts from which the law is to deduce a perfect irresponsibility for his acts. The subject is one environed with immense practical difficulties, which are often unexpectedly visible in applying apparently clear and correct principles to simple combinations of fact. The most sagacious judges, the most conscientious juries, have grievously miscarried in such cases; some sending persons to the scaffold under circumstances far weaker than those held by others demonstrative of irresponsibility, and, consequently, demanding an acquittal. Many painful and dreadful cases might be cited; but two shall suffice. In the year 1837, an industrious, affectionate, poverty-stricken father strangled his four children, avowedly to prevent their being turned into the streets. They all slept in one room. Having strangled two, he left the room; but, after meditating for some time, came to the conclusion that he might as well be hanged for killing all four; on which he returned, and strangled the other two—having shaken hands with them before he did it! He then quitted the house, and went to a neighbour's, to whom he did not mention what he had done; but on being apprehended the next day, and taken before the coroner, he confessed the above facts. No witness had ever observed a trace of insanity about him. The physician to a lunatic asylum offered to prove that the prisoner's grandmother and sister had been under his care, the latter for entertaining a desire to destroy herself and her children—evidence which the judge rejected; and under his direction the jury convicted, and he passed sentence of death on the prisoner.^[4] In the year 1845, a young servant girl, quiet and docile, having taken a knife from the kitchen, on some trivial pretence, went up to the room where her master's child lay, and killed it. She then went downstairs, and told the horrifying fact to her master. She was quite conscious of the crime she had committed, and showed much anxiety to know whether she would be hanged or transported. There was not the slightest tittle of evidence that she had been labouring under any delusion; yet she was acquitted on the ground of insanity!^[5] Can anything be more grievously unsatisfactory than such a state of things as this, in the administration of the criminal justice of the country? One of the causes which conduced to such results was the too ready deference paid to speculative medical men, professing to have made disordered intellects their peculiar study, and who came forward, from time to time, confidently and authoritatively pronouncing that such and such circumstances indicated unequivocally the existence of

"insanity," of "moral insanity," at the time of the act committed. Nay, they would sit in court, listening to a detail of facts, from which they would then enter the witness-box, and authoritatively declare their opinion that, if such were the facts, the prisoner was *insane*, and therefore irresponsible, when the act in question was committed! Many held that the mere absence of assignable motive indicated such insanity! and many, that the mere committal of the particular act should be so regarded! Notions more dangerous and monstrous cannot be conceived. Well might the late Mr. Baron Gurney declare, "that the defence of insanity had lately grown to a fearful height, and the security of the public required that it should be watched."^[6] There are two Trials contained in Mr Townsend's first volume, which afford memorable illustrations of the difficulty with which these questions are encountered in our courts of justice. They are those of Oxford, for shooting at the Queen, and of M'Naughten for the murder of Mr Drummond, the private secretary of the late Sir Robert Peel. In both cases there were acquittals, on the alleged ground of insanity; and we take leave to intimate that, in our opinion, there should have been convictions in both. The escape of the cold-blooded murderer, M'Naughten, who deliberately shot his unsuspecting victim in the back, horrified and disgusted the public. "It had not been anticipated," says Mr Townsend, "and created a deep feeling in the public mind, that there was some unaccountable defect in our criminal law. People of good sense appeared panic-stricken, by this new danger, from venturing into the London streets; and called upon the legislature to discover some preservative against the attacks of insane passengers in public thoroughfares."^[7] Indignation was loudly expressed in Parliament. In the House of Commons, an honourable Irish baronet moved for leave to bring in a bill to abolish the plea of insanity in cases of murder, except where it could be proved that the person accused was publicly known and reputed to be a maniac; and he asked the House to suspend the standing orders to accelerate the progress of his bill. His motion, however, found no seconder. A similar casualty had befallen Mr Windham, in 1800, who, in the course of a debate which ensued in bringing in a bill to meet such cases as that of Hadfield, (who had just been acquitted, on the ground of insanity, from the charge of firing at George III.,) suggested that an offender, *even if insane*, should be subjected to some sort of punishment, for the sake of example! On the same evening in which the attempt of Sir Valentine Blake was made in the House of Commons, the matter was discussed anxiously in the House of Lords, by Lords Lyndhurst, Brougham, Cottenham, Campbell, and Denman. Lord Campbell expressed the general feeling of the House, when he said—"There may be great difficulty in convicting persons who are not in a state of mind to be responsible for their actions; but it is monstrous to think that society should be exposed to the dreadful dangers to which it is at present liable, from persons in that state of mind going at large."^[8] At length, on the suggestion of the Lord Chancellor, (Lord Lyndhurst,) it was agreed that the judges should be called upon to declare the true state of the criminal law on this momentous subject; and five questions were carefully framed for that purpose, and submitted to them for grave consideration. The following are these questions and answers—both of which, as containing a solemn and authoritative enunciation of the law of the land, we shall present to our readers, whom we request to give them a careful perusal, before proceeding to read what we have to offer on the two trials above alluded to. We are the more anxious that they should do so, because of the recent very remarkable case of Pate, who struck her Majesty with a cane last summer; and whose case was dealt with in strict conformity with the rules which follow:—

QUESTION I.—"*What is the law* respecting alleged crimes committed by persons afflicted with insane delusion, in respect of one or more particular subjects, or persons:—as for instance, where, at the time of the commission of the alleged crime, the accused knew he was acting contrary to law, but did the act complained of, with a view, under the influence of insane delusion, of redressing or revenging some supposed grievance or injury, or of producing some public benefit?"

ANSWER.—"Assuming that your lordships' inquiries are confined to those persons who labour under such partial delusions only, and are not in other respects insane, we are of opinion, that, notwithstanding the party did the act complained of with a view, under the influence of insane delusion, of redressing or revenging some supposed grievance or injury, or of producing some public benefit, he is nevertheless punishable according to the nature of the crime committed, if he knew, at the time of committing such crime, that he was acting contrary to law; by which expression we understand your Lordship to mean the law of the land."

QUESTIONS II. and III. (1.)—"What are the proper questions to be submitted to the jury, when a person alleged to be afflicted with insane delusion, respecting one or more particular subjects or persons, is charged with the commission of a crime (murder, for example) and insanity is set up as a defence?"

(2.) "In what terms ought the question to be left to the jury, as to the prisoner's state of mind at the time when the act was committed?"

ANSWERS.—"The jury ought to be told, in all cases, that *every man is presumed* to be sane, and to possess a sufficient degree of reason to be responsible for his crimes, until the contrary be proved to their satisfaction; and that, to establish a defence on the ground of insanity, it must be clearly proved that, at the time of the committing of the act, the party accused was labouring under such a defect of reason, from disease of the mind, as not to know the

nature and quality of the act he was doing; or, if he did know it, that he did not know he was doing what was wrong. The mode of putting the latter part of the question to the jury, on these occasions, has generally been whether the accused, at the time of doing the act, knew the difference between right and wrong—which mode, though rarely if ever leading to any mistake with the jury, is not, as we conceive, so accurate when put generally and in the abstract, as when put to the party's knowledge of right and wrong with respect to the very act with which he is charged. If the question were to be put as to the knowledge of the accused, solely and exclusively with reference to the law of the land, it might tend to confound the jury, by inducing them to believe that an actual knowledge of the law of the land was essential in order to lead to a conviction, whereas the law is administered upon the principle that every one must be taken conclusively to know it, without proof that he does know it. If the accused was conscious that the act was one which he ought not to do, and if that act was at the same time contrary to the law of the land, he is punishable; and the usual course, therefore, has been to leave the question to the jury—whether the party accused had a sufficient degree of reason to know that he was doing an act that was wrong; and this course, we think, is correct, accompanied with such observations and explanations as the circumstances of each particular case may require."

QUESTION IV.—"If a person, under an insane delusion as to the existing facts, commits an offence in consequence thereof, is he thereby excused?"

ANSWER.—"The answer must of course depend on the nature of the delusion; but making the same assumption as we did before—that he labours under such partial delusion only, and is not in other respects insane—we think he must be considered in the same situation, as to responsibility, as if the facts with respect to which the delusion exists were real. For example—if, under the influence of his delusion, he supposes another man to be in the act of attempting to take away his life, and he kills that man, as he supposes, in self-defence, he would be exempt from punishment. If his delusion were that the deceased had inflicted a serious injury to his character and fortune, and he killed him in revenge for such supposed injury, he would be liable to punishment."

QUESTION V.—"Can a medical man, conversant with the disease of insanity, who never saw the prisoner previously to the trial, but who was present during the whole trial and the examination of all the witnesses, be asked his opinion as to the state of the prisoner's mind at the time of the commission of the alleged crime, or his opinion whether the prisoner was conscious, at the time of doing the act, that he was acting contrary to law, or whether he was labouring under any and what delusion at the time?"

ANSWER.—"We think the medical man, under the circumstances supposed, cannot in strictness be asked his opinion in the terms above stated; because each of those questions involves the determination of the truth of the facts deposed to, which it is for the jury to decide; and the questions are not mere questions upon a matter of science, in which case such evidence is admissible. But where the facts are admitted, or not disputed, and the question becomes substantially one of science only, it may be convenient to allow the question to be put in that general form, though the same cannot be insisted on as a matter of right."

Such being the authoritative enunciation of the law by its legitimate exponents, which superseded the necessity of legislative interference, it is right to observe that it has by no means satisfied the professors of medical jurisprudence, and the members of the medical profession. One of them, Mr Taylor, has observed,^[9] that the law here appears to "look for a consciousness of right and wrong, and a knowledge of the consequences of the act." This legal test "is insufficient for the purpose intended: it cannot, in a large majority of cases, enable us to distinguish the insane homicide from the sane criminal.... A full consciousness of the illegality or wrongfulness of the act may exist in a man's mind, and yet he may be fairly acquitted on the ground of insanity.... There *are* no certain legal or medical rules whereby homicidal mania may be detected. Each case must be determined by the circumstances attending it; but the true test for irresponsibility in these ambiguous cases appears to be, whether the individual, at the time of committing the act, had, or had not, *a sufficient power of control* to govern his actions. If, from circumstances, it can be inferred that he had this power, he should be made responsible, and rendered liable to punishment. If, however, he was led to the perpetration of the act by an *uncontrollable* impulse, whether accompanied by deliberation or not, then he is entitled to an acquittal as an irresponsible agent."^[10] This doctrine is utterly repudiated, however, by our judges, as will appear from two very decisive instances. In directing the jury, in Pate's case, in July last, Mr Baron Alderson thus somewhat sarcastically disposed of the dangerous plea of "uncontrollable impulse."—"The law does not recognise such an impulse. If a person was aware that it was a wrong act he was about to commit, he was answerable for the consequences. *A man might say that he picked a pocket from some uncontrollable impulse; and in that case the law would have an uncontrollable impulse to punish him for it!*" Another acute and eminent judge, Baron Rolfe, on a recent occasion, in trying a boy aged twelve years, for deliberately and cunningly poisoning his

aged grandfather, thus gravely dispelled this favourite delusion of the medical jurists.—"The witnesses called for the defence had described the prisoner as acting from 'uncontrollable impulse.' In my opinion, such evidence ought to be scanned by juries with very great jealousy and suspicion, *because it may tend to the perfect justification of every crime that may be committed.* What is the meaning of not being able to resist moral influence? Every crime is committed under an influence of such a description, and the object of the law is to compel persons to control these influences. If it be made an excuse for a person who has committed a crime, that he has been goaded to it by some impulse, which medical men may choose to say he could *not* control, I must observe, that such a doctrine is fraught with very great danger to society." This stern and sound good sense prevailed; and the youthful murderer was convicted. We have been thus full and distinct in explaining the wholesome doctrine of our English law, because of its immense importance; and we desire it to be understood, far and wide, especially by the medical profession, that these fashionable but dangerous modern paradoxes, borrowed from Continental physicians, concerning *the co-existence of moral insanity* with intellectual sanity, will not be tolerated in English courts of justice.

Let us now proceed to deal with the two remarkable cases of Oxford and M'Naughten—the former of whom was placed at the bar of the Old Bailey four days after the execution of Courvoisier.

It is unspeakably painful, and humiliating, and disgusting, to reflect that our Queen, who has always shown a disposition to intrust herself unreservedly among her subjects, should have been subjected to no fewer than five public outrages—the last of which inflicted actual injury on the royal person,—that of a lady, a young queen, ascending the throne of this mighty empire at the age of eighteen!—outrages in every instance perpetrated by despicable beings of the male sex, properly characterised by Mr Townsend as "crazed knaves, or imbecile monomaniacs." First came, on the 10th June 1840, Edward Oxford, aged nineteen; then, on the 30th May 1842, John Francis, aged twenty; then, on the 3d July 1842, John William Bean, a deformed stripling aged seventeen; then, on the 19th May 1849, William Hamilton; finally—God grant that the degraded series may never be increased!—on the 27th June 1850, Robert Pate—alas! a gentleman of birth and fortune, and who had recently borne her Majesty's commission!

We shall place our readers, briefly and distinctly, in possession of the state of the law applicable to wilfully injuring, or attempting to injure the royal person. Its progress is painfully interesting. The attempt to inflict, and the actual infliction of such injury, are of course high treason; both the trial and punishment being attended, till recently, with all the solemn formalities of high treason as explained in our last Number. This heinous offence comes under the first head of the statute of treason, (25 Edward III. c. 2,) viz., "When a man doth *compass or imagine*^[11] the death of our Lord and King." By "compass and imagine" is signified the purpose or design of the mind or will, evidenced by an open or *overt* act. On the 15th May 1800, James Hadfield fired a horse-pistol, loaded with two slugs, at King George III., as he was entering his box at Drury Lane Theatre.^[12] He was tried for high treason in the Court of Queen's Bench, and defended by Mr Erskine with splendid eloquence.^[13] He was acquitted on the ground of insanity, committed at once to Bedlam, and died there in January 1841, after forty years' incarceration. In the course of his defence, Mr Erskine made an observation which led to an immediate interposition of the legislature. In speaking of the state of the law which interposed protective delay in cases of high treason, Mr Erskine observed: "Where the intent charged affected *the political character* of the sovereign, the delay, and all the other safeguards provided, were just and necessary; but a mere murderous attack on the King's person, not at all connected with his political character, seemed a case to be ranged and dealt with like a similar attack upon any private man."^[14] On the 28th July in the same year, were passed statutes 39 and 40 Geo. III. c. 93, carrying out Mr Erskine's judicious suggestion, by enacting that, where the overt act of this head of treason should be the assassination of the King, or any direct attempt against his life or person, whereby his life might be endangered or his person suffer bodily harm, the *trial* should be conducted in every respect like a simple trial for murder; but, on conviction, the sentence should be pronounced and carried into effect as in other cases of high treason. On the same day was passed another statute—also occasioned by the trial of Hadfield—that in all cases of trial for treason, murder, or felony, if evidence be given of the prisoner's insanity at the time of the commission of the offence, and he be acquitted, the jury shall be required to find specially whether he was insane at the time of committing the offence, and to declare whether they acquit on account of such insanity; and if they do, the court shall order the prisoner to be confined in strict and safe custody during his Majesty's pleasure. Under the former of these two wholesome statutes were tried Oxford and Francis, the latter being convicted of having fired a pistol against the Queen, loaded with powder and "certain other destructive materials and substances unknown;" on which sentence of death was pronounced by Chief-Justice Tindal, as in other cases of high treason. He sobbed piteously^[15] on being convicted; but after two consultations of the Cabinet had been held on his case, his life was spared, in contemptuous clemency to the worthless offender, and in deference to the humane feelings of her Majesty, and he was transported for life. Within almost one month after this questionable act of mercy, her Majesty was subjected to a similar outrage—a pistol being presented towards her, by Bean, on Sunday, as she was going to the Chapel Royal. The pistol was cocked, and the click of the hammer against the pan was heard, but there was no explosion; and the pistol was loaded with only powder, wadding, and one or two minute fragments (about the size of ordinary shot) of pipe. He was tried for misdemeanour, and sentenced to eighteen months' imprisonment in the penitentiary; Lord Abinger remarking, at the conclusion of the trial, that "whipping at the cart's tail should be the petty sentence in future."

The public disgust and indignation demanded some more effectual remedy to be provided for such disgraceful cases, should any unhappily occur in future; and within a fortnight of Bean's conviction—viz. on the 16th July 1842—was passed statute 5 & 6 Vict. c. 51, entitled "An act for providing for the further security and protection of her Majesty's person;" and recites the expediency of extending the provisions of statute 39 & 40 Geo. III. c. 93, to "any attempt to injure in any manner whatsoever the person of the Queen," and of "making further provision by law for the protection and security of the person of the sovereign of these realms." It then proceeds to enact, that—

"If any one shall wilfully discharge or attempt to discharge, or point, aim, or present, at or near to the person of the Queen, any gun, pistol, or other description of firearms, or of other arms whatever—whether the same shall or shall not contain any explosive or destructive material; or discharge, or attempt to discharge, any explosive substance or material near to the Queen's person; or wilfully strike, or attempt to strike, or strike at the Queen's person with any offensive weapon, or in any other manner whatsoever; or wilfully throw or attempt to throw any substance, matter, or thing whatsoever at or upon the Queen's person, with intent to break the public peace, or whereby the public peace may be endangered, or to alarm her Majesty; or if any person shall, near to the Queen's person, wilfully produce or have any gun, pistol, or other description of firearms, or other arms whatsoever, or any explosive, destructive, or dangerous matter or thing whatsoever, with intent to use the same to injure the Queen's person or alarm her Majesty, the offender shall be guilty of a high misdemeanour, and liable at the discretion of the Court to be transported for seven years, or imprisoned with or without hard labour for any period not exceeding three years; and during such imprisonment to be publicly or privately whipped, as often and in such manner and form as the Court shall direct, not exceeding thrice."

This salutary statute (proposed by the late Sir Robert Peel) was passed unanimously; Lord John Russell justly remarking, that "as the offence to be punished was that of bad and degraded beings, a base and degrading punishment was most fitly applied to it." Her Majesty enjoyed a seven years' respite from the insufferable annoyance to which she had been subjected—viz., till the 19th May 1849—when, about four o'clock in the afternoon, as she was driving in an open carriage with three of her children, a pistol was fired in the direction of the carriage by "one William Hamilton, an Irish bricklayer." The pistol was fired point-blank at the person of General Wemyss, one of her equerries, who happened to be in the line of her Majesty's person. This stolid wretch was tried on the 14th June ensuing, under the above statute, when he pleaded guilty, and was sentenced to be transported for seven years. Again, on the 12th of July last, it was rendered lamentably necessary to call this statute into operation, and with the like effect as in the preceding case: but we shall reserve our observations upon the case of Pate till after we have completed what we have to offer on those of Oxford and M'Naughten. We have just returned from an examination of those two notorious persons in Bethlehem Hospital, and shall by and by convey to the reader the result of our own careful observations, made since the earlier portions of this article were committed to the press.

OXFORD'S CASE.

The judges who presided at the trial—which took place at the Old Bailey, and lasted three days, (the 9th, 10th, and 11th July 1840)—were Lord Denman, Baron Alderson, and Justice Maule. The counsel for the crown were—the Attorney and Solicitor Generals, (Sir John Campbell and Sir Thomas Wilde), Sir Frederick Pollock, the present Mr Justice Wightman, Mr Adolphus, and Mr Gurney; those for the prisoner were the late Mr Sydney Taylor and Mr Bodkin. The indictment contained two counts—respectively applicable, in precisely the same terms, to the two acts of firing—charging that Oxford, "as a false traitor, maliciously and traitorously did compass, imagine, and intend to put our lady the Queen to death; and, to fulfil and bring into effect his treason and treasonable compassing, did shoot off and discharge a certain pistol loaded with gunpowder and a bullet, and thereby *made a direct attempt against the life of our said lady the Queen,*"—in the words of statute 39 and 40 Geo. III., c. 93, § 1. The trial, as already observed, differed in no respect from an ordinary trial for felony; and neither the Crown nor the prisoner challenged a single jurymen. "Oxford," says Mr Townsend, "stepped into the dock with a jaunty air, and a flickering smile on his countenance; glanced at the galleries, as if to ascertain whether he had a large concourse of spectators; and, leaning with his elbow on the ledge of the dock, commenced playing with the herbs^[16] which were placed there before him. He kept his gaze earnestly fixed on the Attorney-general during the whole of his address, twirling the rue about in his fingers, and became more subdued in manner towards the close of the speech."^[17] The facts constituting the outrage lie in a nutshell: The prisoner was seized instantly after having discharged two pistols, as the Queen and the Prince-consort were driving up Constitution Hill, in a low open carriage. He had been observed, for some time before the approach of the royal carriage, walking backwards and forwards with his arms folded under his breast. As the carriage approached, he turned round, nodded, drew a pistol from his breast, and discharged it at the carriage, when it was nearly opposite to him. As it advanced, after looking round to see if he were observed, he took out a second pistol, directed it across the other to her Majesty, who, seeing it, stooped down; and he fired a second time—very deliberately—at only about six or seven yards' distance. The witnesses spoke to hearing distinctly a sharp whizzing sound "close past

their own ears." The prisoner, on seeing the person who had snatched from him the pistols mistaken for the person who had fired, said, "It was me—I did it. I give myself up—I will go quietly." At the police-office he said, "Is the Queen hurt?" Some one observed, "I wonder whether there was any ball in the pistol?" on which the prisoner said, "If the ball had come in contact with your head, if it were between the carriage, you would have known it." The witness who spoke to these words appears, however, to have somewhat hesitated when pressed in cross-examination; but he finally adhered to his statement that the prisoner declared there were balls in the pistols. A few days previously he had purchased the pistols for two sovereigns, about fifty percussion-caps, a powder-flask, which, with a bullet-mould and five bullets fitting the pistols, were found at his lodgings. He had also been practising firing at a target, and, on purchasing the pistols, particularly asked how far they could carry. The Earl of Uxbridge deposed that, when he saw Oxford in his cell, he asked, "Is the Queen hurt?" on which Lord Uxbridge said, "How dare you ask such a question?" Oxford then stated that "he had been shooting a great deal lately—he was a very good shot with a pistol, but a better shot with a rifle." "You have now fulfilled your engagement," said the Earl. "No," replied Oxford, "I have not." "You have, sir," rejoined Lord Uxbridge, "as far as the attempt goes." To that he was silent. The most rigid search was made to discover any bullets; but in vain. Two witnesses, gentlemen of rank, and well acquainted with the use of firearms, spoke confidently to having seen bullet-marks on the wall, in the direction in which Oxford had fired; but the Attorney-general expressed his opinion that the evidence was entitled to no weight, as probably mistaken; declaring himself, however, positive that there must have been balls in the pistols, but that the pistols had been elevated so high that the balls went over the garden-wall. One of the witnesses said to the other, immediately after seizing Oxford, "Look out—I dare say he has some friends;" to which he replied, "You are right—I have." At his lodgings were found some curious papers, in Oxford's handwriting, purporting to be the rules of a secret club or society called Young England; the first of which was, "that every member shall be provided with a brace of pistols, a sword, a rifle, and a dagger—the two latter to be kept at the committee-room." A list of members-*factitives*' [sic] names were given. "Marks of distinction: Council, a large white cockade; President, a black bow; General, three red bows; Captain, *two red bows*; Lieutenant, one red bow." There were also found in Oxford's trunk a sword and scabbard, and a black crape cap with *two red bows*—one of the "rules" requiring every member to be armed with a brace of loaded pistols, and to be provided with a black crape cap to cover his face, with his marks of distinction outside. Three letters were also found in his pocket-book, addressed to himself at three different residences, purporting to be signed by "A. W. Smith, *secretary*," and to contain statements of what had taken place, or was to take place, at the secret meetings of the society. They were all headed "Young England," and dated respectively "16th May 1839," "14th Nov. 1839," and "3d April 1840." Oxford said he had intended to destroy these papers in the morning, before he went out, but had forgotten it. All these papers—the "rules" and letters—were sworn by Oxford's mother to be *in his own handwriting*; and it should have been mentioned that there was not a tittle of evidence adduced to show that there were, in fact, any such society in existence, or any such persons as these papers would have indicated; nor, up to the present moment, has there been the least reason for believing that such was the case.

Thus closed the case for the Crown, undoubtedly a very formidable one. No attempt was made by the prisoner's counsel—who appear to have conducted the defence temperately and judiciously—to alter by evidence the position of the proved facts; which, therefore, were allowed to stand before the jury as almost conclusively establishing the case of high treason. Mr Taylor, however, strongly impaired the Attorney-general's notion that there had been in the pistols balls, which had gone over the wall; because his own witnesses had spoken decisively to the bullet-marks on the wall; yet no flattened balls had been produced, after all the search that had been made. Mr Taylor, therefore, inferred that the pistols had contained powder only: "a great outrage, unquestionably, but still not the *treason* charged." There was, again, he contended, there could have been, no *motive* for killing the Queen; and the idea of the Treasonable Society was mere moonshine—a pure invention concocted by a lunatic—one who had inherited insanity, and himself exhibited the proofs of its existence: for Mr Taylor undertook to prove the insanity of Oxford's grandfather, his father, and himself. The proof broke down as far as concerned the grandfather, a sailor in the navy; for it was clear that his alleged violent eccentricities had been exhibited when he was under the influence of liquor. The insanity of Oxford's father was sought to be established by his widow, the mother of the prisoner. If her story, "told with unfaltering voice and unshaken nerve," were correct, her husband had undoubtedly been a very violent and brutal fellow, with a dash of madness in his composition. It is possible that the mother, in her anxiety to save her son from a traitor's death on the scaffold, had, by a *quasi pia fraus*, too highly coloured her deceased husband's conduct. If this were not so, she had indeed been an object of the utmost sympathy. He forced her to marry him, she said, by furious threats of self-destruction if she did not: he burnt a great roll of banknotes to ashes in her presence, because she had refused, or hesitated, to become his wife. He used to terrify her, during her pregnancies, by hideous grimaces, and apish tricks and gesticulations: the results being that her second child was born, and within three years' time died, an idiot. Her husband pursued the same course during her pregnancy with the prisoner, and presented a gun at her head. The prisoner had always been a headstrong, wayward, mischievous, eccentric youth—subject to fits of involuntary laughing and crying. He was absurdly vain, boastful, and ambitious; and wished his mother to send him to sea, where he would have nothing to do but walk about the deck, give orders, and by and by become Admiral Sir Edward Oxford! This was the utmost extent of the *facts* alleged in support of the defence of insanity. The prisoner's whole life had been traced—in evidence—while he was at school, and in three distinct services; and he had never been confined, or in any way treated as mad. His sister spoke to his going out on the day of the outrage, and detailed a conversation evincing no symptoms of

wandering. He used to have books from the library—"The Black Pirate," "Oliver Twist," and "Jack Sheppard." On leaving home that day, about three o'clock in the afternoon, he told his sister that he was going to the Shooting Gallery to buy some linen for her to make him some shirts, and to bring home some tea from a particular shop in the Strand. A nur-sery-maid to whom he had written a ludicrously-addressed letter a few weeks before, said, "I considered him in a sound state of mind, but sometimes very eccentric:" than which, no words were fitter to characterise the true scope and tendency of all the evidence which had been offered to prove him insane. Of that evidence, according to the genius and spirit, and also the letter of English law, twelve intelligent jurymen were the proper judges, under judicial guidance; and greatly to be deprecated is any attempt to deprive them of their right, and their fellow-subjects—the public at large—of the protection afforded by its unfettered exercise.

We therefore earnestly beg the reader to assume that he is given credit for an average degree of intelligence, and only a moderate amount of moral firmness—to imagine himself a jurymen, charged with the solution of this critical problem. We ask—On the facts now laid before you, do you believe Oxford to have been no more conscious of, or accountable for, his actions, in twice deliberately firing at the Queen, than would have been a baby accidentally pulling the trigger of a loaded pistol, and shooting its fond incautious mother or affectionate attendant?

If Oxford, instead of shooting at the Queen, had shot himself that afternoon: would you, being sworn "to give a just and true verdict *according to the evidence*," have pronounced him insane—totally unconscious and irresponsible? Would you have declared him such, if required to say *ay* or *no* to that question on a commission of lunacy? Would you have declared his marriage, on that afternoon, null and void, on the ground of his insanity? Would you have declared his will void? or any contract, great or small, which he had entered into? Would you have declared his vote, in a municipal or parliamentary election, invalid? If he had committed some act of petty pilfering or cheating, would you have deliberately absolved him from guilt on the ground of insanity? Would you, in each and every one of these cases, have declared, upon your oath, that you believed Oxford was "*labouring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act he was doing,—or, if he did know it, that he did not know he was doing wrong?*"^[18] We entreat you to forget altogether the enormity of the offence imputed to Oxford—an attempt to take the life of his Queen: dismiss it, and all consideration of consequences, as a disturbing force, and address your reason exclusively to the question last proposed. What would be your sworn answer? We beg you also to bear in mind from whom has proceeded the chief evidence in support of the defence of insanity—a mother, seeking to rescue her son from the fearful death of a traitor; and that the attempt to impugn his mental sanity is not made till after such a terrible occasion has arisen for doing so. Had it been their interest to establish *his sanity*, in order to uphold a will of his bequeathing them a large sum of money, who sees not how all their evidences of insanity would have melted into thin air, and the attempt to magnify and distort petty eccentricities into such, have been branded as cruel, unjust, and disgraceful?

But there came five doctors on the scene, and at their approach the light of reason was darkened. These astute personages—mysterious in their means of knowledge, and confident in their powers of extinguishing the common sense of both judges and jury—came to demonstrate that the unfortunate young gentleman at the bar was no more the object of punishment than the unconscious baby aforesaid; no more aware of the nature and consequences of the act which he had done than is the torch with which a haystack is fired, or the bullet, cannonball, or dagger with which life is taken away! But let them speak for themselves—these wise men of Gotham—these confident disciples of the "*couldn't help it*" school!

FIRST DOCTOR.—*Question* by the prisoner's counsel and the Court—"Supposing a person, in the middle of the day, without any suggested motive, to fire a loaded pistol at her Majesty, passing along the road in a carriage; to remain on the spot; to declare he was the person who did it; to take pains to have that known; and afterwards to enter freely into discussion, and answer any questions put to him on the subject: would you, from those facts alone, judge a person to be insane?"

Answer.—"I should."

THE COURT.—"You mean to say, upon your oath, that if you heard these facts stated, you should conclude that the person would be mad?"

THE DOCTOR.—"I do."

THE COURT.—"Without making any other inquiry?"

THE DOCTOR.—"Yes!... If, as a physician, I was employed to ascertain whether a person in whom I found these facts was sane or insane, I should undoubtedly give my opinion that he was insane."

THE COURT.—"As a physician, you think every crime, plainly committed, to be committed by a madman?"

THE DOCTOR.—"Nothing of the kind; but a crime committed under all the circumstances of the hypothesis!"

As to the hypothesis proposed, the reader will not have failed to observe how inapplicable it was to the proved facts. Oxford certainly "remained on the spot" because he could not possibly have got away; there being a high wall on one side, high park railings on the other, and an infuriate

crowd, as well as the Queen's attendants, on all sides. He also certainly "declared he was the person who did it;" but how absurd to deny what so many had witnessed?

SECOND DOCTOR.—He is asked the same question which had been proposed to the first Doctor, with the addition of "hereditary insanity being in the family" of the person concerned.

Answer.—"I should consider these circumstances of strong suspicion; but other facts should be sought before one could be warranted in giving a positive opinion."

Question by the Prisoner's Counsel.—"Are there instances on record of persons becoming suddenly insane, whose conduct has been previously only eccentric?"

Answer.—"Certainly. Supposing, in addition, that there was previous delusion, my opinion would be that he is unsound. Such a form of insanity exists, and is recognised."

Question by the Counsel for the Crown.—"What form of insanity do you call it?"

Answer.—"Lesion of the will—insanity connected with the development of the will. It means more than a loss of control over the conduct—morbid propensity. Moral irregularity is the result of that disease. Committing a crime without any *apparent* motive is an indication of insanity!" ...

Question by the Court.—"Do you conceive that this is really a *medical* question at all, which has been put to you?"

Answer.—"I do: I think medical men have more means of forming an opinion on that subject than other persons."

Question.—"Why could not *any* person form an opinion, from the circumstances which have been referred to, whether a person was sane or insane?"

Answer.—"Because it seems to require a careful comparison of particular cases, more likely to be looked to by medical men, who are especially experienced in cases of unsoundness of mind."

THIRD DOCTOR.—"I have 850 patients under my care in a lunatic asylum. I have seen and conversed with the prisoner. In my opinion he is of unsound mind. I never saw him in private more than once, and that for perhaps half-an-hour, the day before yesterday; and I have been in court the whole of yesterday and this morning. These are the notes of my interview with him:—'A deficient understanding; shape of the anterior part of the head, that which is generally seen when there has been some disease of the brain in early life. An occasional appearance of acuteness, but a total inability to reason. Singular insensibility as regards the affections. Apparent incapacity to comprehend moral obligations—to distinguish right from wrong. Absolute insensibility to the heinousness of his offence, and the peril of his situation. Total indifference to the issue of the trial; acquittal will give him no particular pleasure, and he seems unable to comprehend the alternative of his condemnation and execution: his offence, like that of other imbeciles who set fire to buildings, &c., without motive, except a vague pleasure in mischief. Appears unable to conceive anything of future responsibility.'"

Question by the Court.—"Did you try to ascertain *whether he was acting a part* with you, or not?"

Answer.—"I tried to ascertain it as well as I possibly could. My judgment is formed on all the circumstances together."

FOURTH DOCTOR.—To the same general question put to first and second Doctor.
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Answer.—"An exceedingly strong indication of unsoundness of mind. A propensity to commit acts without an apparent or adequate motive, under such circumstances, is recognised as a particular species of insanity, called *lesion* of the will: it has been called moral insanity."

Question.—"From the conversation you have had with the prisoner, and your opportunity of observing him, what do you think of his state of mind?"

Answer.—"Essentially unsound: there seems a mixture of insanity with imbecility. Laughing and crying are proofs of imbecility—assisting me to form my opinion.... When I saw him, I could not persuade him that there had been balls in the pistols—he insisted that there were none. He was indifferent about his mother when her name was mentioned. His manner was very peculiar: entirely without acute feeling or acute consciousness—lively, brisk, smart—perfectly natural—not as if he were acting, or making the least pretence. The interview lasted about three quarters of an hour."

LAST DOCTOR.—"A practising surgeon for between three and four years. Had

attended the prisoner's family."

Question.—"What is your opinion as to his state of mind?"

Answer.—"Decidedly that of imbecility—more imbecility than anything; he is decidedly, in my judgment, of unsound mind. His mother has often told me there was something exceedingly peculiar about him, and asked me what I thought. The chief thing that struck me was his involuntary laughing: he did not seem to have that sufficient control over the emotions which we find in sane individuals. In Newgate, he had great insensibility to all impressions sought to be made on him. His mother once rebuked him for some want of civility to me; on which he jumped up in a fury, at the moment alarming me, and saying 'he would stick her.' I think that was his expression."

Questioned by the Counsel for the Crown.—"I never prescribed for the prisoner, nor recommended any course of treatment, conduct, or diet whatever. I never gave, nor was asked for any advice. I concluded the disease was mental—one of those weak minds which, under little excitement, might become overthrown."

With every due consideration for these five gentlemen, as expressing themselves with undoubted sincerity and conscientiousness; with the sincerest respect for the medical profession, and a profound sense of the perplexities which its honourable and able members have to encounter in steering their course, when called upon to act in cases of alleged insanity—encountering often equally undeserved censure and peril for interfering and for not interfering—we beg to enter our stern and solemn protest on behalf of the public, and the administration of the justice, against such "*evidence of insanity*" as we have just presented to the reader. It may really be stigmatised as "The safe committal of crime made easy to the plainest capacity." It proceeds upon paradoxes subversive of society. Moral insanity? Absurd misnomer! Call it rather "*immoral insanity*," and punish it accordingly. Is it not fearful to see well-educated men of intellect take so perverted a view of the conditions of human society—of the duties and responsibilities of its members? Absence of assignable motive an evidence of such insanity as should exempt from responsibility! Inability to resist or control a motive to commit murder a safe ground for immunity from criminal responsibility!—that "*criminal responsibility which*," as the present Lord Chancellor, in replying for the Crown in Oxford's case, justly remarked, "*secures the very existence of society.*"

Let us look at another aspect of this medical evidence given on this memorable occasion. Doctor the *first* pronounced his authoritative decision solely on the evidence given in court: influenced, it may be, by his having, many years before, been called in to attend the prisoner's father when labouring under symptoms of poisoning by laudanum. Doctor the *second* gave merely speculative evidence, without, as it would seem, having even seen the prisoner, and founded solely on what passed at the trial. Doctor the *third* never saw the prisoner before the trial but once, and then for "*perhaps half an hour*," on the first day of the trial, or the day before it! How potent that half hour's observation! Doctor the *fourth* saw the prisoner with doctor the third, for "*perhaps three-quarters of an hour!*" Doctor the *fifth* was a practising surgeon of not four years' standing—owning how "short a time he had been in practice." Let us only surrender our understandings to this queer quinary, and we arrive at a short and easy solution—very comfortable, indeed, for the young gentleman at the bar, who is doubtless filled with wonder at finding how sagaciously they saw into the thoughts which had been passing through his mind—the precise state of his feelings, views, objects, and intentions, when he fired at the Queen. But in the mean time we ask, can it be tolerated that medical gentlemen should thus usurp the province of both judge and jury? We answer, no! and shall place here on record the just and indignant rebuke of Mr Baron Alderson to a well-known medical gentleman, who had thus authoritatively announced his conclusion on the recent trial of Robert Pate.

Dr—.—"From all I have heard to-day, and from my personal observation, I am satisfied the prisoner is of unsound mind."

BARON ALDERSON.—"Be so good, Dr ---, as not to take upon yourself the functions of both the judge and the jury. If you can give us the results of your scientific knowledge in this point, we shall be glad to hear you; but while I am sitting on this bench, *I will not permit any medical witness to usurp the functions of both the judge and the jury.*"

It fell to the lot of Sir Thomas Wilde to reply for the Crown, in Oxford's case, as in that of Frost; and he discharged the responsible duty with his usual clearness and cogency. As to the facts, irrespective of the question of insanity, a single sentence disposed of them.

"What would be the condition of society—exposed as we all are to such attacks, and the infliction of death by such means—if, with the evidence of previous preparation of the means; the use of balls and pistols; inquiries as to the effect of their discharge, and whether the party was hurt, coupled with admission, incidental and direct, of the fact that balls were in the pistols: what would be the state of society, if evidence like this left an assassin the chance of escape merely because the balls could not be found?"

And, with this terse summary of the proved facts before our eyes, we ask a question of our own: What overwhelming evidence of insanity would not an intelligent and honest jurymen require, to refer such a case to the category of criminal irresponsibility?

Sir Thomas Wilde vigorously and contemptuously crushed under foot the mischievous sophistries

of the medical evidence.

"If eccentric acts were proof of insanity, many persons who were wrenching knockers off doors, knocking down watchmen, and committing similar freaks, *were laying up a stock of excuses for the commission of crimes!*"

"The trick of laughing suddenly, without cause, was so common, that if this were token of imbecility the lunatic asylum would overflow with gigglers!"

"The prisoner had all along displayed a morbid desire to be talked about; and the letters and documents produced had been written with that feeling and object. A criminal should not be permitted to write out for himself a certificate of lunacy!"

"Was his making no attempt to escape, a proof of an unsound mind? If he *had* made such an attempt, it would have been a great proof of madness! He was surrounded on all sides by the multitude. He took such a reasonable view of his situation, as to see that he had no chance of escape, and gave himself up quietly!"

"The prisoner had been allowed the unrestrained use of firearms and powder, and was well acquainted with their fatal effects on human life. Would his mother have *trusted a madman with them?* and left her mad son in the same house with her daughter?"

"The medical men went to Newgate *pre-disposed and pre-determined to see a madman.*"

"Suppose the prisoner unfeeling, violent, indifferent to his own fate, and preferring notoriety to any other consideration: what evidence did that supply of his being in a state of moral irresponsibility?—that moral irresponsibility which secured the very existence of society."

All this surely sounds like an irresistible appeal to good sense.

Lord Denman directed the jury with corresponding clearness and decision, and also in full conformity with the views of the Solicitor-general, and with the subsequent annunciation of the law by the judges.^[19]

"If you think the prisoner was, *at the time*, labouring under any delusion which prevented him from judging of the effects of the act he had committed, you cannot find him guilty. He might, perhaps, have been labouring under a delusion affecting *every* part of his conduct, and not directed to one object alone: if that were so at the time of his firing, he could not be held accountable for it. But if, though labouring under a delusion, he fired the loaded pistols at the Queen, knowing the possible result—though forced to the act by his morbid love of notoriety—he is responsible, and liable to punishment."

"There may be cases of insanity, in which medical evidence as to *physical* symptoms is of the utmost consequence. But as to *moral insanity*, I, for my own part, cannot admit that medical men have at all more means of forming an opinion, in such a case, than are possessed by gentlemen accustomed to the affairs of life, and bringing to the subject a wide experience."

"The mere fact of the prisoner's going into the park, and raising his hand against the Queen, is not to be taken as a proof of insanity—particularly if we suppose that he is naturally reckless of consequences. It is a mark, doubtless, of a mind devoid of right judgment and of right feeling; but it would be a most dangerous maxim, that the mere enormity of a crime should secure the prisoner's acquittal, by being taken to establish his *insanity*. Acts of wanton and dangerous mischief are often committed by persons who *suppose* that they have an adequate motive; but they are sometimes done by those who have no adequate motive, and on whom they can confer no advantage. A man may be charged with slaying his father, his child, or his innocent wife, to whom he is bound to afford protection and kindness; and it is most extravagant to say that this man cannot be found guilty, because of the enormity of his crime!"

The jury, thus charged with the principles of a humane and sound jurisprudence, retired, and after three quarters of an hour's absence returned with this special verdict: "We find the prisoner, Edward Oxford, guilty of discharging the contents of two pistols; but whether or not they were loaded with ball has not been satisfactorily proved to us—*he being of unsound mind at the time.*" In other words, "We find that he did not fire a pistol loaded with ball because he was not of sound mind!" They were sent back, with a mild intimation that they had not sufficiently applied their minds to the true question—viz., Did the prisoner, ay or no, fire a pistol *loaded with ball* at the Queen? The foreman, "We cannot decide the point, because there is no satisfactory evidence produced before us, to show that the pistols were loaded with bullets." They retired, to return with a verdict of "'Guilty,' or 'Not Guilty,' on the evidence." After an hour's absence they finally brought back their verdict, "Guilty, he being at the time insane!"

Lord Denman.—"Do you acquit the prisoner, on the ground of insanity?"

Foreman of the Jury.—"Yes, my Lord; that is our intention."

Lord Denman.—"Then the verdict will stand thus: 'Not Guilty, on the ground of insanity.' The prisoner will be confined in strict custody, as a matter of course."

"The prisoner," says Mr Townsend,^[20] "walked briskly from the bar, apparently glad that the tedious trial was over."

Upon the whole matter we are of opinion,—*First*, That there was very satisfactory evidence that the pistols were loaded with ball, and that the jury ought to have found their verdict accordingly. *Secondly*, If they remained of opinion, to the last, that there was no satisfactory evidence on this point, they ought unquestionably to have pronounced the prisoner Not Guilty, independently of any question as to the prisoner's state of mind. In Scotland, the jury would, in such a case, have returned a verdict of *Not Proven*; but in England, deficient evidence—*i. e.* such as leaves the jury finally in doubt—is regarded as leaving the charge unproved, &c., requiring the verdict of Not Guilty. *Thirdly*, The defence of insanity utterly failed, and the evidence offered in support of it was scarcely worthy of serious consideration. *Lastly*, It is possible that the verdict was given—though by men anxiously desirous of acting with mingled mercy and justice—under a condition of mental irresolution and confusion, and with a deficiency of moral courage. The jury either shrank from the fearful consequences of a verdict of Guilty, on a charge of high treason, and yet feared to let the prisoner loose again upon society; or there was a compromise between those who believed that there *was*, and there was *not*, sufficient evidence of the pistols having contained bullets; and also between those who were similarly divided on the subject of the prisoner's sanity. Thus stood, thus stands, the case; and Oxford has ever since been an inmate of Bedlam: though Mr Taylor, to whose work on *Medical Jurisprudence* we have already referred, and who is a decided and able supporter of that theory of "moral insanity" to which we, in common with all the Judges, are so strongly opposed, admits expressly that, with the exception of M'Naughten's case, "there is perhaps none on record, in English jurisprudence, where the facts in support of the plea of insanity were so slight as in that of Oxford."^[21]

M'NAUGHTEN'S CASE.

The case of Daniel M'Naughten, which was tried at the Old Bailey about two years and a half after that of Oxford—*viz.*, on the 3d and 4th March 1843—cannot be approached without a shudder, as one recalls the direful deed for which he was brought to trial—the assassination of Mr Drummond, whom the murderer had mistaken for the late Sir Robert Peel! To a candid philosophical jurist, this case is one of profound interest, and of considerable difficulty. The abrupt interposition of the presiding judge, the late Chief-justice Tindal—a step very unusual on such an occasion, and especially so in the case of that signally patient and cautious judge—occasioned much remark at the time, and a general, if not almost universal expression of regret that he had not allowed a case of such magnitude to run on to the end, and so have afforded the jury the vast advantage of hearing that consummate lawyer Sir William Follett's commentary upon the case, set up in behalf of the prisoner. The unexpected issue of this dreadful case led, as has been already explained, to Parliamentary discussion, and a solemn declaration by the assembled judges of England of the true principles applicable to such cases. We shall not examine the proceedings as minutely as in the case of Oxford; but we shall endeavour to enable the thoughtful reader to apply to the leading facts the rules of law laid down by the Judges for the conduct of these critical investigations. He can then form an opinion as to what might have been the result, if those principles had been strictly adhered to, and the case had gone on to its legitimate conclusion. It will be borne in mind that, as stated at the close of our account of Oxford's case, even Mr Taylor treats the case of M'Naughten as an acquittal proceeding on facts, alleged in support of the defence of insanity, "as slight as those in Oxford's case!"

Mr Drummond, the private secretary of the late Sir Robert Peel, then prime-minister, was returning alone to his residence in Downing Street, having just quitted Drummond's banking-house at Charing Cross, in the afternoon of Friday, the 20th January 1843, when a man (Daniel M'Naughten) came close behind him, and deliberately shot him in the back with a pistol which he had been seen to take from his left breast. While Mr Drummond staggered away, and the man who had shot him was seen quickly, but deliberately, taking another pistol from his right breast with his left hand, cocking it, and then transferring it to his right hand, he was tripped up by a police officer; and a desperate struggle occurred on the ground, during which the pistol went off—providentially without injuring any one. M'Naughten strove to use his right arm against the officer, but was overpowered, the pistols taken from him, and he was led to the station house. As he went, he said, "*He*" [or "*she*"—the witness was uncertain which word was used] *shall not break my peace of mind any longer.*" On being searched, a banker's receipt for £745, two five-pound notes, and four sovereigns, and ten copper percussion caps fitting the nipples of the pistols which he had discharged, were found on his person; while bullets exactly fitting the barrels were discovered at his lodgings. The unfortunate gentleman who had been thus assassinated, died after great suffering, on the 25th January. He had borne a strong personal resemblance to the late Sir Robert Peel; and it was beyond all doubt that it had been Sir Robert Peel whom M'Naughten thought he had shot, and had intended to shoot. On the ensuing morning, when asked if he knew whom he had shot, he replied, "It is Sir Robert Peel, is it not?" and on being reminded that what he said might be given in evidence, he replied quickly, "*But you won't use this against me?*" He had shortly before said that, when brought before the magistrate, he would "give a reason, a short one," for what he had done; and also observed, that he was an

object of persecution by the Tories—that they followed him from place to place with their persecution." He appeared calm; and gave a correct and connected account of his recent travelling movements. He was the natural son of a turner at Glasgow, from which, some months previously, he had come to London, and had then paid a short visit to France. Down to the moment of his committing this appalling act, he had been a man of rigorously temperate habits; and no one with whom he lodged or associated, entertained the slightest suspicion that his reason was in any way affected—though he appeared peculiarly reserved, and even sullen, which his landlady had attributed to his being out of a situation and poor; for though punctual in his small payments, he was frugal even to parsimony. She had no idea that he possessed so large a sum as £750. During the previous fortnight, he had been observed loitering so suspiciously in the neighbourhood of Sir Robert Peel's private and official residences as to challenge inquiry, which he parried by casual observations. In the month of November previously, he had remarked to a companion, on being shown Sir Robert Peel's house in Whitehall, "D——n him! Sink him!" or words to that effect. His other remarks were perfectly rational, and his companion entertained no notion "that his mind was disordered." The following two documents in his handwriting, dated in the May and July preceding the murder, are very remarkable, as indicating great caution, shrewdness, and thrift on the part of the writer. The first was addressed to the Manager of the Glasgow Bank, and is as follows:—

"GLASGOW, 23d May 1842.

"Sir,—I hereby intimate to you, that I will require the money, ten days from this date, which I deposited in the London Joint-Stock Bank through you. The account is for £745. The account is dated August 28th 1841, but is not numbered! As it would put me to some inconvenience to give personal intimation, and then remain in London till the eleven days' notice agreed upon has expired, I trust this will be considered sufficient.

"Yours &c.,
"DANIEL M'NAUGHTEN."

Two months afterwards—viz., in July—he purchased the fatal pistols of a gunsmith near Glasgow, giving him very precise directions as to their make; and on the 19th of July replied to the following advertisement, which appeared in the *Spectator* newspaper of the 16th of July:—

OPTIONAL PARTNERSHIP.—"Any gentleman having £1000 may invest them, on the most advantageous terms, in a very genteel business in London, attended with no risk, with the option, within a given period, of becoming a partner, and of ultimately succeeding to the whole business. In the mean time, security and liberal interest will be given for the money. Apply by letter to B. B., Mr Hilton's, Bookseller, Penton Street, Pentonville."^[22]

M'Naughten's answer, which here follows, cannot be too closely scrutinised, and its general tone and tendency too anxiously weighed, by a dispassionate judicial mind, regard being had to the evidence hereafter to be adverted to, with reference to the alleged condition of the writer's mind, long previously to, at, and after the date of the letter.

"GLASGOW, 19th July 1842.

"SIR,—My attention has been attracted to your advertisement in the *Spectator* newspaper, and as I am unemployed at present, and very anxious to obtain some, I have been induced to write, requesting you to state some particulars regarding the nature of the business in which you are engaged. If immediate employment can be given or otherwise, what sort of security will be given for the money, and how much interest? I may mention that I have been engaged in business on my own account for a few years, am under thirty years of age, and of very active and sober habits.

"The capital which I possess has been acquired by the most vigilant industry, but, unfortunately, does not amount to the exact sum specified in your advertisement. If nothing less will do, I will be sorry for it, but cannot help it; if otherwise, have the goodness to write to me at your earliest convenience, and address, D. M. N., 90, Clyde Street, Anderton's front land, top flat."^[23]

He went to London during the same month; appears to have gone for about a fortnight to France, returning to Glasgow; went a second time to London in September, and resided there, in the lodgings which he had formerly occupied, down to the day on which he shot Mr Drummond. His landlady accurately described his habits, and stated that "she never thought him unsettled in his mind;" and, on the very morning of the fatal day, "did not observe anything about his manner." Such was the tenor of all the evidence offered for the prosecution—some of it stretching back to the years 1840, 1841, when he attended anatomical lectures in Glasgow. A Writer to the Signet, who also attended them, and the physician who lectured, expressly declaring that they had never seen anything in him to indicate "disordered mind," or that "he was not in his right senses."

The following was the statement which he made and signed, when examined on the charge at Bow Street. This document, like the preceding, is worthy of great consideration.

"The Tories in my native city have compelled me to do this. They follow and persecute me wherever I go, and have entirely destroyed my peace of mind. They followed me into France, into Scotland, and all over England: in fact, they follow me wherever I go. I cannot get no rest for them night or day. I

cannot sleep at night, in consequence of the course they pursue towards me. I believe they have driven me into a consumption. I am sure I shall never be the man I formerly was. I used to have good health and strength, but I have not now. They have accused me of crimes of which I am not guilty; they do everything in their power to harass and persecute me; in fact, they wish to murder me. It can be proved by evidence. That's all I have to say."^[24]

On Thursday the 2d February—that is to say, exactly a fortnight after the murder—M'Naughten was arraigned at the Old Bailey. When called upon, in the usual manner, to say whether he was Guilty or Not Guilty, he remained silent, with his eyes directed steadily towards the bench. At length, on being authoritatively required to answer, he said, after some hesitation, "I was driven to desperation by persecution." On being told that he must answer, "Guilty," or "Not Guilty," he replied that he was guilty of *firing*. On this Lord Abinger interposed, "By that, do you mean to say you are not guilty of the remainder of the charge—that is, of *intending to murder Mr Drummond*?" The prisoner *at once* said, "Yes;" on which Lord Abinger ordered a plea of Not Guilty to be recorded. It appears to us that there is great significance in what passed on this occasion.

An application was then made to postpone the trial, on affidavits stating that, by the next session, matured evidence could be adduced to show the insanity of the prisoner when he shot Mr Drummond. The Attorney-general (Sir Frederick Pollock) at once humanely assented to the application, and it was granted; as also ample funds out of the £764 found on the prisoner, to prepare effectively for the defence. Let us here pause for a moment, to contrast the treatment which M'Naughten—whose undisputed act had filled the whole country with horror and indignation—received on this occasion, with that experienced by his predecessor Bellingham, thirty years before, whose case very closely resembled that of M'Naughten in some fearful points. We can with difficulty record calmly that Bellingham's counsel, fortified by strong affidavits of the prisoner's insanity, and that witnesses knowing the fact could be brought from Liverpool and elsewhere, applied in vain for a postponement of the trial, the Attorney-general of that day barbarously, and even offensively, opposing the application, which was consequently at once overruled. Within seven days' time Bellingham shot Mr Percival, was committed, *tried*—if it be not a mockery to use the word—convicted, and executed. On Monday, the 11th May 1811, Bellingham shot his unfortunate victim, and on that day week (Monday, the 18th May 1811) the assassin's dead body lay on the dissecting-table! This vindictive precipitancy affords an awful contrast to the noble temper in which M'Naughten's application was entertained by the Attorney-general, the judge, and the justly-excited country at large. It supplied the eloquent advocate, (the present Solicitor-general, Sir Alexander Cockburn) who was subsequently retained by the prisoner, with a potent weapon of defence, of which he failed not to make effective use. It is not too much to say, that all who can concur in the acquittal of M'Naughten must regard Bellingham as judicially murdered. We concur heartily with M'Naughten's advocate in the remark, that "few will read the report of Bellingham's trial without being forced to the conclusion that he was either really mad, or, at the very least, the little evidence which alone he was permitted to adduce, relative to the state of his mind, was strong enough to have entitled him to a *deliberate and thorough investigation of his case*."^[25]

On Friday, March 3d, M'Naughten took his trial before the late Chief-justice Tindal, the late Mr Justice Williams, and Mr Justice Coleridge. The prosecution was conducted by the late Sir William Follett, then Solicitor-general, and the prisoner defended by the present Solicitor-general, then Mr Cockburn, Q. C. Nothing could exceed the temperate and luminous opening statement of Sir William Follett, who, in our judgment, laid down the rules of English law, applicable to the difficult and delicate subject with which he had to deal, with rigorous propriety.

"If you believe," said he, "that the prisoner at the bar, at the time he committed this act, was not a responsible agent—that, when he fired the pistol, he was incapable of distinguishing between right and wrong—that he was under the influence and control of some disease of the mind which prevented him from being conscious that he was committing a crime—that he did not know he was violating the law both of God and man—then, undoubtedly, he is entitled to your acquittal. But it is my duty to tell you that nothing short of *that* will excuse him, upon the principles of the English law. To excuse him, it will not be sufficient that he laboured under partial insanity upon some subjects—that he had a morbid delusion of mind upon some subjects, which could not exist in a wholly sane person; that is not enough, *if* he had that degree of intellect which enabled him to know and distinguish between right and wrong—if he knew what would be the effects of his crime, and consciously committed it; and if, with that consciousness, he *wilfully* committed it."

The witnesses for the prosecution established a case, if unanswered, of perfect guilt; the facts of the assassination were indisputable, and the evidence of the prisoner's sanity cogent in the extreme. Mr Cockburn addressed the jury at very great length, and in a strain of sustained eloquence and power, his object being to persuade the jury "that the prisoner was labouring, at the time of committing the act, under a morbid[?] insanity, which took away from him all power of self-control, so that he was not responsible for his acts. I do not put this case forward as one of total insanity; it is a case of delusion, and I say so from sources upon which the light of science has thrown her holy beam." Those who have read what has gone before concerning Oxford's case will appreciate this observation of Mr Cockburn, and gather from it his adoption, for the purpose

of that defence, of the theory of moral insanity, which he enforced and illustrated by many striking and brilliant observations, calculated to produce a deep and strong impression on the minds of the jury, such as required the utmost exertions of Sir William Follett in reply, and finally of judicial exposition to efface, if fallacious—or modify to any extent rendered necessary by inaccuracy or exaggeration. Ten witnesses, all of them from Glasgow, were called, for the purpose of establishing the fact that the prisoner had, for some eighteen months previously to January 1843, appeared to labour, and had continually represented himself as labouring, under a persuasion that he was the victim of some such indefinite, mysterious, and incessant persecution as he spoke of in his statement before the magistrate at Bow Street. We are bound to say that the force of this testimony—coming chiefly from persons above all suspicion, and in a superior rank of life—is irresistible as to the existence of such an insane delusion down to the time of his quitting Glasgow. Not a witness, however, gave evidence of his exhibiting that tendency after his last return to London, before his shooting Mr Drummond. The only mention of Sir Robert Peel's name was by one of these ten witnesses, a former fellow-lodger of the prisoner's, who told him, in July 1842, that he had heard Sir Robert Peel speak in the House of Commons; preferred his speaking to that of Lord John Russell and Mr O'Connell; and said "he thought Sir R. Peel had arrived at what Lord Byron said of him—that 'he would be something great in the state.'" Mr Cockburn asked the witness, "Did you ever, on that or any other occasion, hear him speak at all disrespectfully of Sir Robert Peel?" *Answer.*—"Certainly not." One or two witnesses spoke to singularities of demeanour as early as the years 1835 and 1836. One of his landlords, in the former year, got rid of him as a lodger, "for one reason, in consequence of the infidel doctrines he maintained, and the books of such a character which he was in the habit of reading." One witness, who had succeeded him in his business, remonstrated with him, towards the end of 1842, about his notions as to being persecuted, telling him it was all imagination—that there were no such people as he supposed. He said that, "if he could once set his eyes on them, they should not be long in the land of the living," and became shortly afterwards very much excited. Sometimes he said he was "haunted by a parcel of devils following him." His landlady, seeing the brace of pistols which he had in September, just before his return to London, said—"What, in the name of God, are you doing with pistols there? He said 'he was going to shoot birds with them.' I never saw the pistols after that." He told the Commission of Police that the "persecution proceeded from the priests of the Catholic chapel in Clyde Street, who were assisted by a parcel of Jesuits." In August 1842, he told the same witness that "the police, the Jesuits, the Catholic priests, and Tories, were all leagued against him."

Mr Cockburn having thus "laid a broad foundation," says Mr Townsend, "for medical theories, upon them was built, by the nine physicians and surgeons who confirmed each other's theories, a goodly superstructure of undoubted insanity. Had the workings," continues Mr Townsend, sarcastically, "of the troubled brain been as distinctly visible to the eye, as the labours of bees seen through a glass hive, they could not have held the fact to be more demonstratively proved. Positive beyond the possibility of mistake, and infallible as theologians, they explained all that might appear without the aid of science inexplicable; and proved, as if they were stating undoubted facts, an irresponsible delusion."

One of the physicians attested his conviction, from an interview with the prisoner shortly before his trial, "as a matter of certainty, that M'Naughten was not responsible for his acts!" Well may Mr Townsend add, "By an excess of lenity, the counsel for the prosecution allowed these scientific witnesses to depart from the ordinary rules of evidence, to give their own conclusions from the facts proved, and usurp the province of the jury."^[26] After going through the evidence (if the word can be used with propriety under such circumstances) of the other medical gentlemen, Mr Townsend observes, "Each physician and surgeon, as he stepped into the witness-box, seemed anxious to surpass his predecessor in the tone of decision and certainty; each tried to draw the bow of — (mentioning the first physician who had been called, and who was also called in Oxford's and Pate's case, in which latter he was rebuked by Baron Alderson,^[27]) and shoot, if possible, still farther into empty space." And this gentleman, Dr —, had asserted, under cross-examination by Sir William Follett, "his positive conviction that he could ascertain the nicest shade of insanity! that the shadowy trace of eccentricity, dissolving into madness, could be palpably distinguished!"^[28] The last of these confident personages then was permitted to make this extraordinary statement: "I have not the slightest hesitation in saying that the prisoner is insane, and that he committed the offence in question whilst afflicted with a delusion under which he appears to have been labouring for a considerable length of time!!!"

We feel constrained to say that this appears to us, in every way, monstrous.

"Nine medical witnesses," significantly observes Mr Townsend, "had now spoken, with a wonderful unanimity of opinion, and the court surrendered at discretion."^[29]

If such a course is to be allowed again in a court of justice, what security have any of us for life, liberty, or property?

Chief Justice Tindal here interposed, to ask Sir William Follett whether he was prepared with evidence on the part of the Crown to combat that of the medical witnesses,—

"Because, if you have not," said the Chief Justice, "we think we are under the necessity of stopping the case. Is there any medical evidence on the other side?"

Sir William Follett.—"No, my Lord."^[30]

Chief Justice Tindal.—"We feel the evidence, especially that of the last two

medical gentlemen who have been examined, and who are strangers to both sides, and only observers of the case, to be very strong, and sufficient to induce my learned brothers and myself to stop the case."^[31]

After this authoritative intimation from the court, in a capital case, in favour of the prisoner, it would have been obviously to the last degree inexpedient for the Solicitor-general, in his position of peculiar and great public responsibility, to "press for a verdict against the prisoner."^[32] After, therefore, intimating distinctly and respectfully to the jury, that, "after the intimation he had received from the bench, he felt that he should not be properly discharging his duty to the Crown and the public, if he asked them for a verdict against the prisoner," he withdrew, in deference to "the very strong opinion entertained by the Lord Chief-Justice, and the other learned Judges present," that the evidence, especially the medical evidence, sufficed to show that the prisoner, when he shot Mr Drummond, was labouring under insanity. "If he were so," added Sir William Follett, with a pointed reservation of his own opinion, "he would be entitled to his acquittal." He intimated, however, distinctly, that he adhered to "the doctrines and authorities" on which he had relied in opening the case, "as being correct law; our object being to ascertain whether the prisoner, at the time when he committed the crime, was—at that time—to be regarded as a responsible agent, or whether all control over himself was taken away. The learned judge, I understand, means to submit that question to you. I cannot press for a verdict against the prisoner, and it will be for you to come to your decision."

The Chief-Justice then briefly addressed the jury, offering to go through the whole evidence, if the jury deemed it necessary, which *he* "thought to be almost unnecessary;" adding—

"I am in your hands; but if, in balancing the evidence in your minds, you think that the prisoner was, at the time of committing the act, capable of distinguishing between right and wrong, then he was a responsible agent, and liable to all the penalties which the law enforces. If not so—and if, in your judgment, the subject should appear involved in very great difficulty—then you will probably not take upon yourselves to find the prisoner guilty. If that is your opinion, then you will acquit the prisoner. If you think you ought to hear the evidence more fully, in that case I will state it to you, and leave the case in your hands. Probably, however, sufficient has now been laid before you, and you will say whether you want any further information."

Foreman of the Jury.—"We require no more, my Lord."

Chief-Justice Tindal.—"If you find the prisoner not guilty, say on the ground of insanity; in which case proper care will be taken of him."

Foreman.—"We find the prisoner not guilty, on the ground of insanity."

We repeat emphatically our deep respect for the late Chief-Justice Tindal, and for his brethren who sate beside him on this momentous occasion; and we also acknowledge the weight due to the observation of Mr Townsend, that "none can form so correct an estimate of the facts proved, and their illustration by science, as those who actually saw what was going on; and the three able Judges who presided seem to have been fully impressed with the conviction that the prisoner ought not to be considered amenable to punishment for his act, being insensible, at the time he committed it, that he was violating the law of God and man."

And, again, "It is far more just and merciful to take care alike of the accused and of society, by confining in secure custody the doubtfully conscious shedder of blood, than to incur the fearful hazard of putting to death an irresponsible agent."^[33] Nevertheless, we concur in the unanimous opinion of the five law lords, expressed in their places in Parliament—the Lord Chancellor, Lord Brougham, Lord Cottenham, Lord Denman, Lord Campbell—that it would have been better to let the trial proceed regularly to its conclusion. The whole facts of the case demanded, not less than the theories of the medical witnesses, that thorough sifting, and the application of that masterly and luminous practical logic, which both the Solicitor-general and the Chief-Justice were so pre-eminently capable of bestowing. If, after such a dealing with the case, an acquittal on the ground of insanity should have ensued, who could have gainsaid it? At present, see what a candid and scientific writer on medical jurisprudence—as we have several times observed, a strong favourer of the notion of moral insanity—has felt himself compelled to place permanently on record,^[34] with reference to the acquittal of M'Naughten.

"When we find a man lurking for many days together in a particular locality, having about him loaded weapons—watching a particular individual who frequents that locality—a man who does not face the individual and shoot him, but who coolly waits until he has an opportunity of discharging the weapon unobserved by his victim or others—the circumstances appear to show such a perfect adaptation of means to ends, and such a power of controlling his actions, that one is quite at a loss to understand why a plea of irresponsibility should be admitted, except upon the fallacious ground that no motive could be discovered for the act—a ground, however, which was not allowed to prevail in the case of Courvoisier, Francis, and the perpetrators of other atrocious crimes. Observe the lively sense of his danger, and of his rights and interests, as an accused person, exhibited by M'Naughten almost immediately after committing the act—when, fearful lest an inadvertent admission should be given in evidence against him, he said to the officer^[35]—'But you won't use this against me?' Note the matter-of-fact astuteness with

which he attended to his pecuniary interests in May and July; the total absence of any evidence of the existence of his delusions during his last sojourn in London; the presence of such proof of careful, deliberate, and too successful perpetration, as to time, opportunity, and means; his expression in November towards Sir Robert Peel—"D——n him!" But, above all, is to be noted the time when he first gives utterance to anything directly and cogently favouring the notion on which his life depended—his insane delusion with regard to Sir Robert Peel—viz., after he had been for some time incarcerated in Newgate, and when he knew that he was being examined by a physician, in order to ascertain what had been his state of mind at the time in question! Dr Munro has there recorded it.^[36] He said—"Mr Salmond, the Procurator-Fiscal, Mr Sheriff Bell, Mr Sheriff Alison, and *Sir Robert Peel*, might have put a stop to this system of persecution if they would!" ... "*We were afraid of going out after dark for fear of assassination*: that individuals were made to appear before him like them he had seen in Glasgow." ... "That *he imagined the person at whom he fired at Charing Cross* to be one of the crew—a part of the system that was destroying his health. He observed, that, *when he saw the person at Charing Cross at whom he fired*, every feeling of suffering which he had endured for months and years rose up at once in his mind, and that he conceived that he should obtain peace by killing him."

Surely it would have conduced—especially in the painful excitement of the public mind on the subject at the time—to the satisfactory administration of justice, if it had been allowed Sir William Follett—without his being placed in the insidious position of appearing to press unduly against a prisoner being tried for his life—to combine and contrast these various circumstances, as he, of almost all men, could have best combined and contrasted them. The jury should have had their minds solemnly and authoritatively directed to the question, for instance, whether this last observation of M'Naughten made to Dr Munro was a spontaneous, genuine indication of utterly subverted mental faculties, continuing from the moment of his shooting Mr Drummond; or an effort of anxious astuteness to give effect to the suggestion which he may have believed would save his life. And, moreover, this and other circumstances should have been accompanied by a direction to the jury, in accordance with that of Lord Denman in Oxford's case,^[37] and with the following canon, subsequently laid down by the Judges in their answer to the first question proposed by the Lord Chancellor^[38]—viz., "That notwithstanding the party did the act with a view, under insane delusion, of *redressing* or *revenging some supposed grievance or injury*, he is nevertheless punishable, if he knew at the time that he was acting contrary to the law of the land." Could M'Naughten be again tried on this charge, this is the precise question which would be left to the jury. Mr Alison, in his *Principles of the Criminal Law of Scotland*,^[39] thus lays down the rule applicable to such cases, in commenting on that of Bellingham:—

"Unquestionably, the mere fancying a series of injuries to have been received will not serve as an excuse for murder—for this plain reason, that, supposing it true that such injuries had been received, they would have furnished no excuse for the shedding of blood. On the other hand, however, such an illusion as depriving the pannel of the sense that *what he did was wrong* amounts to legal insanity, though he was perfectly aware that murder in general was a crime."

Responsibility more awful than is devolved upon all parties to the judicial investigation of this question can scarcely be imagined. A deliberate and thorough investigation of every—even the minutest—circumstance adduced, guided steadily by correct legal principles, is demanded imperiously by justice. Difficult—almost hopeless—as may be the attempt to grope into the turbid mind of a madman, to ascertain its true condition at a given moment of time, the attempt *must* be made, a decision *must* be pronounced—distinguishing between real and simulated imbecility or madness—between irresponsible insanity and responsible eccentricity. These are questions, we repeat, of infinite importance, of great difficulty; and the interests of the entire community, and of individual members of it, demand a steady adherence to the principles of a humane and enlightened jurisprudence. Recent dreadful instances have served to remove several sources of dangerous error, in dealing with these cases of criminal jurisprudence. No one dare now infer madness from the mere *absence of motive*, and from the *very enormity of the act committed*; nor accord immunity to the fancied victim of "*uncontrollable impulse*." That is, at all events, a point gained in favour of society. In England, at all events, we sternly repudiate this last sickly and spurious theory, which would place the innocent and virtuous entirely at the mercy of the most base and ruffianly impulses of our fallen nature. It would relax all the bonds of self-restraint, and afford a premium on the indulgence of ungovernable passions.

The recent lamentable case of Robert Pate affords a valuable illustration of the truth of these remarks; and Mr Baron Alderson's charge to the jury not only conduced to the firm administration of justice in the particular case, but was calculated to be of great and permanent public service, by dispelling the morbid and mischievous notions which have latterly prevailed, and exhibiting expressively the stern simplicity and common sense of English law. On the 27th June last, a gentleman, who had only recently sold his commission in the 10th Hussars, and was residing as a gentleman of fortune in London, suddenly struck her Majesty on the forehead a violent blow with a cane, which actually caused blood to flow! He could give no account of his reason for committing this unmanly and infamous outrage; but the defence set up for him was, simply, uncontrollable impulse; and evidence was adduced certainly showing him to be of a very

eccentric character, and actuated by strange whims and delusions. He was tried on the 12th July last at the Old Bailey, before Baron Alderson, under statute 5 and 6 Vict. c. 51, § 2.^[40] The indictment contained three counts, charging him with striking the Queen "with an offensive weapon—that is, a stick," with intent (1st) to injure her person; (2d) to alarm her; (3d) to break the public peace. Again came the doctors—one speaking of "some strange sudden impulse, which he was quite unable to control;" and the other confidently pronouncing the prisoner to have been insane. The jury convicted the prisoner on the first and third counts, which the Judge told them had been clearly made out by evidence, discarding the defence of insanity; and the following was the summing-up of Mr Baron Alderson, in strict accordance with the principles laid down in 1843 by the Judges^[41].—

"The law throws on the prisoner the *onus* of proving that, at the time the offence was committed, he was in an unsound state of mind; and you will have to say, after hearing my explanation of the law, whether this has been made out to your satisfaction. In the first place, you must clearly understand that it is not because a man is insane that he is unpunishable: and I must say, that *upon this point there exists a very grievous delusion in the minds of medical men*. The only insanity which excuses a man for his acts is that species of delusion which conduced to, and drove him to commit, *the act alleged against him*. If, for instance, a man, being under the delusion that another man would kill him, killed that other, for, as he supposed, his own protection, he would be unpunishable for such an act; because it would appear that the act was done under the delusion that he could not protect himself in any other manner: and there the particular description of insanity conduced to the offence. But, on the other hand, if a man has a delusion that his head is made of glass, that will be no excuse for his killing a man. He would know very well that, although his head were made of glass, that was no reason why he should kill another man, and that it was a wrong act; and he would be properly subjected to punishment for that act. These are the principles which ought to govern the decision of juries in such cases. They ought to have clear proof of a formed disease of the mind—a disease existing before the act was committed, and which made the person accused incapable of knowing, at the time he did the act, that it was a wrong act for him to do. This is the rule which I shall direct you to be governed by. Try the case by this test. Did this unfortunate gentleman know, at the time, that it was wrong to strike the Queen on the forehead? Now, there is no doubt that he was very eccentric in his conduct; but did that eccentricity disable him from judging whether it was right or wrong to strike the Queen? Is *eccentricity* to excuse a man for any crime he may afterwards commit? The prisoner is proved to have been perfectly well aware of what he had done immediately afterwards, and in the interview which he had had since with one of the medical gentlemen, he admitted that he knew perfectly well what he had done, and ascribed his conduct to some momentary uncontrollable impulse. The law does not acknowledge such an impulse, if the person was aware that it was a wrong act he was about to commit; and he is answerable for the consequences. A man might say that he picked a pocket from some uncontrollable impulse; and in that case, the law would have an uncontrollable impulse to punish him for it. What evidence is there, then, in this case to justify you in coming to the conclusion, that when the prisoner struck the Queen he did not know it was a wrong act—in fact, that what he was doing was wrong?—[Mr Baron Alderson then read over the whole of the evidence for the defence, commenting upon it as he proceeded.]—That the prisoner is an object of commiseration is quite clear; and that he should also have been taken better care of is equally true: but the question you have here to decide is, Are you satisfied that, at the time, he was suffering from a disease of the mind which rendered him incapable of judging whether the act he committed towards the Queen was a right or a wrong act for him to do? If you are not satisfied of this fact, you must say that he is guilty; but if you think he was not aware what he was about, or not capable of distinguishing between right and wrong, you will then say that he is not guilty, on the ground of *insanity*."

If the case of M'Naughten had been thoroughly tried out—if the medical witnesses, above all, had been checked, and restrained within their proper province, as they were by Baron Alderson—and if the summing up by the Chief-Justice had been in accordance with that of Baron Alderson in Pate's case—we do not venture to say what would have been the result: but whatever it might have been, it would have satisfied the country. Whether, at the moment when M'Naughten took out his long-prepared pistol, and, after a fortnight's watching, fancied he had found Sir Robert Peel, and deliberately shot his victim in the back—whether M'Naughten was, at that awful moment, insanely ignorant of what he was doing—utterly unaware that he was doing wrong—is a question which there exist no longer any human means of determining; but it is open to us to examine the principles applicable to such an investigation in a court of criminal justice.

Upwards of seven years have elapsed since the trial of M'Naughten, and upwards of ten years since that of Oxford; and both of them are at the present moment inmates of Bethlehem Hospital. Since commencing this article, we have been permitted, through the courtesy of the acute and able physician to whom the superintendence of that important institution has been for some

years intrusted, to see and converse with the two persons with whose fate we have herein so anxiously concerned ourselves. Neither knew of our going; and we were accompanied by the gentleman in question.

M'Naughten was standing in the courtyard, dressed in the costume of the place, (a pepper-and-salt jacket and corduroy trousers,) with his hat on, knitting. He looks about forty years old, and in perfect health. His features are regular, and their expression is mild and prepossessing. His manner is tranquil. Usually he wears his hat somewhat slouched over his eyes, and sidles slowly away from any one approaching him, as if anxious to escape observation; but on this occasion he at once entered into conversation with our companion, calmly and cheerfully, and afforded us a full opportunity of watching him. Had we seen him casually elsewhere, and as a stranger, we should have thought his countenance indicative of a certain sort of cheerful quiet humour, especially while he was speaking; but to us it seemed certainly to exhibit a feeble intellect, shown chiefly by a faint flickering smile, even when he was speaking on the gravest subjects. When asked what had brought him where he was, he replied, "*Fate*." "And what is fate?" "The will of God—or perhaps," he added quickly, "of the devil—or it may be of both!" and he half-closed his eyes, and smiled.—[The reader will bear in mind what was deposed at the trial, as to his infidel tendencies.^[42]—When told that Sir Robert Peel was dead, he betrayed no emotion, nor exhibited the slightest interest. "One should have thought that, considering what has happened, you would have felt some interest in that gentleman." He looked rather quickly at the speaker, and said calmly, with a faint smile, "It is quite useless to talk to me on *that* subject: you know quite well I have long and long ago made up my mind never to say one word about it. I never have, and I never will; and so it would be quite childish to put any questions."^[43] ... "How are you, M'Naughten?" He slightly sighed, and said, "I am very uncomfortable. I am very ill-used here; there is somebody [or something] always using me ill here. It is really too bad! I have spoken about it many, many times; but it is quite useless. I wish I could get away from this place! If I could just get out of this place, and go back to Glasgow, my native place, it is all I would ask for: I should be quite well there! I shall never be well or happy *here*, for there is always some one ill-using me here." "Well, but what do they do to you?" "Oh," shaking his head, and smiling, "they are always doing it; really it is too bad." "Who are they?" "Oh, I am always being ill-used here! My only wish now is, to get away from this place! If I could only once get to Glasgow, my native place!" This is the continual burthen of his song. It is needless to say that his complaints are altogether unfounded: he is treated with the utmost kindness consistent with his situation; and, as he has never exhibited violence nor ill-behaviour, it has never been necessary to resort to personal coercion, with one exception. Two or three years ago, he took it into his head that, as he could not get away, he would starve himself; and he persevered for such a length of time in refusing all kind of food that he began to lose flesh fast. At length he was told by the physician that, since he would not eat voluntarily, he must be made to eat; and it was actually necessary to feed him for a considerable time mechanically, by means of the stomach pump. Under this treatment he presently regained his flesh, in spite—as it were—of himself; and at length suffered himself to be laughed out of his obstinacy, and has ever since taken his food voluntarily. He seemed himself to be tickled by a sense of the absurdity of which he was guilty. Not a doubt of his complete insanity was entertained by my acute companion, who has devoted much observation to the case. Shortly after we had quitted him, and were out of his sight, he put away his knitting, placed his hands in his jacket pockets, and walked very rapidly to and fro, his face bent on the ground; and he was apparently somewhat excited. Whatever may have been the state of M'Naughten at the time to which our inquiries have been directed in this article, we entertain little, if any doubt, that he is now in an imbecile condition.

Oxford was in another part of the building, standing alone, at the extremity of a long corridor, gazing through a heavily-grated window, towards the new Houses of Parliament. His hat was on; he was dressed like M'Naughten, and his jacket was buttoned. We scarcely recognised him, owing to the change of his dress. He is fond of attracting the notice of anybody; and conversed about himself and his offence in the most calm and rational manner conceivable. He has lost much of his hair—a circumstance which he appeared somewhat to regret—for the front of his head is bald; but he looks no older than his real age, thirty. He is mortally weary of his confinement, and says he has been terribly punished for "his foolish act." "*Foolish!*" we exclaimed—"is *that* all you can say of your attempt to shoot her Majesty?" He smiled, and said, "Oh, sir, I never attempted to shoot her; I never thought of such a thing. I aimed at the carriage-panels only." "Then why did you put balls in your pistols?" "I never did," he replied quickly. "I never dreamed of such a thing. There were no balls." "Oh, then you have not heard of the discovery that has just been made—eh?" "Discovery—what?" "The bullets." "Oh, there have been more found than ever *I* used at least; for I assure you I never used any!" "What made you do what you did?" "Oh, I was a fool; it was just to get myself talked about, and kick up a dust. *A good horse-whipping was what I wanted*," he added, with a faint sigh. These were his very words. "Should you have done it, if you had thought of coming *here*?" "No, indeed I should not; it has been a severe punishment!... I dare say public opinion says nothing about me now; I dare say it thinks I have got what I very well deserve—and perhaps I have; but possibly if I were put quietly out of the way, and sent abroad somewhere, public opinion might take no notice of it." He has taught himself French, Italian, and German, of which he has a fair knowledge. He also used to draw a little, and began to write a novel; but it proved a sorry affair, and, being discouraged, he threw it up. "Do you recollect hearing the condemned sermon preached to Courvoisier?" "Oh, yes, very well. It was a most excellent sermon." "Did Courvoisier seem to attend to it?" "Oh yes, very much; and he seemed very much affected. It was certainly a very appropriate sermon; I liked it much." "Did not you think that it might soon be your fate to sit where he was?" "What, in the condemned

seat?" "Yes." "Oh, no; that never occurred to me. I never expected to be condemned for high treason. Some gentleman—I forget who he was—said I should be transported for fourteen years. I thought that was the worst they could do to me; for I knew I had never meant to do any harm, nor tried to do it." "Yes; but the judge and jury thought very differently." "Oh, I was very fairly tried; but I never expected to be brought in *mad*. I was quite surprised at *that*, for I knew I was not mad, and I wondered how they were going to prove it." We asked him if he had ever seen *us*; to which he replied, gazing steadily, "Yes, I think I have—either at the Privy Council, or in Newgate Chapel." "Where did you sit on the Sunday when the condemned sermon was preached to Courvoisier?" "I sate on the steps near the altar." "How were you dressed?" "Oh, a blue surtout, with velvet collar;" and he proceeded to describe his dress almost exactly as we have described it at the commencement of the article. He exhibits considerable cleverness: whatever he does, whether in playing at fives, or working, (*e. g.* making gloves, &c.) he does far better than any one else, and shows considerable tact and energy in setting his companions to work, and superintending them. He admits that he committed a very great offence in having done anything to alarm the Queen, and attributes it entirely to a mischievous and foolish love of notoriety. He said, "I thought it would set everybody talking and wondering;" but "never dreamed of what would have come of it—least of all that I was to be shut up all my life in *this* place." ... "That list of conspirators, and letters from them, that were found in your lodgings—were they not real?" "Oh, no," he replied, with rather an anxious smile, "all mere sham—only nonsense! There was never anything of the sort!" "Then, why did you do it?" "It was only the folly of a boy; I wasn't nineteen then—it was very silly no doubt." "And their swords and dresses, and so forth—eh?" "Entirely nonsense! It was a very absurd joke. I did not think it would come out so serious. I did not *appreciate* the consequences, or I never would have done it." The word "appreciate" he used with a very marked emphasis.

We entertain no doubt whatever of his perfect sanity; *and, if so*, as his crime was great, so his punishment is fearful.

FOOTNOTES:

- [2] *Modern State Trials*: Revised and Illustrated, with Essays and Notes. By WILLIAM C. TOWNSEND, Esq., M.A., Q.C., Recorder of Macclesfield. In 2 vols. 8vo. Longman & Co. 1850.
- [3] How must the following verses in the Psalms of the day have effected him, if the wretched being were not too bewildered to appreciate them!—"Turn thee unto me, and have mercy upon me, for I am desolate and in misery. The sorrows of my heart are enlarged; O bring thou me out of my troubles. Look upon my adversity and misery, and forgive me all my sins."—Ps. xxv. 15, 16, 17. "O shut not up my soul with the sinners, *nor my life with the blood-thirsty*."—Ps. xxvi. 9. If the murderer's heart did not thrill when these last words were read out by the chaplain, with fearful distinctness, it must have been the only one that did not.
- [4] He was subsequently respited, owing to the zealous interference of some medical men, who succeeded in satisfying the Secretary of State of the prisoner's insanity. See TAYLOR'S *Medical Jurisprudence*, p. 792.
- [5] *Ibid.* p. 803-4.
- [6] *Rex v Reynolds*. Taylor's *Med. Jurisp.* p. 801.
- [7] Vol. i. p. 320.
- [8] Townsend, vol. i. p. 46.
- [9] *Medical Jurisprudence*, p. 794, 3d edition. This is, in our opinion, the best book extant on medical jurisprudence.
- [10] *Ibid.* p. 798.
- [11] "Is it not extraordinary," asked the learned Mr Barrington, (*Observations on the Ancient Statutes*, p. 270,) "that the life of an Englishman prosecuted by the crown should continue to depend upon the critical construction of two absolute French words?" (*fait compasser out imaginer la mort nôtre seigneur le roi.*) There is practically no force in these remarks, made nearly a century ago, as the words have a perfectly defined and recognised legal signification, and which is that mentioned above.
- [12] His Majesty's noble demeanour—calm, courageous, and dignified—on that agitating occasion, has always been justly applauded. The audience was of course highly excited; and Mr Sheridan composed, on the spur of the moment, the following addition to the National Anthem. It was sung by Mrs Jordan thrice that evening:—

"From every latent foe,
From the assassin's blow,
God shield the King!
O'er him thine arm extend;
For Britain's sake defend
Our father, prince, and friend—
God save the King!"

- [13] Sir William Follett, (then Solicitor-general,) in addressing the jury in prosecuting M'Naughten, alluded to the speech of Mr Erskine as one of the most eloquent and able

speeches, probably, that was ever delivered at the bar.

- [14] Adolphus's *Hist. of England*, vol. vii. p. 277.
- [15] Townsend, vol. i. p. 104.
- [16] At the Old Bailey, *rue* is placed plentifully on the ledge of the dock: whether in capital cases only, we do not know. The monster Maria Manning furiously gathered the rue that lay before her, and flung it amongst the counsel sitting at the table beneath her!
- [17] Townsend, vol. i. p. 113.
- [18] *Opinions of the Judges*, *ante*, p. 549.
- [19] *Ante*, p. 549.
- [20] Townsend, vol. i. p. 150.
- [21] *Medical Jurisprudence*, p. 801.
- [22] Townsend, p. 337.
- [23] Townsend, vol. i. p. 338.
- [24] *Ibid.* p. 345.
- [25] We have heard high authorities strongly disapprove of the conviction and execution of Bellingham; and it certainly appears impossible to reconcile with true principles of jurisprudence the different fates awarded to Bellingham and M'Naughten, supposing the facts to be as alleged in each case. A military officer, present at the execution of Bellingham, and very near the scaffold, told us that he distinctly recollects Bellingham, while standing on the scaffold, elevating one of his hands, as if to ascertain whether it were raining; and he observed to the chaplain, in a very calm and natural tone and manner, "*I think we shall have rain to-day!*"
- [26] Townsend, vol. i. p. 398.
- [27] *Ante*, p. 559.
- [28] Townsend, vol. i. p. 396.
- [29] *Ibid.* p. 400.
- [30] It is said that the two physicians selected by Government to examine the prisoner, in company with those who did so on behalf of the defence, did not differ from them in opinion; and Mr Cockburn taunted Sir William Follett with not having called them, though they sate beside him in court. By that time Sir William Follett might have seen, during the progress of the trial, sufficient to make him distrust medical evidence altogether, come from whom it might!—*Ibid.* p. 378.
- [31] *Ibid.* p. 400.
- [32] *Ibid.*
- [33] Townsend, vol. i. p. 325.
- [34] Taylor's *Medical Jurisprudence*, p. 799.
- [35] *Ante*, p. 562.
- [36] Townsend, vol. i. p. 395.
- [37] *Ante*, p. 560.
- [38] *Ante*, p. 549.
- [39] P. 658.
- [40] *Ante*, p. 552.
- [41] *Ante*, p. 549.
- [42] *Ante*, p. 565.
- [43] This he has always said, and has adhered to his resolution.

The literature of Germany at last shows signs of revival from the torpor consequent on the late political convulsions, and the Leipzig book-catalogue for Michaelmas 1850 is far more promising than any of its predecessors since the revolutions of 1848. Out of a number of meritorious German books that have recently come before us, we have been much interested by the first instalment of a series of *Zeitbilder*—sketches of German social and political life during the second quarter of the present century. *Anna Hammer* is certainly the best we have seen of the numerous German novels of a political tendency published within the last two years. Its object is the exposure, in the course of a fictitious narrative, of the oppression and injustice which, in many German states, the people have long endured; of the wanton insolence of the military and aristocracy, the servility and corruption of the courtiers and placemen, and the frequent tyranny of the sovereigns. The book is a picture of misrule; and if, here and there, high colouring may be suspected, on the other hand most of the abuses shown up are but too real and notorious. It is written with temper and moderation, and points to redress of grievances and to constitutional government—not to subversion and anarchy. The author is no experienced novelist, nor does he pretend to that character; but he writes with a thorough knowledge of his subject, and also with much spirit and dramatic effect, preferring short sentences and pointed dialogue to the long-winded paragraphs and tedious narrative common amongst the romance-writers of his country, to whom he has evidently preferred for his models those of France and England. We augur favourably of this escape from the trammels of custom, and hope to see the example followed by others. In the present instance, the result has been a very lively tale, more than one of whose chapters would stand alone as detached and independent sketches of German life. Annexed to the tolerably intricate plot, are episodical scenes, the actors in which are dismissed without ceremony when they have fulfilled the purpose of their introduction—this purpose being the exhibition of the character and peculiarities of the classes they typify. Thus, for instance, of the persons in the second chapter of the novel we hear no more until the third volume; of some of them nothing is seen until the closing scene of all, when they appear—without, however, being dragged in—to figure in the final group on which the curtain falls. There is certainly a want of art in the construction of *Anna Hammer*; but this is in some degree atoned for by vividness and character, much rarer qualities with German novelists. An idea of its merits will be best conveyed by extract, for which it is well adapted by its abundant incident and desultory nature. We commence with the opening pages, a graphic sketch of garrison life.

On a warm April afternoon, three cavalry officers were seated together in the only inn of a small German town. Two of them sat at the table. One of these had one leg crossed over the other; his companion had both legs stretched out at full length before him. The third sat at the window. All three were smoking; two of them cigars, the third a huge meerschaum pipe. All three were silent. He whose legs were crossed played with his spur, and spun the rowel till it rang again. Number Two gazed at his great pipe, and at the clouds that he puffed from it. Number Three looked through the window at the clouds which the wind drove across the sky.

A weary life is that of cavalry officers in small garrisons. One hour of the twenty-four is passed in the riding-school; another in drilling recruits; a quarter of an hour is consumed in inspection of stables—and then the day's work is done, and all the other hours are before them, vacant, but heavy as lead. Only one squadron is there; it comprises, at most, but four or five officers. These were at the military school together. Their subjects of conversation—horses and dogs, women, and the army-list—are long since worn out. The nearest garrison is too remote for friendly visits. With non-commissioned officers, discipline and etiquette forbid their association. The little town affords them no society. The small, quiet, and often narrow-minded family circle of burghers and officials shuns intimacy with the officers. They meet them at the tavern and bowling-alley, and at the club, if there is one: in public places, with their wives and children, they do not willingly consort with them; and in their houses they receive them not. There are certainly a few noble families in the neighbourhood; but these are not all sociable; and those who would gladly be hospitable have been too much so, and can be so no longer. Now and then comes an invitation to a shooting party—but there is no shooting in April.

The three officers—all lieutenants and young men, of graceful figures and energetic countenances—sat for a long while still and silent. The postman entered the low-roofed apartment. He laid upon the table the latest newspaper from the capital, and departed, without a word. The officers neither moved nor spoke. At last one of them stretched out his arm and took up the paper, slowly, almost mechanically; the two others gave no heed. The former glanced over the paper,—beginning at the last page, with the deaths, marriages, and advertisements. In a few minutes he had got to the end—that is to say, to the beginning—and he threw the paper lazily upon the table.

"Nothing new!" said he, gaping; and again he twirled his spur-rowel.

"As usual!" said his neighbour.

The third took no notice.

For a while longer they sat mute and motionless, till the cigars were finished, and the meerschaum-bowl smoked out. Fresh cigars were then lighted, and again the pipe was filled. At the same time the officers rose from their seats, and took a few steps through the apartment.

"Slow work!" said one.

"Damned slow!" replied another. The third looked wearily at his boots. Then they all three

relapsed into their seats and their silence.

The sun set. Its last rays illumined the shifting masses of cloud, which piled themselves up into fantastical forms, displaying rich variety of tint. It grew dark in the dingy tavern-room. The clouds from the great meerschaum could scarcely be discerned. The ennui increased.

A waiter brought in two dimly-burning tallow candles, and placed them upon the table. The ennui did not diminish.

The tramp of horses was heard without. It came down the street, in the direction of the tavern. The countenances of the three officers became animated.

"Can it be the captain back already?" cried one, half surprised.

"Impossible; though he rode like the very devil, he could not be back for another hour."

"But there are two horses, an officer's and his servant's; I know it by sound of hoof."

The third officer looked round at the two speakers. "It is not the captain," he said positively. "The captain's black charger has a lighter tread. Yonder officer's horse goes heavily."

They all rose and went to the window. Two horsemen rode slowly up the street; one at an interval of a few paces behind the other.

"By Jove! an officer and his servant!" said one of the lieutenants.

The other nodded assent.

"Who can it be? Whither can he be going?"

None could answer the questions.

The foremost rider drew rein before the house. "Is this an inn?" demanded he through the open door. Host, waiter, hostler, all stumbled out together.

"May it so please you!" replied the host, humbly.

Meanwhile the officer's servant had ridden up and jumped from his horse. The officer also dismounted. The hostler would have taken his bridle. The officer pushed him back so roughly, that he staggered and fell. "Clown, how dare you touch my horse?"

The servant took the bridle from his master, and gave the unfortunate hostler a kick in the rear as he rose to his legs.

"Does your lordship propose to remain here?" inquired the innkeeper, in a tone of deep submission.

The officer answered not. He patted his horse on neck and shoulder. Then he turned round to the host and said, briefly and imperiously, "A room!"

The three officers within doors looked at each other with increasing astonishment.

"Do you know him? Who is he?" asked one of them.

He was unknown to all of them.

"He wears the uniform of our regiment!" remarked another.

"That is unaccountable," said the third, shaking his head.

"The horse is nothing extraordinary: a mere campaigning beast."

"You would have him knock up his best chargers, I suppose? They have ridden far. The horses show that."

The room door opened.

"Be so obliging as to step in here for a short time," said the innkeeper. "Your apartment shall be got ready immediately. Here you will find some gentlemen comrades."

The stranger officer entered. He was a tall, slender, and yet powerful man, with features delicately chiselled, and an air of insolent superciliousness in his whole bearing and appearance. He greeted the occupants of the room with engaging courtesy.

"Ah! comrades!" said he, "I have the honour to introduce myself—Prince of Amberg! I am transferred to your regiment—to this squadron. I recommend myself to your friendship and good fellowship!"

The senior of the three officers continued the introduction: "Von der Gruben; Von Martini; my name is Count Engelhart. We are delighted to make a good comrade welcome." They shook hands.

"May I inquire," said Prince Amberg, "where the captain is, that I may report myself to him? Duty before everything."

"The captain is on an excursion in the neighbourhood, to visit an acquaintance," replied Count Engelhart. "We expect him back in about an hour. He will alight here. I am senior lieutenant of the squadron," added he, smiling.

"Then, meanwhile, I report myself to you," replied the Prince.

With a slight smile upon their faces, the two officers interchanged military salutes.

"Excuse me, for a short half-hour," said Prince Amberg. "After four days' fatiguing ride, I feel the necessity of attention to my toilet. *Au revoir*." And he left the room.

Whilst the Prince embellished his elegant person, the trio of lieutenants laid their heads together to conjecture the causes that had brought him, the model courtier, the butterfly guardsman, the pet of the court ladies, the most brilliant ornament of the court circle, from the attractive capital to their tedious country garrison. The change was too disadvantageous for it possibly to be the consequence of his own caprice or inclination. On his reappearance he volunteered, over a bowl of champagne punch, the desired information. He was in disgrace at court, in consequence of a trifling indiscretion. One of his new comrades immediately guessed what this was. Martini remembered to have seen in the newspaper an account of a scandalous frolic in a public garden, where a number of young officers of aristocratic families had grossly insulted the wives and daughters of the citizens. But Martini's mention of this incident was the signal for the laughter of his friends, who jeered him for his simplicity, and scouted the idea of a nobleman falling into disgrace because he had made free with a few prudish plebeians. A similar affair that had occurred at a masquerade, and which was attended by circumstances of gross indecency, was also treated as an excellent joke. If they could not divert themselves at the expense of the bourgeoisie, Prince Amberg said, what became of the distinction of ranks? The matters in question had furnished high amusement to the whole court: the ladies had laughed heartily behind their fans at the transgressors' glowing descriptions of the consternation and scandal they had caused; and the reigning prince, whom Amberg irreverently designated as "the old gentleman," took no heed of the matter, nor of the muttered discontent of the insulted burgesses. No; his disgrace was certainly for a trifling offence, but not for such harmless drolleries as these. At church, one day, he had ventured to remark to a lady of the household that she held her prayer-book upside down. The lady, who would fain have passed for a devotee, taxed him with impertinence, and with taking her perpetually for a butt; the pious portion of the court took up the matter, talked of irreligious levity in holy places, and the upshot of the whole was his condemnation to exile in country quarters.

Meanwhile arrivals took place at the inn. The officers' attention was excited by the entrance of a slender, sickly-looking youth of nineteen or twenty, bearing a knapsack and a harp, and accompanied by a dark-eyed maiden of fifteen. These were Bernard Hammer and his sister Anna. The first glance at the young girl's blooming countenance suggested to the profligate Amberg a plan of seduction. Whilst he paid his court to Anna, Martini and Gruben took off the brother's attention, plied him with punch, professed sympathy and friendship, and inquired his history and that of his family. Bernard and his sister, it appeared, were not itinerant musicians, as their humble garb and pedestrian mode of traveling had led the officers to believe. Their father, a skilful professor of music, had taught them to play upon the harp, and Anna, grateful for the seemingly disinterested kindness of Prince Amberg, did not refuse, weary though she was, to gratify him by the display of her skill. Meanwhile the others questioned her brother.

"My story will be very short," said the Young man. "We are three in family. My eldest sister was married young to a worthy and prosperous man, and by this union the happiness of all of us seemed insured. Suddenly she experienced a terrible affliction—"

He paused. "Well?" said Von Gruben, encouragingly. The youth opened his lips to continue.

"Bernard!" exclaimed his sister in a warning voice. She had ceased playing, and, amidst the flatteries and compliments of the Prince, her first glance was for her brother. Her quick ear seemed to have caught his words. Or had she a presentiment of what he was about to say?

The brother started, and the words he was on the point of uttering remained unspoken.

Von Gruben's curiosity, previously feigned, was now strongly excited. "You were about to say—?" he observed. Martini's attention had been attracted by the maiden's exclamation. He, too, approached Bernard, who quickly recovered himself, and continued.

"My brother-in-law," he said, "is lost to my unhappy sister. She has no longer a husband. Spare me the details. They would be too agitating for myself and my little sister. His daughter's grief hurried my father to his grave. It bound his children the closer together. My old infirm mother, my poor sister with her child, and I, have since then lived inseparable, supporting ourselves by the labour of our hands. My sister works with her needle; I draw patterns for manufacturers and embroiderers. Unfortunately, my sister's health has lately given way, and therefore have I now been to fetch home Anna, who has hitherto dwelt with a distant relative. She will take charge of our little household, and nurse our old mother, now nearly bed-ridden."

"Much misery, great cause for grief, is there not, my dear Gruben?" said Martini, twisting his mustache. Then filling the glasses, he drank with Martini and the stranger. Count Engelhart sat motionless behind the punch-bowl, smoking his great meerschaum pipe.

Bernard Hammer's great ambition was to become a painter. He was an enthusiast for art. Whilst his perfidious entertainers kept his glass constantly full, and riveted his attention by their conversation and generous promises, Prince von Amberg, by dint of infernal cunning and of artifices whose real object the simple-minded girl—as yet scarcely emerged from childhood—could not even remotely suspect, inveigled Anna from the apartment. Her departure was unperceived by her brother. Presently, in a lull of the conversation, a scream was heard, proceeding from the upper part of the house. Bernard started up in alarm. The officers would fain have persuaded him to remain, alleging a squabble amongst the servants, when just then the cry was repeated. This time there was no mistaking the sound. It was a woman's voice, its shrillness and power doubled by terror, screaming for aid.

"My sister!" cried Bernard Hammer, and with one bound he was out of the room. Several persons—the host, the hostess, and other inmates of the house—were assembled in the corridor. They

looked up the stairs, and seemed uncertain whether or not to ascend. Young Hammer rushed through them, and sprang up stairs. A door was violently pulled open. His sister darted out, her countenance distorted and pale as a corpse. "Wretch! monster! Save me!" she shrieked. Close behind her came Prince Amberg. He appeared quite calm, although his finely-cut features were slightly pale. A supercilious smile played upon his lips.

Anna Hammer flew into her brother's arms. "Save me, Bernard," she cried. "The wretch, the fiend!" She shook like a leaf. Prince Amberg would have passed on, but Bernard let his sister go, and confronted him.

"Sir!" he cried, "what have you done to my sister? What insult have you offered to the child? Answer for yourself! Give me satisfaction!"

The Prince laughed. "Satisfaction! Ask the little strumpet herself what ails her."

"Strumpet! Sir, you stir not hence!" And he grasped the Prince fiercely by the breast. Amberg would have shaken off his hold. The uniform coat was torn in the struggle, and Bernard received a blow in the face from his adversary. But it seemed as if the sickly youth were suddenly endowed with superhuman strength. He seized the Prince with both hands, and shook him till the strong vigorous officer almost lost consciousness. Then he threw him down upon the ground.

The other officers had followed young Hammer, and came hurrying up stairs. They tore him from above the panting Prince.

"Knave! clown!" And Gruben and Martini struck at him with their fists.

"Befoul not your fingers with him," said Count Engelhart. "Leave him to the men." And he pointed to a group of soldiers, now assembled at the stair-foot.

"You are right, comrade; the fellow is like a mad dog. It is out of his power to disgrace our uniform."

Then the officers seized the young man, and with their united strength threw him down stairs.

"Men! there is the strolling musician who dares assault your officers."

The soldiers received Bernard as he fell headlong down the staircase, and dragged him forth with shouts of savage joy, shutting the house-door behind them. The officers returned to their bowl of cardinal, Prince Amberg previously changing his torn uniform. The people of the house looked at each other in silence.

Anna Hammer had remained for a short time in a state of total unconsciousness. She came to herself just as her brother was pushed down the stairs. With a shriek, she flew after him. But she was too late. The soldiers were already forth with their prize, and in vain she shook the door, which was held from without.

In the street there arose a wild tumult; a chorus of shouts and curses, blows and screams.

Notwithstanding her terrible anxiety, the young girl's strength was soon exhausted by her fruitless efforts to open the door. She turned despairingly to the host and hostess. "For the love of God's mercy, save my poor brother! The savages will kill him. He is so weak, so suffering!"

The innkeeper shrugged his shoulders. "What can we do against the military?" he said.

"For the sake of my poor old mother!" implored the maiden. "For my sister's sake! He is our sole support! Without him we perish! And he is so good, so noble!"

The hostess went away, as though unable longer to support the spectacle of the poor girl's despair. Her husband shrugged his shoulders repeatedly. "The soldiery are too powerful. Often the officers themselves cannot restrain them."

The noise outside increased. The voices grew louder and the cries wilder—the scuffle more violent. Nothing could be distinguished of what was going on. Suddenly, above the riot and tumult, young Hammer's voice predominated. In a tone of heartrending agony and despair: "Help!" he cried; "they are murdering me!"

There followed a violent fall upon the pavement, and a wild huzza shouted by many voices. Then all was still as death.

"They have murdered him!" shrieked the maiden. "They have murdered my brother!"

She burst into the room in which the officers sat, and threw herself at the feet of the first she saw. "Save, save! Oh, for heaven's love, save my brother!"

"My little girl," quoth Lieutenant Martini in a tone of quiet jocularly, "it strikes me you are not at all wanted here."

Just then the loud and cheerful notes of a post-horn resounded in front of the house, and a carriage stopped at the door.

"A carriage at this late hour! Quite a day of adventures, I declare!" yawned Count Engelhart.

The house door was heard to open. A few seconds later, that of the public room was thrown wide, and a lady in an elegant travelling-dress was ushered in by the host. She was tall, rather full than slender in person, and apparently about five-and-twenty. Her complexion was fresh, her eyes were lively. Her air and bearing were those of the first society.

On her entrance Prince Amberg sprang from his seat in astonishment. "Frau von Horberg! Your ladyship, what an unhoped-for pleasure!"

"You here, Prince!—how unexpected a meeting!"

Anna Hammer rose to her feet. The thought of a last possible chance of succour and mercy flashed through her soul when she saw that the stranger was acquainted with the prince. Throwing herself before her, she clasped her knees. "Oh, most gracious lady," implored she, "have compassion on my poor brother: say one word for him to the gentleman, that he may free him from the soldiers' hands."

"Will the little toad be gone!" exclaimed Prince Amberg, stepping forward. Then, turning to the lady—"A harp-player, an impudent stroller, who has been making a disturbance here with her brother."

"Ah, fie!" cried the lady, and pushed the young girl from her with a sort of loathing—not with her hand, but with her foot.

Anna Hammer stood up. Feelings of inexpressible grief and bitterness crowded upon her young heart. At that moment she felt herself no longer a child. One hour's events had converted her into a woman. She cast a glance of scorn at the lady, at the officer. Then she silently left the room. She crossed the empty entrance hall, and passed through the open door into the street. Here all was still; not a living creature was to be seen. An icy wind blew. She sought around. A moonbeam, forcing its way through the scudding clouds, revealed to her a dark form lying along the side of the street. She approached this object. It was her brother; he was covered with blood, and did not stir. She threw herself upon his body. He still breathed.

Poor, unhappy sister!

At that moment an officer rode up. He drew bridle at the tavern door, dismounted, gave his horse to the orderly who followed him, and entered the house.

In the public room sat Prince Amberg, conversing with the lady in the familiar tone of old acquaintanceship. On the officer's entrance he sprang from his chair, buckled on his sabre in a twinkling, clapped his dragoon helmet upon his head, and stepped forward with all the rigid decorum of military discipline. "Captain, I report myself—Lieutenant Prince Amberg, appointed to your squadron!"

Habitual readers of German novels will assuredly deem *Anna Hammer* a great improvement on their usual ponderous style—a decided step in the right direction. Whatever its faults, it has a vivacity not common in German works of fiction. The above extracts, the beginning and end of the first chapter, although sketchy, and hurried, and reading as if written at a scamper, without much artistical finish, are very effective, and exhibit touches of acute observation and quiet humour. We like novels that at once plunge the reader into action and bustle, and crowd the stage with characters. Explanatory introductions and parenthetical explanations are alike odious. The author of *Anna Hammer* avoids both, and carries out his plan and shows off his personages by dialogue and incident. We have already remarked on his propensity abruptly to discard characters, whose careful introduction led the reader to expect their reappearance. Thus we thought to have again met with the three smoking lieutenants, but it seems they served their turn in the single chapter in which they are held up as examples of the brutality and depravity of their class. They are left to their pipes and their ennui, to their dull German newspaper, and their duller country inn. Even Prince Amberg, the profligate favourite of the equally profligate heir to the crown, is brought forward but once more, under mysterious circumstances, whose explanation is left in great measure to the reader's imagination. Madame von Horberg plays a rather more important, but still a subordinate part in the story, whose chief interest turns upon the courage and self-devotion of Anna Hammer. We shall not trace the plot in detail, which would spoil the interest to those who may read the book. Before glancing at its general outline, we proceed to further extract, and for that purpose need not go beyond the second chapter, which is in itself a little drama of considerable interest. It is entitled—

THE EJECTMENT.

It was early upon a bright morning. The farmer's servants had long betaken themselves, with plough, and harrow, and horses, to their labour in the fields. The women had swept and cleaned hall and kitchen, and were dispersed at their work—some in the garden, digging and planting, others in the wash-house, or in the rooms where provisions for the winter were stored. The cows in the great stable had already been milked, and received their fresh fodder. At an early hour the farmer had exchanged his jacket for a coat, taken hat and stick, and gone out: he had not yet returned.

The mistress of the house went round the extensive tenements, to see if all were in order. She was a tall, robust, vigorous woman, about forty years old, fresh and comely, and still handsome, although that morning her countenance was grave and anxious, and her eye had an uneasy glance. She inspected the kitchen, looked at the hearth, the kettles, the ash-tub, the stock of wood for the day, the potatoes, which were peeling for the midday meal, the shining array of pots and pans. Then she went, followed by the kitchen-maid, into the adjacent larder, and gave out meat and bacon for dinner. Thence she betook herself to the dairy, and here there was a gleam of satisfaction in her eye; but on leaving the room, as she gave one more glance at the numerous brown bowls with their rich white contents, it faded away, and was replaced by earnestness, almost by grief. From the dairy she went to the spacious barn. It was so clean swept that a needle might have been found on the floor. On either hand was a stable; to the right for the horses, to the left for the cows. The former was nearly empty; the animals were at work in the fields, with the exception of some broodmares, which lay on clean straw with their foals beside them. The

cowhouse had more occupants. The white, brown, black and brindled beasts stood in long rows at their cribs, smooth, shining, and well fed, and munched the sweet-smelling hay. They all knew the housewife: she patted them all in turn, although she did not, as was her wont, speak caressingly to them, but went silently from one to the other. Pleasure at the full and prosperous aspect of the stable struggled in her features with some secret cause of grief.

Above the stables were a number of rooms; these contained the provisions of hemp, flax, and yarn, and, above all, great store of snow-white linen, from the coarse house linen up to the finest damask. The sturdy farmer's wife had already set foot on the stairs, to ascend and feast her eyes with her treasure; but she hastily turned away, back into the kitchen, and thence into the farm-yard.

The farm-yard was large and roomy. On the one side stood the farm-buildings; in their centre, separated from them by tolerably wide intervals, was the snug farm-house, with its walls of dark bricks, and its roof of bright red tiles, with green shutters to the windows, and vines trailing over its southern and eastern sides. On either hand were sheds for carts, sledges, ploughs, and other farm implements. Opposite to the farm-house, in a smiling little garden, stood a smaller dwelling, of even pleasanter aspect than its neighbour. This house, then uninhabited, was to be the residence of the present owners of the farm, when increase of years should induce them to resign its management into the more vigorous hands of their children. Judging from the robust aspect of the farmer's wife, that day was yet far distant.

A thick forest enclosed the farm on three sides. On the fourth, garden and pasture and arable land stretched out in all directions, as far as the eye could reach. The underwood in the forest was already bursting into leaf, and the lofty beeches here and there put forth tender green buds. The knotty branches of the huge oaks were still gray and bare.

Not far from the farm-house, where the ground rose a little, stood a long table of white deal, surrounded by green branches, and canopied by the spreading limbs of an elm. Near at hand were groups of walnut-trees, and a few chestnuts, budding into white and pink blossom; and a little farther five or six venerable oaks, which seemed to have stemmed the storms of centuries, and to have witnessed the building and decay of more than one farm-house, the growth and decline of many generations.

The soft beams of the spring sun gave friendly greeting to the housewife as she stepped out into the farm-yard, and a light breeze wafted to her senses the fresh perfumes of awakening nature. Thousands of birds sang and twittered exultingly amongst the trees; the woodpecker tapped perseveringly at the dry branches of the oaks; and over the house, from an almost invisible elevation, was heard the joyous carol of the lark.

Two children came forth from the garden of the smaller house. A boy of six or seven years old dragged a child's cart, in which sat a little girl of three. Both were pictures of health and cheerfulness. The boy sprang shouting to meet his mother, the cart rattling behind. With a joyful "Good morning, mother!" he held out his hand. She pressed it, then stooped down, took the little girl from the cart, kissed her and put her upon the ground.

"You are early up this morning, dear children!" said she.

"Oh yes, mother," replied the boy, with childish unconcern. "Father said yesterday this would likely be our last day here, so, before we went, I thought to take little Margaret a ride round the garden."

"Good boy. But your father was not in earnest. We shall stay here to-day and many another day besides."

"That is capital! Then I shall have a field to myself, and a strip of meadow, and I can bring up the foal and calf which father gave me."

"That you can and shall do."

"And I shall have my chicken," cried little Margaret.

"You shall, my dear Margaret."

The woman went with the children into the garden, and sat down on a bench in an arbour. There she took the little girl upon her lap, whilst the boy stood beside her, and she gazed alternately at the substantial farm-house and at the pleasant cottage close at hand.

"How dull you are to-day, mother; is anything the matter?" said the boy.

"Nothing, my child—it will pass away."

Through a wicket in the hedge, a countryman entered the farm-yard. He looked about him on all sides, and when he saw the woman, he went up to her.

"Good morning, neighbour. How goes it?"

"Good morning, neighbour. How should it go?"

"I see no preparations as yet. Is not the commissioner coming?"

"I believe not."

"Is your husband at home?"

"He is gone out."

"Do you really believe the gentlemen will not come? Do not rely upon it. These are bad times."

"They *cannot* come."

"Don't say that, neighbour. Who can tell what can or cannot happen now-a-days!"

"Why prophesy evil, neighbour? Ill luck comes fast enough; there is no need to invoke it."

"Well, well, don't be angry. I meant no offence. It is good to be prepared for misfortune. And my word for it, these are bad times. The humble are oppressed; the great nobles have the power; justice is no more in the land—by the peasant, especially, it is never to be found. The nobleman and the fisc are too powerful for him."

"But we have laws, neighbour; and the laws govern both rich and poor, great and small."

"They should, they should! But what is the use of laws, when judges are not honest? When bailiffs can squeeze us, and tax-gatherers cheat us, without our daring to make a stir about it."

"But bailiffs and tax-gatherers have their superiors."

"Ay, but all are links of the same chain. All stand by each other. They dine at each other's tables, and make each other presents. The bailiff sends the best carriage-horses to the president's stables. The president is a good friend of the minister's. And the nobleman is hand and glove with all of them."

The woman rose from her seat. "It is breakfast-time, neighbour Littlejohn; come in. My husband will soon be back."

They walked toward the farm-house. They were but a few paces from the door, when two carriages drove into the yard, containing several persons. On the box of one sat two gendarmes, and upon the other were two officers of justice.

"There they are," exclaimed Littlejohn. "Keep up your heart, neighbour."

The woman's countenance worked convulsively for a moment, but she quickly composed herself, and taking little Margaret in her arms, she stood calm and silent before the door.

The gendarmes and officers got down from the box; the gentlemen alighted from the carriages. One of the latter, a short, corpulent person, approached the farmer's wife.

"I come upon a mournful errand, Mrs Oberhage!" said he in a tone of sympathy, disagreeable because it did not sound sincere.

The woman neither stirred nor replied.

"Our duty, Mrs Oberhage—believe me, it is often very painful; but so much so as on this occasion I never yet have known it to be."

The woman answered him not.

"Believe me, this is an unhappy day for me."

"To us you have never yet brought happiness, judge," said the woman bitterly.

One of the other gentlemen now stepped forward. He was tall, thin, and pompous, and had two orders upon his breast. The judge had but one, in his button-hole.

"I think we will to business, *Herr Justizrath*," said he to the judge.

"Oh, gentlemen!" said the woman, still calm but earnest, "surely you will wait. My husband is not yet here, nor our lawyer. I expect them both immediately."

"What have we to do with either of them?" said the counsellor,^[45] carelessly. "The matter is settled, and admits of no alteration."

"The matter is not yet settled. The day is not yet over!" quickly replied the woman.

"My good woman, I can make all allowance for your present mood, but do not cause useless delay. Let us go into the house and begin, *Herr Justizrath*."

"A little patience, Mrs Oberhage," said the judge, still more blandly than before.

They went into the house. The other officials followed them. The gendarmes remained outside.

Meanwhile, a number of neighbours had arrived at the farm, their countenances expressing the warmest sympathy, mingled with feelings of rage and bitterness—feelings which they did not scruple to express in words, notwithstanding the presence of the gendarmes and men of law.

"So it has come to earnest at last, gossip Oberhage," said an old peasant. "'Tis shame and scandal thus by main force to drive you from house and home."

"Not yet, Father Hartmann!" said the woman, with great external calm. "You know we have sent in a memorial. So long as all is not lost, nothing is lost."

"True enough, but don't be too sure. The world has grown very bad. Only see yonder false-hearted judge and insolent counsellor. They it is who have brought the whole misfortune upon you, and now they are not ashamed to come here and feast their eyes and ears with your lamentations."

"Not with our lamentations!" said the woman, drawing herself up with a feeling of pride and courage which would have done honour to a queen. "It is God's truth," she continued, after a momentary pause, "that these two men have done their utmost to drive us from the farm, on which I and my husband, and my forefathers, have dwelt for now more than two hundred years."

"Ay, ay," said the old peasant, "the little judge was heard to say, as much as ten years ago, that

there were records in the office which would be your ruin if brought to light."

"He said as much to my husband, that he might buy the papers of him. And when my husband would not, he came and tried it with me."

"And when you sent him about his business, he went and plotted with the counsellor, who had then just arrived here from the capital, with an appointment to the chamber. That is a bad fellow, neighbour Oberhage. He has feeling for no man, nor for anything but fisc and taxes, impost and extortion. There is not a farm in the district on which he has not found means to lay new burthens. Day and night he rummages old records and registers, to find out new rights for the exchequer, and new means of oppressing the peasantry. And so he brought forward the old papers, by which he makes out that your farm is the property of the sovereign. The fat judge put him up to it."

"That the farm," said the woman by way of amendment, "*had* belonged to the sovereign, more than two hundred years ago. My ancestors bought it of the government, and paid its price. My grandfather had the papers in his possession, but at his death they were not to be found. My father was away when he died, so the authorities scaled up the inheritance and took charge of all documents. Amongst these were the papers proving the purchase of the farm, and since then we have never seen them. It was said they were not sealed up with the others, or that they got lost."

"The sly judge knows well enough where they are."

"Who can prove it? We told him as much, but he only laughed, and threatened us with an action for slander. Thereupon they began proceedings to turn us out of the farm. The old papers were accepted as valid; all sorts of laws were brought forward—laws which the sovereigns themselves had made; and they so twisted and turned the matter that, at last, house and land were adjudged to the crown. There is no justice for the poor peasant: justice in this country is a crying scandal. The judges think only how best to be agreeable to the nobility and the sovereign, that they may get a bit of ribbon, or an increase, of salary, or a better place.

"But I have yet one hope left," continued the woman. "We have addressed a memorial to his Highness, placing plainly before his eyes the injustice that the tribunals have done us. We have told him everything—how the judge wanted to bargain with us about the documents, how he suppressed our papers, how he and the long-legged counsellor laid their heads together, and plotted, and planned, and bribed witnesses for our ruin. I expect the answer every minute. If there be yet one spark of justice in our sovereign's heart, he cannot and will not suffer them to expel us from our farm."

"Poor woman, build not too much upon *that*."

"But I do build upon it, for I have trust in God and in good men."

"In *good* men. Good men have a heart for poor people. But where will you find that amongst those in high places?"

The old peasant's presentiment as to the fruitlessness of the memorial is well-founded. On the return of the farmer without any reply from the reigning prince, his wife appeals to the commissioners, who are busy taking an inventory—preparatory to making over the property into the hands of an administrator—to suspend execution of the judgment obtained until the pleasure of the sovereign shall be known.

"Judge," said the woman, "we have petitioned the sovereign; an answer may come any minute: until then, we need not go."

"But, my dear Mrs Oberhage, think of the judgment rendered. You have already made all the appeals possible. Justice must have its course."

"Justice!" said the woman bitterly, "we will say nothing about that, judge. But the sovereign has to decide whether he will have our property or not. He cannot take the farm, he cannot wish to accept stolen goods. For his decision you, his servants, are bound to wait: the farm won't run away.

"Woman," said counsellor Von Eilenthal pompously, "cherish not vain delusions. I can tell you the answer you will receive from the royal cabinet; I know it: the sovereign referred your application to his excellency the prime-minister, and the minister desired the chamber to report upon it—I myself made out the report."

"Then is our fate indeed decided!" said the farmer.

"Your own sense of what is right tells it you; justice must have its free course."

"These are hard times for us poor people," said the woman. "Our persecutors are set as judges over us, and interpose between the children of the soil and their sovereign, so that our complaints cannot be heard. Their voices alone are heard; ours, never."

"My good woman, the officials do but their duty."

"Yes, yes, *Herr Regierungsrath*, that is well known—everyone for himself. You now have doubtless wellnigh gained your end; you have reduced enough poor people to yet greater poverty, and may expect a place in the ministry or a president's chair—that has always been your aim."

The counsellor turned to the judge: "Let us proceed with our business," he said.

All hope had now fled from the breasts of the Oberhages, and departure was inevitable. The farmer's brother offered him an asylum; the honest-hearted peasants, indignant at the crying

injustice of the case, and commiserating a misfortune which all felt might some day be their own, volunteered their carts and their labour to transport such part of the farmer's property as he was allowed to carry away. This was but a very limited portion, consisting solely of personal effects. Farm implements, live and dead stock, the corn and vegetables in the granaries, the tall stacks of hay and straw, must all be left behind. They stood upon the inventory, and were the property of the state. But the severest cut of all, for the frugal and industrious housewife, was yet to come. Her eldest daughter, a blooming maiden of nineteen, came up to her, followed by the counsellor, the judge, and the Oberhages' lawyer. The girl looked pale and frightened.

"Mother," she said, "you sent me to the linen-room, to give out the linen to be put on the carts."

"Well, what then?" cried the woman in anxious astonishment.

"The gentlemen have taken the key from me, and will not let me have the linen."

"Who has done that?—who will not?" demanded the woman violently, flushing crimson with anger. It was plain that her household gods were attacked.

"His worship the judge."

"His worship the judge? My linen? What have you to do with my linen?"

"Dear Mrs Oberhage, I have already explained to you that you are allowed to take away from the farm only your own property—your own personal effects."

"And is not the linen my own property?"

"No."

"And what is it, then?"

"An appurtenance to the farm."

The woman burst into a laugh—a laugh of sudden and terrible rage. "My linen," she cried—"my linen, for which I and my mother, my grandmother, and my great-grandmother, and at odd times this girl too, have spun the yarn—which we ourselves have woven and bleached, and on whose every thread has fallen a drop of our sweat—my linen, you say, is an appurtenance of your farm, and belongs to you, or to the counsellor there." And she looked from the one to the other of the magistrates. Then, growing calmer, she added scornfully, "take some other notion into your heads, gentlemen; but my linen you shall not have."

"It is your treasure, your pride, Mrs Oberhage," replied the judge, with his everlasting friendliness: "every one knows that; but, unfortunately, there is no alternative. I am grieved on your account, but the linen belongs to the farm, and not to you."

The fury of the farmer's wife seemed about again to break out. Her lawyer stepped forward. "His worship is unfortunately in the right," he said. "The store of linen, inasmuch as it does not appear necessary to the personal wants of yourself and your children, is legally an appurtenance of the farm. You must make up your mind to give it up."

The woman cast a glance at her husband; but neither in that quarter did she find succour. He looked straight before him, like one absorbed in thought.

"Take it then," said she resolutely. And making an energetic effort to conceal a violent trembling that came over her, she returned to her work. Aided by her daughter, by the weeping servants, and by the neighbours, the packing was soon done. The carts, laden with the whole earthly goods of the expelled farmer, were at the door, ready to start. The neighbours stood around, deep sympathy and suppressed anger upon their stern countenances. The farm-servants—men and maids, big and little, boys who had been but lately taken on, and old men, bent by labour, who had perhaps served three generations upon that farm—stood on one side, also silent, but with grief in their faces. The gentlemen of the commission sat at the long table, under the elm, and breakfasted. The gendarmes and officers were near at hand.

The farmer, his wife, and children, had remained behind in the house. Presently they came out: first the farmer, then his wife, with her youngest child on her arm and leading the boy by the hand; last of all came the eldest daughter. In the countenances of the parents, as in that of the daughter, was to be discerned an expression of dignified resignation to a hard lot.

The man and his wife cast searching glances at the carts, and apparently found all things in order. They then approached a cart upon which seats had been reserved for them; and the woman set down the child upon the ground, the better, as it seemed, to take leave of the sympathising groups that stood around. She and her husband went first to the neighbours, then to the servants, and shook hands with every one. Not a word was spoken.

Whilst this farewell scene occurred, the little girl ran to a flock of chickens, which were pecking for food in the yard. A snow-white hen, with a tuft upon its head, came tamely to meet her. She took it up in her little arms, caressed and played with it.

Suddenly a thought came into the boy's head: he went up to his mother, who had just concluded her sorrowful leave-taking.

"Are we going away for good, mother?" he said.

"Yes, my child, never to return."

"Shall we not take my foal and calf? You promised me this morning that I should rear them."

"I did promise you, my child, but they no longer belong to us."

The firm character of the mother already manifested itself in the son. With scarcely a change of countenance.

"Mother," he said, "will they remain on the farm?"

"They will remain here."

He ran to the farm-servants, and begged them to take care of his calf and foal, and let them want for nothing. Then he returned contentedly to his mother's side. For the poor woman, however, yet another trial was in store.

"I take my white chicken with me, mother!" cried the little girl, pressing the pretty bird to her bosom.

"Does the fowl also belong to the inventory?" said the woman to the lawyer, who stood near her amongst the peasants.

"But, Mrs Oberhage, such a trifle!"

"Does the chicken belong to the inventory?"

"Yes."

"Child, we must leave the chicken here. I will give you another."

"I won't leave my chicken; I take my white chicken with me." The child was crying.

The little fat judge, observant of the incident, rose from his seat. "Mrs Oberhage, let the child have the chicken. With the permission of the *Herr Regierungsrath* I make you a present of it."

The child jumped for joy, and the chicken remained perched upon her little hands.

For a moment there was a struggle in the breast of the farmer's wife. She looked at her joyous child, she gazed around her at the house and farm she was about to quit; then, with sudden resolution, she went to the little girl, took the bird from her arms, and let it run away. "Judge," she said, turning to the magistrate, "sorry as I am for the poor child's sake, I nevertheless can accept nothing, as a gift, from you and the counsellor."

But she could hardly complete the sentence. The resolute woman's strength seemed suddenly broken, and hot tears gushed from her eyes. Snatching up the weeping child, she pressed it to her breast, and hid her agitated countenance in its rich golden curls.

It was dinner-time. At this hour, it was customary for a dozen poor persons, old women and grayheaded men, to repair to the farm, where, for long years past, they had received a daily meal. As usual, they had made their appearance, and now stood aloof with sad and downcast looks. The housewife perceived them. This was to be her last sorrow in the home that had hitherto been hers. She stepped towards them. "I can no longer give you a dinner," she said; "another master is now here."

An old man limped forward, supported upon crutches. "To-day," he said, "we are here only to thank you, and to pray God that he may repay you what you, and your husband, and your children, and your fathers before you, upon this farm, have given to the poor. We have heard of the injustice done you; but the injustice of men is the blessing of heaven. Farewell, go in peace to your new home. And may the Lord bless you there and for ever."

He hobbled back amidst the group of beggars, who stood praying, with clasped hands. The housewife gave to every one of them an ample dole. "The Lord be with you also," she said. Then she went to the cart in which the children were already seated. Without another word, she got in. Her husband followed her, and his brother, who accompanied them, was the last. She took her little girl upon her lap, and drew down her kerchief far over her face, so that none could distinguish her features.

The cart drove slowly out of the farm-yard. It was met by a servant on horseback, who dashed past at a gallop, and handed to the Counsellor, Baron Von Eilenthal, a letter with a large seal. That distinguished functionary eagerly opened it, as with a foreboding of good news.

The judge looked inquisitively over his shoulder.

"Ah, my humblest congratulations, Herr President. Delighted to be the first to give you joy. I recommend myself to your further favour."

In front of the house, the beggars struck up in slow and solemn strains the hymn from the Psalm-book—

"Meine Seele, lass es gehen,
Wie in dieser Welt es geht.
Lass auch gerne das geschehen,
Was Dem Herz hier nicht versteht.
Arme Seele, fromm und stille,
Denk, es waltet Gottes Wille."

We have preserved, as dramatic and characteristic, the terminations of the two chapters from which we have extracted. The last was worth giving entire, being perhaps the most carefully finished in the book, but its length compelled compression. As regards its truthfulness, and the

state of things it is intended to illustrate, we need hardly inform persons acquainted with the social and political condition of Germany, that acts of corruption and oppression, similar to those above set forth, have been of no rare occurrence, up to a very recent date, in more than one sovereign state of that extensive country. The time of the story of *Anna Hammer* is 1830, the period when things were probably at the worst, before the petty despots of Germany had been warned and alarmed by the second French revolution, and by other evidences of the growing spirit, throughout Europe, of resistance to tyrannical and irresponsible rule. The book hinges on the supposed existence of a secret association, having extensive ramifications, for the purpose of establishing constitutional government throughout Germany. Three of the earliest members of the society have lingered, at the date of the story's commencement, for five years in a state prison. These three men are Anna Hammer's brother-in-law, Madame Von Horberg's husband, and a certain Count Arnstein, whose son, after passing four years in the United States, returns to Germany, in the character of an American, and under the assumed name of Bushby, with the double purpose of assisting the plans of the conspirators, and of accomplishing his father's escape. The place of imprisonment of the three political offenders is, however, a mystery which one of the most active and intelligent of the confederates has for years been in vain endeavouring to solve. It is at last discovered by the ingenuity of Geigenfritz, an old soldier, and trusty agent of the society, who then contrives to introduce Anna Hammer into the fortress, in the capacity of servant girl to the commandant's housekeeper. The housekeeper, Miss Bluestone, who has lived in a military prison until she has acquired the tone, and much of the appearance, of a grenadier, and her comrade, Corporal Long, a veteran converted into a gaoler, who divides his affections between the wine barrel and a huge bunch of keys, are capitally hit off. The account of Von Horberg's dungeon, and of the means of communication he contrives with a prisoner lodged in the lower floor of the tower, in which he occupies an upper cell, is very well done. Indeed this, the first chapter of the second volume, entitled *Dungeon Life*, is one of the best of the book, and reminds us not a little of Baron Treuck's exciting prison narratives. It acquires additional interest from the circumstance that *Anna Hammer* is said to have been written in a prison, where the author was long confined on political charges, of which he was ultimately found guiltless. Before coming to the prisons, however, we are taken to court, and are introduced to the old prince-regnant, to his dissolute grandson and heir, and to his amiable granddaughter, who is in love with Arnstein *alias* Bushby. For a final extract, we select a scene in the grounds of the country residence of the sovereign, who has just installed himself there for the fine season, and where two important personages of the novel—the crown-prince and Geigenfritz—are first brought before the reader.

The park behind the palace was of great extent. Gardens, pieces of water, slopes planted with vines, thick shrubberies and tracts of woodland, were there mingled in an apparently wild disorder which was in reality the result of careful arrangement and consideration. The whole was surrounded by a lofty wall, in which were three or four small doors. A thick forest came close up to the outside of the wall, and was intersected by several roads.

Along one of these roads drove an elegant travelling carriage, drawn by two extremely swift and powerful horses. A bearded man, of Jewish aspect, muffled in a huge coachman's coat, sat upon the box. The shutters of the vehicle were drawn up, so that it could not be seen into. It stopped at the edge of the forest. The door opened, and a little man, also of Israelitish appearance, but very richly dressed, got out. He left the door open.

"Turn round, Abraham!" said he in Jewish jargon to the driver.

The coachman obeyed, so that the horses' heads were in the direction whence they came.

"Stop!"

The carriage stood still, and the little man walked round it, examining it minutely on all sides, as if to make sure that it was sound and complete in every part. With equal attention he inspected the harness and limbs of the vigorous horses.

"Keep a sharp watch, Abraham, for my return."

"Don't be afraid, Moses."

"The very minute I get in, drive off at full speed. But no sooner—d'ye hear?—no sooner."

"Why should I sooner?" retorted the coachman sharply, in the same dialect.

"Not till I am quite safe in the carriage—till you see, till you hear, that I have shut the door. You must hear it, you must watch with your ears, for you must not take your eyes off the horses."

"Don't frighten yourself, fool!"

"And, Abraham, quit not the box during my absence, and be sure and leave the door open, that I may jump in at once on my return."

The coachman answered not.

"And, one thing more. Dear Abraham, will the horses hold out?—six German miles?—without resting. Are you sure the carriage will not break down?"

"Begone, fearful fool, and leave carriage and horses to my care!"

The little man looked at his watch.

"Exactly five. It is just the time. Once more, dear Abraham, keep a sharp look-out, I entreat you."

At a sort of sneaking run, the timid Jew hurried to a door in the park wall, close to which the road

passed. He glanced keenly around him. No one was in sight, and, producing a key, he hastily unlocked the door, opening it only just wide enough to allow him to slip through. In an instant he was in the park, and the door shut behind him.

Completely unseen as the Jew believed himself, there yet was one at hand whose watchful eye had followed all his movements.

At the exact moment that the coachman turned his carriage, and at a short distance from the spot, a man emerged from the thicket. His appearance was very striking. Far above the usual stature, in person he was extraordinarily spare. Large bones, broad shoulders, a muscular arm and a hand like a bunch of sinews, indicated that his meagre frame possessed great strength. His strange figure was accoutred in a remarkable costume. He wore a short brown jacket of the colour and coarse material of the cowls of the mendicant friars, short brown leather breeches, grey linen gaiters and wide strong shoes. His head was covered with an old misshapen gray hat, whose broad brim was no longer in a state to testify whether it had once been round or three-cornered. Across his back was slung a bag, from whose mouth protruded the neck of an old black fiddle. The man's age was hard to guess. His thick strong hair was of that sort of mouse-colour which even very old age rarely alters. His countenance was frightfully furrowed; but if its furrows were deep, on the other hand its outlines were of iron rigidity. The eye was very quick. In short, however narrow the scrutiny, it still remained doubtful to the observer whether the man was fifty, sixty, or seventy years old.

This person, stepping out of the forest, was on the point of springing across the road, when he perceived the carriage and the two Jews. Satisfying himself, by a hasty glance, that he was still unseen, he drew back within cover of the thicket. Concealed behind a thick screen of foliage, he watched with profound attention every movement of the men, who were too distant for him to overhear their words. When one of them had entered the park, the long brown man made a circuit through the wood, and again emerged from it at a point where he could not be seen by the coachman, but which yet was not far distant from the door through which the Jew had passed. After brief reflection, he approached this door and tried to open it. It was locked. He turned back, skirting the wall—but so noiselessly that the sharpest ear, close upon the other side, could hardly have detected his presence. He paused at a place where trees and thick bushes, growing within the park, overtopped the wall. A long branch protruded across, and hung down so low that the tall stranger could easily reach it. He closely examined this branch, its length and strength, then the wall—measuring its height with his eye, and noting its irregularities of surface. Suddenly he seized the branch with both hands, set his feet against the wall, and swung his whole body upwards. Before a spectator could have conjectured his intention, he was seated on a limb of the tree within the park; it was as if an enormous brown cat had sprung up amongst the branches. In another second he was on the ground, the slightest possible cracking of the twigs alone betraying his rapid descent.

He stood in the midst of a thick growth of bushes, the stillness around him broken only by the voices of birds. Cautiously he made his way through the tangled growth of branches into a small winding path, which he followed in the direction of the door. On reaching this he found himself in a broad carriage road, apparently commencing and terminating at the palace, after numerous windings through the park. Opposite the door was an open lawn; to the right were long alleys, through whose vista the rays of the early morning sun were seen reflected in the tranquil waters of a lake. To the left was a prolongation of the copse. Not a living creature was to be seen.

For a minute the man stood undecided as to the direction he should take. Then he re-entered the copse—making his way through it, with the same caution and cat-like activity as before, to a little knoll nearly bare of bushes, and crowned by three lofty fir-trees. He was about to step out into the open space, when he heard a rustling near at hand. He stood still, held his breath and looked around him; but he was still too deep in the bushes and could discern nothing. He saw only leaves and branches, and, towering above them, the three tall fir-trees, with the morning wind whispering through their boughs.

The new-comer was the little Jew, who walked uneasily to and fro beneath the fir-trees, on a narrow footpath which led across the knoll. He evidently expected some one. From behind a tree the tall man with the fiddle watched his movements, and listened to his soliloquy.

"Five minutes late," muttered the Jew, looking at his watch. "Am I the man to be kept waiting? He is not to be relied upon. But I have him now, fast and sure." He resumed his walk, then again stood still. "A good affair this! good profit! a made man! But where can he be?" He paused before the very tree behind which stood the man in the brown jacket. "He is imprudent," he continued, "light-headed, and reckless. But am I not the same? I am lost if he deceives me. I have him, though—I have him."

"Mosey!" said the strong voice of the long brown man, close to his ear. At the same moment, a heavy hand was clapped roughly on the Jew's shoulder. He fell to the ground, as though a thunderbolt had struck him; in falling he caught a view of the stranger. "Geigen—" cried he, in a horror-stricken voice, leaving the word unfinished.

"Speak the word right out!" said the long man, with a calm, sneering smile.

The little Jew's recovery was as sudden as his terror. He was already on his legs, brushing the dust from his clothes.

"How the gentleman frightened me!" he said in a sort of dubious tone.

"Speak the word out, Mosey—the whole word!"

"What should I speak out?—which word? What does the gentleman want?"

"Mosey, speak the word out—Geigenfritz!"

"What is your pleasure?—what is the word to me?"

"Old rogue! old Moses Amschel! what is the word to you? what is Geigenfritz to you?—your old friend?"

"I know no Geigenfritz; I know no Moses Amschel. You are mistaken. And now go your ways—do you hear?" He had become quite bold and saucy.

The brown man looked at him with a smile of scornful pity. "Mosey," he said, "shall I reckon up the prisons and houses of correction in which I have seen you? You have grown a great man, it seems. I have heard of you. You are a rich banker: noblemen associate with you, and princes are your debtors. You are a baron, I believe, and you live in luxury; but you are not the less Moses Amschel, my old comrade. I knew you directly, and your rascal of a brother, too, who is outside with the carriage."

The Jew's confidence left him as he listened to this speech. He made one more effort to assume a bold countenance, but his voice trembled as he muttered, "You are mistaken. I have business here: leave me, or I will have you arrested."

Geigenfritz laughed. "You have business here, I doubt not. But arrest me! Your business will hardly bear daylight, and my arrest would interfere with it."

The truth of these words produced a terrible effect on the little Jew. He stood for a moment helplessly gazing around him; then he looked sharply at his interlocutor, whilst his right hand fumbled in his breast, as though seeking something. But he drew it forth empty, and let it fall by his side, whilst his eyes sought the ground. "Well, Geigenfritz," he said, in a low tone, "leave me for a while. Go and wait by the carriage with my brother; I will soon be back, and we will speak further."

"Not so, old sinner. You said you had business here. You and I have done business together more than once."

"This time there is nothing for you to do."

"That is not for you to decide."

"Don't spoil trade, Geigenfritz."

"What trade is it?"

"You shall know by-and-by."

"Immediately, I expect."

"Impossible."

"I have but to remain here."

Moses Amschel grew very anxious. "I swear to you, Geigenfritz, you ruin me by remaining. The business can't be done in your presence."

"We shall see."

The obstinacy of Geigenfritz was not to be overcome. Moses Amschel ran to and fro, wringing his hands, and straining his eyes to see into the park. Suddenly his anxiety increased to a paroxysm. Geigenfritz followed the direction of his eyes. With extreme swiftness a man ran along one of the alleys, in the direction of the mound on which they both stood.

"For God's sake, go, leave me!" exclaimed Moses Amschel, in abject supplication.

"Fellow, 'tis the Crown-prince. What dealings have you with him?"

"Go, I implore you, go."

"Not a step, till you answer me."

"I have business with him."

"What business?"

"You shall know afterwards; go, I can't escape you."

"What business?"

"Jewel business. But now go, go!"

"You are right; you cannot escape me." And Geigenfritz disappeared amongst the bushes.

Moses Amschel had had barely time to recover breath and composure, when a third person joined him. This was a slender young man, of elegant appearance, and handsome but dissipated countenance. His rich dress was disordered.

"Who was here, Jew?"

"No one. Who should be here. Who would I bring with me?"

"I heard talking; who was with you?"

"No one, your highness."

"Name not my name, Jew, and speak the truth."

"I wish I may die, if a creature, was with me!"

The young man looked suspiciously on all sides, and then drew from under his coat an object enveloped in a silk handkerchief, and handed it to Amschel.

"Here, Jew, and now away with you!"

Moses Amschel would have unfolded the handkerchief, to look at its contents.

"Scoundrel! do you think I cheat you? In three months."

He took a step to depart, but again returned.

"To America, to New York! Not to London, d'ye hear?"

"I know."

At the top of his speed, as he had come, the stranger departed. Moses Amschel unrolled the handkerchief, glanced at its contents, again carefully wrapped it up, and stole swiftly and cautiously to the park-door, which he hastily unlocked, and as hastily relocked behind him. But, as he turned to regain the carriage, his movements were arrested by the iron arm of Geigenfritz, who rose, like an apparition, from a ditch at his side.

"How you frighten me!—I am not going to run away."

"Because you can't. Now, comrade, halves!"

"Are you mad?"

"Not I, but you, if you think you are not in my power."

Moses Amschel looked around him, but help there was none, and the brown man held him so tightly that he could not stir. The carriage, certainly, was near at hand, but the horses were as skittish as they were good, and the driver must not leave them.

"Show it me," said Geigenfritz.

Resistance was impossible. Tardily and unwillingly the Jew untied the handkerchief, and revealed a diamond diadem of extraordinary magnificence. Notwithstanding his alarm, his eyes sparkled at the sight.

"Old rogue! who stole that?"

"Stole! Nonsense."

"What is it worth?"

"Worth?—a couple of hundred dollars."

"Do you take me for a child?"

"Well, perhaps a couple of thousand."

"More than a million."

"You frighten me."

"No matter—halves!"

"But I must sell it first; you shall have your share of the price."

"Of the price? You don't take *me* in. We will divide at once."

"How is that possible?"

"Very easy. I break the crown into two halves; you take one, I the other. Give it here."

Moses Amschel shook with terror, and clutched the glittering ornament convulsively with both hands. It was in vain: the iron hand of Geigenfritz detached his fingers, one after the other, like those of a child. With the last remains of his exhausted strength, the Jew still clung to his treasure, which, in another second, would have been wrested from him, when suddenly a broad knife, thrust over the shoulder of Geigenfritz, inflicted a swift deep cut across the back of the hand with which he grasped the diadem. Involuntarily, Geigenfritz relaxed his hold both of Jew and jewels.

Moses Amschel and the coachman Abraham, who, having seen from his box his brother's peril, had thus opportunely come to his aid, ran away laughing. The one jumped into the carriage, the other resumed the reins, and they drove off at a gallop.

The prince has stolen the diadem from his own wife, in such a manner as to cast suspicion upon others, and the Jew is to sell it to furnish supplies for the extravagance of this dissolute heir to the crown. Geigenfritz's knowledge of the shameful transaction is afterwards made instrumental in procuring the release of Von Horberg and the other prisoners. Convinced that the time is not yet ripe for the realisation of their schemes of political regeneration, they emigrate to the United States. There, a postscript informs the reader, Von Horberg, divorced from his unworthy wife—who during his imprisonment, has become the mistress of the prince-royal—is married to Anna Hammer. The interest of the story is throughout well sustained.

Anna Hammer will probably soon be, if it be not already, in the hands of the translators. Rendered into English with a little care, by equivalents, instead of with that painful literalness and abundance of foreign idioms which too frequently shock us in translations of German books, it would be very pleasant reading. Notwithstanding its defects, its occasional carelessness and slight improbabilities, it better deserves a translation than many of the foreign novels to which

that compliment has been paid within the last few years, and than some which have been lauded to the skies and largely read. And we take this opportunity to express our surprise that no member of the industrious corps of translators from the German has directed his or her attention to the writings of a man, who, for originality and genius, perception of character and power of description, is very far superior even to those of his German cotemporaries who have enjoyed the highest favour in England. We refer to the gifted author of the German-American Romances. Miss Bremer—although a Swede, we here class her amongst German writers, her works having been done into English from the latter language—has been translated at every price, and in every form, from expensive octavo to shilling pamphlets. Not a bookshop or railway station but is, or has been, crowded with her works. Without in the least depreciating the talents of a lady who has written some very pleasing tales and sketches, we should yet be greatly flattering her did we place her on a level with such a writer as Charles Sealsfield. Styles so opposite scarcely admit of comparison; but we apprehend there are few readers to whom the best of her books will not appear tame and insipid, when contrasted with the vigorous and characteristic pages of such works as *The Cabin Book*, *The Viceroy and the Aristocracy*, or *Pictures of Life in both Hemispheres*. Yet Sealsfield has been read in England only to the limited extent of some short extracts in this Magazine,^[46] and of some yet briefer ones in a defunct Review.^[47] In the States he is better known and appreciated. There he has been translated and re-translated in volumes, pamphlets and newspapers, but in a style, if we may judge from one or two specimens that have reached us, which does him grievous injustice. Many of his works, and especially the three above-named, richly deserve the utmost pains a translator could bestow, and would assuredly attain high popularity in any country into whose language they should be rendered.

FOOTNOTES:

- [44] *Neue Deutsche Zeitbilder. Erste Abtheilung: Anna Hammer, Ein Roman der Gegenwart*, in 3 Bänden. Eisleben, Kuhnt: 1850. London: Williams & Norgate.
- [45] In the original, *Regierungsrath*—a member of the council of government. *Justizrath*, counsellor of justice, is a title accorded to certain judges in Germany.
- [46] See Volumes 54 to 59.
- [47] *Foreign Quarterly Review*, No. LXXIV.

ALTON LOCKE, TAILOR AND POET: AN AUTOBIOGRAPHY. [48]

Our renowned contributor, Mansie Wauch, tailor in Dalkeith, has, for a long time past, retired from the cares of active business. We fear that, in his case, as in others which we could name, the glory and emolument resulting from distinguished literary success were the means of depriving two or three parishes of the services of a decent fabricator of small-clothes. Mansie, like Jeshurun, grew fat and kicked. Even before his autobiography had reached its sixth edition—now a traditional epoch, as the nine-and-thirtieth is exhausted, and the trade clamorous for a new supply—Wauch began to turn up his nose at moleskin, and to exhibit a singular degree of indifference to orders for agricultural gaiters. He would still apply, with somewhat of his pristine science, the principles of sartorian mathematics to plush when ordered from the Palace, and was once known to devote three entire days to the exquisite finishing of a pair of buckskins for Mr Williamson, that famous huntsman, whose celebrity is so great, that the mere mention of his name is equivalent to a page of panegyric. And it was acknowledged, on all hands, that Mansie did his work well. The plush fitted admirably; and as for the buckskins, the master of the hounds averred, with a harmless oath, that they were as easy as a kid glove. But those testimonials, however satisfactory and unchallenged, did not avail our contributor as a perfect verdict of acquittal, discharging him from the bar of public opinion, as constituted in Dalkeith, without a stain upon his reputation as an eydent man and a tailor. Mr Hamorgaw, the precentor of the New Light Seceding Anti-pulpit Congregation, esteemed that Mansie acted under the influence of the Old Adam, in declining to reverse, *propriis manibus*, an ancient garment, dignified by the name of a coat, which had already been three times refreshed in the dyeing-tub, for the beautifying of him, the Hamorgaw: and Deacon Cansh, the leading Radical of the place, was sorely nettled to learn that our friend had intrusted the architecture of his new wrap-rascal to the tender mercies of his firstborn Benjamin. Not that Benjie was a bad hand at the goose, which indeed he drove with amazing celerity, sending it along at a rate nearly equal to the progress of a Parliamentary train; but his style of cutting was somewhat composite and florid, not distinguished by that severe simplicity of manner which was the glory of the earlier masters. In the hands of a Piercie Shafton, Benjamin might have proved a veritable treasure; Sir Thomas Urquhart would have descanted with enthusiasm on the quaint and oblique diversity of his shears, which seemed instinctively to dis sever good broad-cloth into quincunxes more or less outrageous; but the age of Euphuism was gone, and neither elder, deacon, nor precentor, was in favour of slashed doublets. Benjamin was not only a tailor but a poet, and we fear it is a lamentable fact that the two trades are irreconcilable. The perpetrator of distichs is usually a bungler at cross-stitch: there is no analogy between the measurement of trousers and the measure of a Spenserian stanza. It will therefore be readily credited, that the business, when devolved upon Benjie, did not prosper as of old; and though Mansie did, in his advanced age, make one effort to retrieve the character of his firm by inventing a kind of paletot, which he denominated "a Fascinator," we have not been given to understand that the males of the royal family adopted it to the exclusion of all other upper garments of similar cut and pretension. Moreover, the prevailing influence and tendency of the age began to be felt in Dalkeith. Competition, as a maxim of political economy, was generally practised and understood: and a young schneider, who had served his apprenticeship with Mr Place of Westminster celebrity, opened an establishment for ready-made clothes, with a Greek title which would have puzzled an Homeric commentator. In process of time the Greek was opposed by a Hebrew, who ought to have been an especial favourite with his people, seeing that if any afflicted person had a fancy for rending his clothes, the garments supplied by Aaron and Son would have yielded to the slightest compulsion. A Polish emigrant next opened shop, and to the astonishment of the Dalkeithians, transferred their breeches' pockets from the waistband to the neighbourhood of their knees, and suggested frogs and braiding. Against this tide of innovation honest Mansie found it impossible to make head. Fortunately, being a saving creature, he had amassed a considerable sum of money, which, still more fortunately, he had abstained from investing in the Loanhead and Roslin Junction; and his annual income was such as to justify him in retiring from business to a pleasant villa on the banks of the Esk, where he now grows cabbages of such magnitude as to be recorded in an occasional newspaper paragraph, and cucumbers which have carried off the prize at several horticultural exhibitions. On the whole, Mr Wauch is a man decidedly to be envied, not only by those of his own trade, but by many of us who, in the vanity of our hearts, have been accustomed to look down, somewhat disparagingly, upon the gallant knights of the needle.

In his retirement Mansie Wauch has not altogether abandoned the pursuits of literature. He has, it is true, ceased, for a good while, to favour us with a continuation of those passages of his personal history which once took Christendom by storm; nor can we charge our memory with his having offered us any article for several years, beyond an elaborate and learned critique upon Mr Carlyle's *Sartor Resartus*, which, though decidedly able, was rather too technical for our columns. But Mr Wauch is a gluttonous reader, especially of novels and suchlike light gear; and very frequently is kind enough to favour us, by word of mouth, with his opinion touching the most noted ephemera of the season. We need hardly say that we set great store by the judgment of the excellent old man. His fine natural instinct enables him to perceive at a glance, what more erudite critics might overlook, the fitness and propriety of the tale, and the capability of the writer to deal with the several topics which he professes to handle. He can tell at once whether a man really knows his subject, or whether he is writing, as too many authors do now-a-days, in absolute ignorance of the character which he assumes, or the scenes which he selects for illustration. So, the other day, on receipt of a couple of volumes, entitled *Alton Locke, Tailor and*

Poet: an Autobiography, we thought that we could hardly discharge our critical duty better than by despatching the same forthwith to Mansie, with a request that he would communicate to us his candid and unbiassed opinion.

Mr Locke we understand to be no more. He died upon his voyage to Texas, after having been concerned in the Chartist demonstration of 1848, and therefore his feelings cannot be aggrieved by the strictures of his Dalkeith brother. Were it otherwise, we certainly should have hesitated before recording in print the verdict of the indignant Mansie, expressed in the succinct phrase of "awfu' havers!" written at the close of the second volume, with a running commentary of notes on the margin, by no means complimentary to the practical acquirements or the intellectual calibre of the author. These we have diligently deciphered, and we find that friend Mansie's wrath has been especially excited by the discovery that it is no autobiography at all, nor anything like one, but a barefaced and impudent assumption of a specific character and profession by a person who never handled a goose in his life, and who knows no more about tailoring or slop-selling than he has learned from certain letters which lately appeared in the columns of the *Morning Chronicle*. Mr Wauch is very furious at the deception which he conceives has been practised on the public; and argues, with good show of reason, that any work, professing to set forth the hardships of any particular trade, and yet diverging so evidently into the wildest kind of romance—as to render its acceptance as an actual picture of life impossible—is calculated to do harm instead of good to the interests of the class in question, because no one can receive it as truth; neither can it possibly be acknowledged as an accurate picture of the age, or the state or feelings of that society which at present exists in Great Britain. "Who would have bought MY Autobiography," quoth Mansie, "if I had said that I was in love with a Countess, had been admitted to her society, and my passion partially returned? Or what think ye o' Benjie, fresh from the garret, and smelling of the goose, arguing conclusions wi' Dean Buckland about the Mosaic account o' the creation, and chalking out a new kind o' faith as glibly as he would chalk out auld Harrigle's measure on a new web o' claith for a Sunday's coat? The man that wrote you, take my word for it, never crookit his heugh-bane on a board; and the hail buik appears to me to be a pack o' wearifu' nonsense."

Notwithstanding Mr Wauch's anathema, we have perused the book; and, while agreeing with him entirely in his strictures regarding its artistical construction, and admitting that, as an autobiography—which it professes to be—it is so palpably absurd in its details, as to diminish the effect of the lesson which it is meant to convey, we yet honour and respect the feeling which has dictated it, and our warmest sympathy is enlisted in the cause which it intends to advocate. No man with a human heart in his bosom, unless that heart is utterly indurated and depraved by the influence of mammon, can be indifferent to the welfare of the working-classes. Even if he were not urged to consider the awful social questions which daily demand our attention in this perplexing and bewildered age, by the impulses of humanity, or by the call of Christian duty, the lower motive of interest alone should incline him to serious reflection on a subject which involves the wellbeing, both temporal and eternal, of thousands of his fellow-creatures, and possibly the permanence of order and tranquillity in this realm of Great Britain. Our civil history during the last thirty years of peace resembles nothing which the world has yet seen, or which can be found in the records of civilisation. The progress which has been made in the mechanical sciences is of itself almost equivalent to a revolution. The whole face of society has been altered; old employments have become obsolete, old customs have been abrogated or remodelled, and old institutions have undergone innovation. The modern citizen thinks and acts differently from his fathers. What to them was object of reverence is to him subject for ridicule; what they were accustomed to prize and honour, he regards with undisguised contempt. All this we style improvement, taking no heed the whilst whether such improvement has fulfilled its primary condition of contributing to and increasing the welfare and prosperity of the people. Statistical books are written to demonstrate how enormously we have increased in wealth; and yet, side by side with Mr Porter's bulky tomes, you will find pamphlets containing ample and distinct evidence that hundreds of thousands of our industrious fellow-countrymen are at this moment famishing for lack of employment, or compelled to sell their labour for such wretched remuneration that the pauper's dole is by many regarded with absolute envy. Dives and Lazarus elbow one another in the street; and our political economists select Dives as the sole type of the nation. Sanitary commissioners are appointed to whiten the outside of the sepulchre; and during the operation, their souls are made sick by the taint of the rottenness from within. The reform of Parliament is, comparatively speaking, a matter of yesterday, and yet the operatives are petitioning for the Charter!

These are stern realities—grim facts which it is impossible to gainsay. What may be the result of them, unless some adequate remedy can be provided, it is impossible with certainty to predict; but unless we are prepared to deny the doctrine of that retribution which has been directly revealed to us from above, and of which the history of neighbouring states affords us so many striking examples, we can hardly expect to remain unpunished for what is truly a national crime. The offence, indeed, according to all elements of human calculation, is likely to bring its own punishment. It cannot be that society can exist in tranquillity, or order be permanently maintained, so long as a large portion of the working-classes, of the hard-handed men whose industry makes capital move and multiply itself, are exposed to the operation of a system which renders their position less tolerable than that of the Egyptian bondsman. To work is not only a duty but a privilege; but to work against hope, to toil under the absolute pressure of despair, is the most miserable lot that the imagination can possibly conceive. It is, in fact, a virtual abrogation of that freedom which every Briton is taught to consider as his birthright; but which now, however well it may sound as an abstract term, is practically, in the case of thousands, placed utterly beyond their reach.

We shall not probably be suspected of any intention to inculcate Radical doctrines. We have no sympathy, but the reverse, with the quacks, visionaries, and agitators, who make a livelihood by preaching disaffection in our towns and cities, and who are the worst enemies of the people whose cause they affect to advocate. We detest the selfish views of the Manchester school of politicians, and we loathe that hypocrisy which, under the pretext of reforming, would destroy the institutions of the country. But if it be true—as we believe it to be—that the working and producing classes of the community are suffering unexampled hardship, and that not of a temporary and exceptional kind, but from the operation of some vicious and baneful element which has crept into our social system, it then becomes our duty to attempt to discover the actual nature of the evil; and having discovered that, to consider seriously what cure it is possible to apply. That there is a cure for every evil, social, moral, or physical, it is worse than cowardice to doubt. And we need not be surprised if, in our search, we find ourselves compelled to arrive at some conclusions totally hostile to the plans which the so-called Liberals have encouraged—nay, so hostile, that beneath that mask of Liberalism we can plainly descry the features of greedy and ravenous Mammon, enticing his victims by a novel lure, and gloating and grinning in triumph over their unsuspecting credulity.

The author of *Alton Locke* is at least no vulgar theorist, though a warm imagination and great enthusiasm have led him occasionally to appear most vague and theoretical. He has had recourse to fiction, as the most agreeable, and probably the most efficacious mode of bringing his peculiar social views under the notice of the public; but in doing so, he has fallen into an error very common with recent novelists, who have undertaken to depict certain phases of society, with ulterior views beyond the mere amusement of the reader. He has not studied, or he does not understand, what has been fitly termed the properties of a composition: he allows himself in almost every chapter to outrage probability; his situations are often ludicrously incongruous; and the language of his characters, as well as that employed throughout the narrative, is totally out of keeping with the quality and circumstances of the interlocutors. That a young and gifted tailor, who for the whole day has been pent up in a stifling garret, with the symptoms of consumptive disease unmistakably developed in his constitution, should also devote the moiety of his hours of rest to the acquisition of the Latin language, and become in three months' time a perfect master of Virgil, is not an impossibility, though we opine that such instances of suicidal exertion are comparatively rare; but when we find the same young man, not only versed in the classics, but tolerably acquainted with the Italian and German poets, a fluent speaker of French, an accurate historian, a proficient in divinity, in metaphysics, and in natural science—a disciple of Tennyson in verse, and a pupil of Emerson in style—the draft upon our credulity is somewhat too large, and we must necessarily decline to honour it. The world has only beheld one Admirable Crichton; and even he is rather a myth than a reality—seeing that we can merely judge of the extent of his acquirements by the vague report of contemporaries, and the collections of an amusing coxcomb, who, out of very slender materials, has contrived to construct a ponderous and bombastic romance.^[49] Crichton has not left us one scrap of writing to prove that his attainments were more than the results of a gigantic memory, aided by a singularly acute and logical intellect. But Alton Locke altogether eclipses Crichton. The latter had, at all events, the full benefit of the schools: the former was wholly devoid of such instruction. Crichton spent his days at least in the College; Alton sat stitching on the shop-board. So that the existence of such a phenomenon becomes worse than problematical, especially when we find that, after abandoning paletots and launching into a literary career, Mr Locke could find no more profitable employment than that of writing articles for a Chartist newspaper, which articles, moreover, were by no means invariably inserted. We take this to be the leading fault of the book, because it is infinitely more glaring than even exaggerated incident. In the hands of such a writer as Defoe, the story of *Alton Locke* would have assumed the aspect of woeful and sad reality. Not an expression would have been allowed to enter which could betray the absolute and irreconcilable difference between the mental powers, habits, and acquirements of the author and his fictitious hero: we should have had no idealism, at least of the transcendental kind; and no dreams, decidedly of a tawdry and uninterpretable description, which bear internal evidence of having been copied at second-hand from Richter.

Let it, however, be understood, that these remarks of ours are not intended to detract from the genius, the learning, or the descriptive powers of the writer. Where excellencies such as these exist, even though they may be of rare occurrence, anything approaching to absurdity or incongruity is far more painfully, or rather provokingly, apparent than in the work of a common hackneyed novelist, from whom we expect no better things: and the error is peculiarly felt when it is calculated in any degree to convey the notion that the pictures shadowed forth upon the canvass are rather ideal than true. This mode of dealing with a subject is by no means the best to insure sympathy. Men are naturally incredulous of pain, and unwilling to believe in suffering, more especially when it is said to exist in their own vicinity, and may be the effect of their own indifference or caprice. Many persons will read *Alton Locke*, not unmoved by the wretchedness which it depicts—not without feeling a thrill of indignation at the bondage under which the operative is said to labour from the ruthless system of competition—and yet lay down the book unconvinced of the actual existence of such misery, and no more inclined to bestir themselves for its remedy than if they had been the spectators of a tragedy, the scene of which was laid in another country, and the period indicated as occurring in the middle ages. Nor is it possible to blame them for this; for, as the whole tenor of the work belies its assumed character, it is hard to expect that any one shall give credence to mere details, or such qualified credence as shall enable him to accept them as accurate representations of existing facts, in the face of the evident obstacle which meets him at the beginning. The usefulness of many clever books in this range of

literature has been impaired by the authors' wanton neglect, or rather wilful breach, of the leading rules of propriety. Few people will accept Mr D'Israeli's novel of *Sybil* as containing an accurate representation of the state of the people of England in the middle of the nineteenth century, simply because the writer is chargeable with the same error; and yet recent disclosures have abundantly proved that many of the social pictures contained in *Sybil* were drawn with extreme accuracy, and without any attempt at exaggeration.

We shall now attempt to sketch out the story of *Alton Locke*, in order that our readers may comprehend the nature of the book with which we are dealing—less, we admit, on account of the book itself, than for the sake of the subject which it is manifestly intended to illustrate. By no other method can we do justice to the topic; and if situations should occur which may seem to justify the strictures of Mr Wauch, and to provoke a smile, we ask indulgence for the sake of a cause which is here most earnestly advocated—according to the best of his ability—by a man of no common acquirements, zeal, energy, and purity of purpose, though the warmth of his heart may very frequently overpower the discretion of his head.

Alton Locke, the subject of this autobiography, is the son of poor parents. His father had failed in business as a grocer, having imprudently started a small shop, without adequate capital, in an obscure district of London, where indeed there were far too many such already, and died, "as many small tradesmen do, of bad debts and a broken heart, and left us beggars." Alton's mother was a woman of a sterner mood. Reared in the most rigid tenets of the Baptist sect, and steeped in the austere Calvinism, she regarded this world necessarily as a place of tribulation and inevitable woe, and fought and struggled on right earnestly, mortifying every natural affection in her bosom, except love to her children, and exhibiting that only through the medium of severity and restraint.

"My mother," says Alton, "moved by rule and method; by God's law, as she considered, and that only. She seldom smiled. Her word was absolute. She never commanded twice without punishing. And yet there were abysses of unspoken tenderness in her, as well as clear, sound, womanly sense and insight. But she thought herself as much bound to keep down all tenderness as if she had been some ascetic of the middle ages—so do extremes meet! It was 'carnal,' she considered. She had as yet no right to have any 'spiritual affection' for us. We were still 'children of wrath and of the devil'—not yet 'convinced of sin,' 'converted, born again.' She had no more spiritual bond with us, she thought, than she had with a heathen or a Papist. She dared not even pray for our conversion, earnestly as she prayed on every other subject. For though the majority of her sect would have done so, her clear logical sense would yield to no such tender inconsistency. Had it not been decided from all eternity? We were elect, or we were reprobate. Could her prayers alter that?"

A gruesome carline this, and a revolting contrast to dear old Mause Headrigg, who not only prayed morning and night, but never doubted as to the destiny of Cuddie! Mrs Locke's conversation, however, had its charms; for we find that, in a small way, she was fond of entertaining ministers of her own persuasion at tea, and Alton's ire was early kindled by the precipitancy with which on such occasions the sugar and muffins disappeared. The old lady, moreover, had a kind of ancestral pride, being traditionally descended from a Cambridgeshire puritan who had turned out under Cromwell; and of a winter night she would tell the children long stories about the glorious times when Englishmen arose to smite kings and prelates. Of course these things had their effect. Little Alton did not become a fanatic, for this kind of religious training is never palatable to the young: he became, indeed, a sceptic as soon as he could think for himself, with a nice little germ of radicalism ready to expand whenever circumstances would permit of its development.

That period quickly arrived. Alton's paternal uncle had been as fortunate in business as his brother was unlucky, and was now a kind of city magnate—purse-proud, yet not altogether oblivious of his poorer kith and kin. He had an only son, who was to be the inheritor of his wealth, and who, being destined for the Church, was undergoing the necessary education. To this relative, who made her an annual petty allowance, Mrs Locke applied for advice regarding her son, now a cadaverous lad of fifteen, with a weak constitution, and a tendency to the manufacture of verse; and by his advice and recommendation, Alton was introduced to a tailoring establishment at the West End. Uncle certainly might have done something better for him; but perhaps he had George Barnwell in his eye: and, moreover, any superior settlement would probably have spoilt the story. Here is his first entry into the new scene:

"I stumbled after Mr Jones up a dark, narrow, iron staircase, till we emerged through a trap-door into a garret at the top of the house. I recoiled with disgust at the scene before me; and here I was to work—perhaps through life! A low lean-to room, stifling me with the combined odours of human breath and perspiration, stale beer, the sweet sickly smell of gin, and the sour and hardly less disgusting one of new cloth. On the floor, thick with dust and dirt, scraps of stuff and ends of thread, sat some dozen haggard, untidy, shoeless men, with a mingled look of care and wretchedness that made me shudder. The windows were tight-closed, to keep out the cold winter air: and the condensed breath ran in streams down the panes, chequering the dreary look-out of chimney-tops and smoke. The conductor handed me over to one of the men."

This is intended, or at all events given, as an accurate picture of a respectable London tailoring establishment, where the men receive decent wages. Such a house is called an "honourable" one, in contradistinction to others, now infinitely the more numerous, which are springing up in every direction under the fostering care of competition. As it is most important that no doubt should be left in the minds of any as to the actual condition of the working classes, we quote, not from Alton Locke, but from one pamphlet out of many which are lying before us, a few sentences explanatory of the system upon which journeymen tailors in London are compelled to work. The pamphlet, for aught we know, may be written by the author of the novel; but it is clear, specific, and apparently well-vouched.

"It appears that there are two distinct tailor trades—the 'honourable' trade, now almost confined to the West End, and rapidly dying out there; and the 'dishonourable' trade of the show-shops and slop-shops—the plate-glass palaces, where gents—and, alas! those who would be indignant at that name—buy their cheap-and-nasty clothes. The two names are the tailors' own slang: slang is new and expressive enough though, now and then. The honourable shops in the West End number only sixty; the dishonourable, four hundred and more; while at the East End the dishonourable trade has it all its own way. The honourable part of the trade is declining at the rate of one hundred and fifty journeymen per year; the dishonourable increasing at such a rate, that in twenty years it will have absorbed the whole tailoring trade, which employs upwards of twenty-one thousand journeymen. At the honourable shops the work is done, as it was universally thirty years ago, on the premises, and at good wages. In the dishonourable trade, the work is taken home by the men, to be done at the very lowest possible prices, which decrease year by year, almost month by month. At the honourable shops, from 36s. to 24s. is paid for a piece of work for which the dishonourable shop pays from 22s. to 9s. *But not to the workman*; happy is he if he really gets two-thirds or half of that. For at the honourable shops the master deals directly with his workmen; while at the dishonourable ones, the greater part of the work, if not the whole, is let out to contractors, or middle men—'sweaters,' as their victims significantly call them—who in their turn let it out again, sometimes to the workmen, sometimes to fresh middlemen; so that out of the price paid for labour on each article, not only the workmen, but the sweater, and perhaps the sweater's sweater, and a third, and a fourth, and a fifth have to draw their profit. And when the labour price has been already beaten down to the lowest possible, how much remains for the workmen after all these deductions, let the poor fellows themselves say!"^[50]

These sweaters are commonly Jews, to which persuasion also the majority of the dishonourable proprietors belong. Few people who emerge from the Euston Square Station are left in ignorance as to the fact, it being the insolent custom of a gang of hook-nosed and blubber-lipped Israelites to shower their fetid tracts, indicating the localities of the principal dealers of their tribe, into every cab as it issues from the gate. These are, in plain terms, advertisements of a more odious cannibalism than exists in the Sandwich Islands. Very often have we wished that the miscreant who so assailed us were within reach of our black-thorn cudgel, that we might have knocked all ideas of fried fish out of his head for at least a fortnight to come! In these days of projected Jewish emancipation, the sentiment may be deemed an atrocious one, but we cannot retract it. Shylock was and is the true type of his class; only that the modern London Jew is six times more personally offensive, mean, sordid, and rapacious than the merchant of the Rialto. And why should we stifle our indignation? Dare any one deny the truth of what we have said? It is notorious to the whole world that these human leeches acquire their wealth, not by honest labour and industry, but by bill-broking, sweating, discounting, and other nefarious arts, which inevitably lead the unfortunate victims who have once trafficked with the tribe of Issachar, to the spunging houses of which they have the monopoly; nor can the former escape from these loathsome dens—if they ever escape at all—without being stripped as entirely as any turkey when prepared for the spit at the genial season of Christmas. Talk of Jewish legislation indeed! We have had too much of it already in our time, from the days of Ricardo, the instigator of Sir Robert Peel's earliest practices upon the currency, down to those of Nathan Rothschild, the first Baron of Jewry, for whose personal character and upright dealings the reader is referred to Mr Francis' Chronicles of the Stock Exchange.

It is little wonder if men who know not what a scruple of conscience is, should amass enormous fortunes. It is much to be regretted that our present state of society affords them such ample opportunities. We allude not now to the plundering of heirs expectant, or the wheedling of young men just fresh from the colleges, and launched upon the town, to their ruin—to fraudulent dodges for affecting unnatural oscillations of stocks, or those more deliberate schemes which result in important public changes being effected for the private emolument of a synagogue. Bad as these things are—shameful and abhorrent as they must be to every mind alive to the ordinary feelings of rectitude—they are not yet so bad or so shameful as the deliberate rapine which is exercised upon the poor by the off-scourings of the Caucasian race. Read the following account by a working tailor of their doings, and then settle the matter with your conscience, whether it is consistent with the character of a Christian gentleman to have dealings with such inhuman vampires:—

"In 1844 I belonged to the honourable part of the trade. Our house of call supplied the present show-shop with men to work on the premises. The prices

then paid were at the rate of 6d. per hour. For the same driving-apes that they paid 18s. then, they give only 12s. now. For the dress and frock coats they gave 15s. then, and now they are 14s. The paletots and shooting coats were 12s.; there was no coat made on the premises under that sum. At the end of the season they wanted to reduce the paletots to 9s. The men refused to make them at that price when other houses were paying as much as 15s. for them. The consequence of this was, the house discharged all the men, and got a Jew middleman from the neighbourhood of Petticoat Lane to agree to do them all at 7s. 6d. a piece. The Jew employed all the poor people who were at work for the slop warehouses in Houndsditch and its vicinity. This Jew makes on an average 500 paletots a week. The Jew gets 2s. 6d. profit out of each; and having no sewing trimmings allowed to him, he makes the workpeople find them. The saving in trimmings alone to the firm, since the workmen left the premises, must have realised a small fortune to them. Calculating men, women, and children, I have heard it said that the cheap house at the West End employs 1000 hands. The trimmings for the work done by these would be about 6d. a week per head, so that the saving to the house since the men worked on the premises has been no less than £1300 a year; and all this is taken out of the pockets of the poor. The Jew who contracts for making the paletots is no tailor at all. A few years ago he sold sponges in the street, and now he rides in his carriage. The Jew's profits are 500 half-crowns, or £60 odd per week; that is upwards of £3000 a-year."

The salary of a puisne judge of the Court of Session in Scotland! A profitable commencement of life that of dealing in sponges, seeing that it endows the vender with the absorbent qualities of the marine vegetable! And mark the consequences which may befall those who connive at such iniquity by their custom! We still quote from the same pamphlet, not to deaf ears we trust, while telling them of the calamity which such conduct may bring home to their own hearths, as it has done already to that of hundreds who worship Cheapness as a god.

"Men ought to know the condition of those by whose labour they live. Had the question been the investment of a few pounds in a speculation, these gentlemen would have been careful enough about good security. Ought they to take no security, when they invest their money in clothes, that they are not putting on their backs accursed garments, offered in sacrifice to devils, reeking with the sighs of the starving, tainted—yes, tainted indeed, *for it now comes out that diseases numberless are carried home in these same garments, from the miserable abodes where they are made.* Evidence to this effect was given in 1844; but Mammon was too busy to attend to it. These wretched creatures, when they have pawned their own clothes and bedding, will use as a substitute the very garments they are making. So Lord ----'s coat has been seen covering a group of children blotched with smallpox. The Rev. D—— suddenly finds himself unrepresentable from a cutaneous disease, little dreaming that the shivering dirty being who made his coat, has been sitting with his arms in the sleeves for warmth, while he stitched at the tails. The charming Miss C—— is swept off by typhus or scarlatina, and her parents talk about 'God's heavy judgment and visitation:' had they tracked the girl's new riding-habit back to the stifling undrained hovel where it served as a blanket to the fever-stricken slop-worker, they would have seen *why* God had visited them, seen that His judgments are true judgments, and give His plain opinion of the system, which 'speaketh good of the covetous whom God abhorreth'—a system, to use the words of the *Morning Chronicle's* correspondent, 'unheard of and unparalleled in the history of any country—a scheme so deeply laid for the introduction and supply of under-paid labour in the market, that it is impossible for the working man not to sink and be degraded by it into the lowest depths of wretchedness and infamy'—a system which is steadily and gradually increasing, and sucking more and more victims out of the honourable trade, who are really intelligent artisans, living in comparative comfort and civilisation, into the dishonourable or sweating trade, in which the slopworkers are generally almost brutified by their incessant toil, wretched pay, miserable food, and filthy homes."

But we must return to Alton Locke, whom we left speechless with astonishment and overpowered with nausea on his first admission to the sight and odours of a stitching Pandemonium. We are told, and we believe it to be true, that of late years several of the first-rate London tradesmen of the West End have effected important and salutary improvements as regards the accommodation of their men, and that the men themselves have assumed a better tone. We must, however, accept the sketch as given; and of a truth it is no ways savoury. Some of Alton's comrades are distinct Dungs—drunken, lewd, profane wretches; but there is at least one Flint among them, a certain John Crossthaite, who, beneath a stolid manner and within a stunted body, conceals a noble heart, beating strongly with the fiercest Chartist sentiments; and beside this diminutive Hercules, Alton crooks his thigh. Crossthaite, like all little chaps, has a good conceit of himself, and an intense contempt for thews and sinews, stature, chest, and the like points, which excite the admiration of the statuary. On one occasion, when incensed, as tailors are apt to be, by the sight of a big bulky Life-guardsmen, who could easily have crammed him into his boot, Alton's new friend thus develops his ideas:—

"'Big enough to make fighters?' said he, half to himself; 'or strong enough, perhaps?—or clever enough?—and yet Alexander was a little man, and the Petit Caporal, and Nelson, and Cæsar, too; and so was Saul of Tarsus, and weakly he was into the bargain. Æsop was a dwarf, and so was Attila; Shakspeare was lame; Alfred a rickety weakling; Byron club-footed; so much for body versus spirit—brute force versus genius—genius!'"

We had no previous idea that the fumes generated by cabbage produced an effect so nearly resembling that which is consequent on the inhalation of chloroform. Crossthwaite, however, is a learned man in his way, and can quote Ariosto when he pleases—indeed, most of the workmen who figure in these volumes seem to be adepts in foreign tongues and literature. From Crossthwaite, Alton Locke derives his first lesson as regards the rights of man, and becomes conscious, as he tells us, that "society had not given him his rights." From another character, Sandy Mackaye, a queer old Scotsman, who keeps a book-stall, he receives his first introduction to actual literature. Sandy is a good sketch—perhaps the best in the book. He is a Radical of course, and, like the Glasgow shoemaker, whom the late Dr Chalmers once visited, "a wee bit in the deistical line;" but he has a fine heart, warm sympathies, and, withal, some shrewdness and common sense, which latter quality very few indeed of the other characters exhibit. We are left in some obscurity as to Sandy's early career, but from occasional hints we are led to believe that he must have been honoured with the intimacy of Messrs Muir and Palmer, and not improbably got into some scrape about pike-heads, which rendered it convenient for him to remove beyond the jurisdiction of the High Court of Justiciary. On one occasion he seems to have averred that he was even older, alluding to a conversation he had with "Rab Burns ance, sitting up a' canty at Tibbie Shiels' in Meggot Vale." This is a monstrous libel against our excellent friend Tibbie, at whose well-known hostelry of the Lochs it was our good fortune, as usual, to pass a pleasant week no later than the bygone spring; the necessary inference being that she has pursued her present vocation for nearly three quarters of a century! The author might have stated, with equal propriety, that he had the honour of an interview with Ben Jonson, in a drawing-room of Douglas's hotel! But Sandy's age is quite immaterial to the story. He may have been out in the Forty-five for anything we care. It is enough to know that he takes a particular fancy to the young tailor; lends him books; puts him in the way of learning Latin, as we have already hinted, in three months; and, finally, receives him under his own roof when he is ejected from that of his mother on account of his having proclaimed himself, in her presence, a rank and open unbeliever.

Alton stitches on till he is nearly twenty, educating himself at spare hours as well as he can, by the aid of Sandy Mackaye, until he acquires a certain reputation among his comrades as an uncommonly clever fellow. The old bookdealer having some mysterious acquaintanceship with Alton's uncle, informs that gentleman of the prodigy to whom he is related, whereupon there is an interview, and the nephew is presented with five shillings. Cousin George now comes, for the first time, on the *tapis*, tall, clean-limbed, and apparently good-humoured, but, as is shown in the sequel, selfish and a tuft-hunter. His maxim is to make himself agreeable to everybody, because he finds it pay; and he gives Alton a sample of his affability, by proposing a visit to the Dulwich Gallery. At this point the story becomes deliciously absurd. Young Snip, to whom pictures were a novelty, instantly fastens upon Guido's St Sebastian, of which he is taking mental measure, when he is accosted by a young lady. Although we have little space to devote to extracts, we cannot refuse ourselves the gratification of transcribing a passage which beats old Leigh Hunt's account of the interviews between Ippolito de Buondelmonte and Dianora d'Amerigo hollow. This artist, indeed, has evidently dipped his pencil in the warmest colours of the Cockney School.

"A woman's voice close to me, gentle, yet of deeper tone than most, woke me from my trance.

"'You seem to be deeply interested in that picture?'"

"I looked round, yet not at the speaker. My eyes, before they could meet hers, were caught by an apparition the most beautiful I had ever yet beheld. And what—what—have I seen equal to her since? Strange that I should love to talk of her. Strange that I fret at myself now because I cannot set down upon paper, line by line, and hue by hue, that wonderful loveliness of which—But no matter. Had I but such an imagination as Petrarch, or rather, perhaps, had I his deliberate cold, self-consciousness, what volumes of similes and conceits I might pour out, connecting that peerless face and figure with all lovely things which heaven and earth contain. As it is, because I cannot say all, I will say nothing, but repeat to the end, again and again, Beautiful, beautiful, beautiful, beyond all statue, picture, or poet's dream. Seventeen—slight, but rounded, a masque and features delicate and regular, as if fresh from the chisel of Praxiteles. I must try to describe, after all, you see—a skin of alabaster, (privet-flowers, Horace and Ariosto would have said, more true to nature,) stained with the faintest flush; auburn hair, with that peculiar crisped wave seen in the old Italian pictures, and the warm, dark, hazel eyes which so often accompany it; lips like a thread of vermillion, somewhat too thin, perhaps—but I thought little of that then; with such perfect finish and grace in every line and hue of her features and her dress, *down to the little fingers and nails, which showed through their thin gloves*, that she seemed to my fancy fresh from the innermost chamber of some enchanted palace, 'where no air of heaven could visit her cheek too roughly.' I dropped my eyes quite dazzled. The question was repeated by a lady who stood with her, whose

face I remarked then—as I did to the last, alas!—too little, dazzled at the first by outward beauty, perhaps because so utterly unaccustomed to it.

"It is indeed a wonderful picture.' I said timidly. 'May I ask what is the subject of it?'

"Oh! don't you know?' said the young beauty, with a smile that thrilled through me. 'It is St Sebastian.'

"I—I am very much ashamed,' I answered, colouring up; 'but I do not know who St Sebastian was. Was he a Popish saint?'

"A tall, stately old man, who stood with the two ladies, laughed kindly. 'No, not till they made him one against his will, and, at the same time, by putting him into the mill which grinds old folks young again, converted him from a grizzled old Roman tribune into the young Apollo of Popery.'

"You will puzzle your hearer, my dear uncle,' said the same deep-toned woman's voice which had first spoken to me. 'As you volunteered the Saint's name, Lillian, you shall also tell his history.'

"Simply and shortly, with just feeling enough to send through me a fresh thrill of delighted interest, without trenching the least on the most stately reserve, she told me the well-known history of the Saint's martyrdom.

"If I seem minute in my description, let those who read my story remember that such courteous dignity, however natural, I am bound to believe, it is to them, was to me an utterly new excellence in human nature. All my mother's Spartan nobleness of manner seemed unexpectedly combined with all my little sister's careless ease.

"What a beautiful poem the story would make!' said I, as soon as recovered my thoughts.

"Well spoken, young man,' answered the old gentleman. 'Let us hope that your seeing a subject for a good poem will be the first step towards your writing one.'"

Were we to extend points of admiration over a couple of columns, we could not adequately express our feelings with regard to the above passage. How natural—how simple! The entranced Snip gaping at the Guido—the ladies accosting him, as ladies invariably do when they encounter a casual tailor in such places—the passionate warmth of the description—the ecclesiastical lore of Lillian—and the fine instinct of the old gentleman, (a dignitary of the Church, by the way,) which warns him at once that he is in the presence of a sucking poet,—all these things combined take away our breath, and take, moreover, our imagination utterly by storm! We shall not be surprised if hereafter Greenwich Park should be utterly deserted on a holiday, and Dulwich Gallery become the favourite resort of apprentices, each expecting, on the authority of Alton Locke, to meet with some wealthy and high-born, but most free-and-easy Lindamira!

But the best of it is to come. They have yet more conversation: the strangers manifest a deep interest in the personal history of our hero. "While I revelled in the delight of stolen glances at *my new-found Venus Victrix, who was as forward as any of them in her questions and her interest*. Perhaps she enjoyed—at least she could not help seeing—the admiration for herself, which I took no pains to conceal!" O thrums and trimmings! it is but too plain—Venus Victrix, with the peculiar crisped auburn hair, and the skin of privet-flowers, has all but lost her heart to the juvenile bandy-legged tailor!

Two can play at that game. Cousin George in the mean time, though taking no part in the conversation—a circumstance which strikes us as rather odd—has likewise fallen in love with the beautiful apparition, and, after her departure, drives Alton "mad with jealousy and indignation," by talking about the lady rather rapturously, as a young snob of his kidney is pretty certain to do under circumstances such as are described. The kinsmen part, and Alton returns to the garret full of the thoughts of Lillian. She becomes his muse, and with the aid of a stray volume of Tennyson, he sets himself sedulously to the task of elaborating poetry. Sandy Mackaye, his censor, betrays no great admiration for his earlier efforts, which indeed are rather milk-and-water, and recommends him to become a poet for the people, pointing out to him, in various scenes of wretchedness which they visit, the true elements of the sublime. The graphic power and real pathos of those scenes afford a marvellous contrast to the rubbish which is profusely interspersed through the volumes. It is much to be regretted that an author, who can write so naturally and well, should allow himself to mar his narrative and destroy its interest, by the introduction not only of absurdities in point of incident, but of whole chapters of mystical jargon, inculcating doctrines which, we are quite sure, are not distinctly comprehended even by himself. He has got much to learn, if not to unlearn, before he can do full justice to his natural powers. So long as he addicts himself, both in thought and language, to the use of general terms, he must fail in producing that effect which he otherwise might easily achieve.

Alton then, though still a tailor, becomes a poet; and, after two years and a half incubation, produces a manuscript volume, enough to fill a small octavo, under the somewhat spoliative and suspicious title of *Songs of the Highways*. Still no talk of publishing. Then comes a movement among the tailors, caused by Alton's master determining to follow the example of others, and reduce wages. A private meeting of the operatives is held, at which John Crossthwaite the Flint counsels resistance and a general strike; but the faint-hearted Dungs fly from him, and he finds

no supporter save Alton. The two resolve, *coûte qui coûte*, to hold out, and Crossthwaite takes his friend that night to a Chartist meeting, where he is sworn to all the points.

Never more did Alton bury needle in the hem of a garment. Nobody would give employment to the two protesters; so John Crossthwaite, being a man of a practical tendency, and not bad at statistics, determined to turn an honest penny by writing for a Chartist newspaper, and would have persuaded Alton to do the same, had not Sandy Mackaye interposed, and very properly represented that his young friend was too juvenile to become a martyr. So it was fixed at a general council that Alton should prepare his bundle, including his precious manuscripts, and start on foot for Cambridge, where his cousin was, to see whether he could not procure help to have his volume launched into the world. We must pass over his journey to Cambridge, interesting as it is, to arrive at his cousin's rooms. There he finds George with half-a-dozen of his companions all equipped for a rowing match, and just about to start. George behaves like a trump, orders him luncheon, and then departs for the river, whither Alton follows, with the intention of seeing the fun. His behaviour is a libel on the Cockneys. He sees Lillian on the opposite side of the river, and makes an ass of himself; then he bursts into ecstasies at the sight of the boats, feeling "my soul stirred up to a sort of sweet madness, not merely by the shouts and cheers of the mob around me, but by the loud, fierce pulse of the rowlocks; the swift whispering rush of the long, snake-like eight oars; the swirl and gurgle of the water on their wake; the grim, breathless silence of the straining rowers. My blood boiled over, and fierce tears swelled into my eyes; for I, too, was a man and an Englishman." The author should have added—and a tailor to boot. So Alton, like an idiot, begins to roar and shout, and is ridden over by a young sprig of nobility, in whose way he insists on standing; and is soused in the river; and insults another young nobleman, Lord Lynedale, of whom more anon, who picks him up, and out of good nature offers him half-a-crown: all which shows, or is intended to show, that our friend is a splendid specimen of the aristocracy of nature. Well—to cut a long story short—he returns to his cousin's rooms, is kindly received, introduced to a supper party of Cantabs, and afterwards to Lord Lynedale, for whom he corrects certain proofs, and receives a sovereign in return. The said Lord Lynedale is engaged to a lady, the same with "the deeper voice than most"—not Lillian—who accosted him in the Dulwich Gallery. She is the niece of a Dean Winnstay, Lillian being the daughter. They meet. She recognises him, and he favours us with a sketch of Miss Eleanor Staunton. "She was beautiful, but with the face and figure rather of a Juno than a Venus—dark, imperious, restless—the lips almost too firmly set, the brow almost too massive and projecting—a queen, rather to be feared than loved—but a queen still, as truly royal as the man into whose face she was looking up with eager admiration and delight, as he pointed out to her eloquently the several beauties of the landscape." So Alton is introduced to the Dean, and finally asked down to the deanery.

The result, of course, is, that he becomes, if possible, ten times more deeply in love than before with Venus Victrix, who is naughty enough to flirt with Snip, and to astonish him by singing certain of his songs. As a matter of course, he immediately conjures up an imaginary Eden, with an arbour of cucumber vine, in which he, Alton, and she, Lillian, are to figure as Adam and Eve—we trust in such becoming costume as his previous pursuits must have given him the taste to devise. Miss Staunton, however, does not appear to relish the liaison, and rather throws cold water upon it, which damper Locke seems to attribute to jealousy! though it afterwards turns out to have been dictated by a higher feeling; namely, her conviction that Lillian was too shallow-hearted to be a fit object for the affections of the inspired tailor!! The old Dean meanwhile, quite unconscious of the ravages which young Remnants is making in his family circle, bores him with lectures on entomology, and finally agrees to patronise his poems, and head a subscription list, provided he will expunge certain passages which savour of republican principles. Alton consents; and as a reward for his so doing, Miss Staunton pronounces him to be "weak," and Lillian deplores that he has spoilt his best verses, which *her cousin* had set to music. Reading these things, we begin to comprehend the deep anxiety of Petruchio to get the tailor out of his house,—

"Hortensio; say thou wilt see the tailor paid:
Go, take it hence; be gone, and say no more."

Who knows what effect the flatteries of an insinuator like Alton Locke might have had upon the lively Katherina?

The list, however, is not yet made up—so Alton returns to London, and is entered upon the staff of the *Weekly Warhoop*, a Chartist journal, conducted by one Mr O'Flynn, a red-hot Hibernian and republican. The engagement is not satisfactory. The editor has a playful habit of mutilating the articles of his contributors, and sometimes of putting in additional pepper, so as to adapt them to his own peculiar tastes and purposes; and Alton Locke finds that it goes rather against his conscience to libel the Church of England and the Universities by inventing falsehoods by the score, as he is earnestly entreated to do by his uncompromising chief. There is nothing like a peep behind the scenes. Alton begins to suspect that he may have been misled regarding matters of political faith, and that it is quite possible for a man to call himself a patriot, and yet be a consummate blackguard. Touching religious tenets, also, he has some qualms; a discourse which he happens to hear from a peripatetic idiot of the Emersonian school having put new notions into his head, and he is especially attracted by the dogma that "sin is only a lower form of good." He next breaks with O'Flynn, encounters his cousin George, now in orders, though certainly quite unfitted for the duties of his profession; and a regular quarrel ensues on the subject of Lillian, whom George is determined to win. Poetical justice demands that both whelps should be soused in the kennel. Alton gets a new engagement from "the editor of a popular journal of the Howitt and Eliza Cook school;" and at last brings out his poems, which, though considerably castrated,

have the good fortune to take with the public. Then he is asked to be at the Dean's town residence, to meet with divers "leaders of scientific discovery in this wondrous age; and more than one poet, too, over whose works I had gloated, whom I had worshipped in secret." In short, he felt that "he was taking his place there among the holy guild of authors." Nor are these all his triumphs. Lillian smiles upon him; and Lady Ellerton, formerly Miss Staunton, who has since been wedded to Lord Lynedale, and raised to a higher title in the peerage, introduces him to the — ambassador, evidently the Chevalier Bunsen, who instantly invites him to Germany! "I am anxious," quoth the ambassador, "to encourage a holy spiritual fraternisation between the two great branches of the Teutonic stock, by welcoming all brave young English spirits to their ancient fatherland. Perhaps, hereafter, your kind friends here will be able to lend you to me"! So the brave young English spirit goes home that night in a perfect whirl of excitement. In the morning comes reaction. Alton, on going to leave his card for the Dean, finds the house shut up, and is informed that the young Earl of Ellerton has been killed by a fall from his horse, and that the whole family are gone to the country. "That day was the first of June 1845. On the 10th of April 1848, I saw Lillian Winnstay again. Dare I write my history between these two points of time?" By all means: and, if you please, get on a little faster.

It will naturally occur to the reader that Messrs Crossthwaite and Mackaye could not be remarkably well pleased at witnessing their friend's intromissions with the aristocracy. The docking of the poems had been the first symptom of retrogression from the Chartist camp; the acceptance of invitations to exclusive soirées was a still more grievous offence. Accordingly, Alton began to suffer for his sins. His old employer, O'Flynn, was down upon him in the columns of the *Warhoop*, tomahawking him for his verses, ridiculing his pretensions, exposing his private history, and denouncing him as no better than a renegade. Then, somebody sent him a pair of plush breeches, in evident token of his flunkyism—a doubleedged and cruel insult which nearly drove him distracted. Old Sandy Mackaye, over his pipe and tumbler of toddy, descanted upon the degeneracy of the age, and John Crossthwaite told him in so many words that he had disappointed his expectations most miserably. Under these circumstances, Alton felt that there was nothing for him but to redeem his character as a Chartist by some daring step, even though it brought him within the iron grasp of the law. An opportunity soon presented itself. There was distress among the agricultural labourers in several districts; a monster meeting was to be held; and the club to which Alton belonged determined to send down a delegate to represent them. Alton instantly proffered himself for the somewhat perilous post: and the warmth of his protestations and entreaties overcame the suspicions, and removed the jealousy, of his comrades. Even O'Flynn pronounced him to be "a broth of a boy." In the midst of the meeting, however, he was startled by a glimpse of the countenance of his cousin George, who, it afterwards appears, had come thither as a spy, armed with a bowie-knife and revolver!

As a delegate, therefore, Alton goes down to the place of rendezvous, in the neighbourhood of the Deanery, where he had once been hospitably entertained; listens to several speeches on the low rate of wages, which he justly considers to be rather purposeless and incoherent; strives to inculcate the principles of the Charter, which the agriculturists won't listen to; and finally, by a flaming harangue on the rights of man, sends them off in a body to a neighbouring hall to plunder, burn, and destroy. Of course he is actuated by none but the most praiseworthy and philanthropic motives. The mob do their work as usual, and proceed to arson and pillage; Mr Locke, who has accompanied them, all the while preaching respect to the sacred rights of property. A handful of yeomanry approach; the mob begins to scamper; and the misunderstood patriot and poet is cut down in the act of rescuing a desk from the clutches of an agricultural Turpin. He is tried, of course, for the offence; John Crossthwaite and Mackaye are brought to speak to character, but they break down under the cross-examination. An extempore witness, however, gives evidence in his favour, which suffices to clear him of the most serious part of the charge. He intends to make a magnificent speech in his defence, and has actually got through three sentences, "looking fixedly and proudly at the reverend face opposite," when a slight deviation of the eye reveals to him the form of Lillian!

"There she was! There she had been the whole time—right opposite to me, close to the judge—cold, bright, curious—smiling! And, as our eyes met, she turned away, and whispered gaily something to a young man beside her.

"Every drop of blood in my body rushed into my forehead; the court, the windows, and the faces, whirled round and round, and I fell senseless on the floor of the dock."

Alas for poor Snip! They gave him three years.

Three years passed in prison afford ample time for reflection, and are calculated to lead to amendment. We are sorry, however, to say that Mr Alton Locke by no means turned them to profit. He had many long interviews with the chaplain, who attempted to reclaim him to Christianity; but it would seem that the reverend gentleman did not set about it in the right way, as he advanced only old-fashioned arguments against infidelity, whereas the inspired tailor "was fighting for Strauss, Hennell, and Emerson." So the chaplain gave him up at last, and he turned for recreation and solace to the works of M.M. Prudhon and Louis Blanc, which he got somehow smuggled into his cell. During his imprisonment he experienced great tribulation by the sight of a handsome new church rising not far from his window, and occasional glimpses of a person whom he took to be the incumbent, and who bore a marvellous likeness to his cousin George. Sometimes this personage was accompanied by a lady, who might possibly be Lillian—for the mooncalf, notwithstanding the court-scene, and the consciousness that he was a sentenced felon, still seems to have supposed that he was beloved, and to have expected a visit to his cell—and the

bare idea was distraction. And it turns out that he was right. George Locke, the incumbent, was about to be married—a fact which he learned immediately before his own release, coinciding in point of time with the French Revolution of 1848.

Back to London goes Alton, and, as a matter of course, instantaneously consorts with Cuffey. Then come the preparations for the memorable demonstration of 10th April, the provision of arms, and the wild schemes for resorting to physical force. That a large, ramified, and by no means contemptible conspiracy then existed, no man can doubt; and there is but too much reason to believe that social suffering was as much the cause of the projected outbreak as abstract political doctrines, however pernicious, or even the influence of the revolutionary example extended and propagated from the Continent. Alton had by this time worked himself up to such a pitch that he was ready to mount a barricade, and so was his companion and coadjutor, the valorous John Crossthwaite. But old Sandy Mackaye, who had some acquaintanceship with pikes in his youth, and experience of the extreme doubtfulness of the popular pluck, especially under the guidance of such leaders as the imbecile and misguided fools who made themselves most prominent in the Convention, astonished his friends by denouncing the whole concern as not only silly but sinful, and prophesying, almost with his dying breath as it proved, its complete and shameful failure. Very beautifully, indeed, and very naturally drawn, is the deathbed scene of the old reformer; the spirit, ere quitting for ever the tenement of clay, wandering back and recurring to the loved scenes of childhood and of youth—the bonny braes, and green hillsides, and clear waters of his native land.

Old Sandy dies, and Alton watches by his corpse till the morning of the 10th of April, the day on which the liberties of England were to be decided, and a general muster of the adherents of the Charter held on Kensington Common. Going forth, he encounters at the door a lady dressed in deep mourning, who had come to visit Mackaye, and who should this prove to be but the widowed Countess of Ellerton! It now comes out that Alton had been altogether mistaken in her character: instead of being a proud imperious aristocrat, she proves to be a lowly, devoted, and self-sacrificing friend of the poor, who has surrendered her whole means for the relief of unfortunate needle-women, and even lived and worked among them, in order personally to experience the hardships of their condition. There is nothing in this to provoke a sneer; for it is impossible to exaggerate the extent of that sacrifice which women in all ages have been content to make, either at the call of love, the claim of duty, or the demand of religion; and the noble and unswerving heroism, which they have exhibited in the accomplishment of their task. To tend the sick and dying even in public, hospitals—to brave the pestilence and the plague—to visit prisons—utterly to abjure the world, and to give up everything for the sake of their Divine Master—all these things have been done by women, and done so quietly and unobtrusively as to escape the notice of the multitude; for good deeds are like the sweetest flowers, they blossom in the most secret places. But our author goes a great deal further, and, as usual, plunges into the ludicrous. Lady Ellerton has, from the first, recognised Alton Locke as an inspired being; she has kept her eye upon him throughout the whole of his career; has paid his debts through old Mackaye, with whom she seems to have been in constant correspondence; has supplied the means for his defence at his trial; and has now come to arrest, if possible, the headlong career of the outrageous and revolutionary tailor! We must indulge ourselves with one more extract, and it shall be the last.

"'Oh!' she said, in a voice of passionate earnestness, which I had never heard from her before, 'stop—for God's sake, stop! you know not what you are saying—what you are doing. Oh! that I had met you before—that I had had more time to speak to poor Mackaye! Oh! wait, wait—there is a deliverance for you; but never in this path—never! And just while I, and nobler far than I, are longing and struggling to find the means of telling you your deliverance, you, in the madness of your haste, are making it impossible!'

"There was a wild sincerity in her words—an almost imploring tenderness in her tone.

"'So young!' she said; 'so young to be lost thus!'

"I was intensely moved. I felt—I knew that she had a message for me. I felt that hers was the only intellect in the world to which I would have submitted mine; and, for one moment, all the angel and all the devil in me wrestled for the mastery. If I could but have trusted her one moment.... No! all the pride, the suspicion, the prejudice of years, rolled back upon me. 'An aristocrat! and she, too, the one who has kept me from Lillian!' And in my bitterness, not daring to speak the real thought within me, I answered with a flippant sneer —

"'Yes, Madam! like Cordelia, so young, yet so untender!—Thanks to the mercies of the upper classes!'

"Did she turn away in indignation? No, by heaven!—there was nothing upon her face but the intensest yearning pity. If she had spoken again, she would have conquered; but before those perfect lips could open, the thought of thoughts flashed across me.

"'Tell me one thing! Is my cousin George to be married to—?' and I stopped.

"'He is.'

"'And yet,' I said, 'you wish to turn me back from dying on a barricade!' And,

without waiting for a reply, I hurried down the street in all the fury of despair."

But Alton Locke did not die on a barricade, any more than Mr John O'Connell on the floor of the House of Commons. He did not sever with his shears the thread of life either of soldier or policeman. He got down from the waggons with the rest when Feargus showed the white feather, and by way of change of scene and subject, contrived to get into the house where Lillian was residing, and in a very sneaking way to become witness of sundry love passages between her and his cousin George. As a matter of course, he was kicked into the street by two able-bodied servitors in plush. Then follows a scene with a former comrade of his, a drunken, worthless, treacherous Dung, by name Jemmy Downes, who had become a sweater and kidnapper, and descended through every stage of degradation to the very cesspool of infamy. His wife and children are lying dead, fever-stricken, half-consumed by vermin in a horrible den, overhanging a rankling ditch, into which Downes in his delirium falls, and Alton staggers home with the typhus raging in his blood. Then come the visions of delirium, ambitiously written, but without either myth or meaning, so far as we can discover. Sometimes Alton fancies himself a mylodon eating his way through a forest of cabbage palms, and "browsing upon the crisp tart foliage,"—sometimes he is impressed with the painful conviction that he is a baboon agitated "by wild frenzies, agonies of lust, and aimless ferocity." The conscience, it would seem, was not utterly overpowered by the disease. He at length awakes to reality—

"Surely I know that voice! She lifted her veil. The face was Lillian's! No! Eleanor's!

"Gently she touched my hand—I sunk down into soft, weary, happy sleep."

Of course, with the Countess for his nurse, Alton gradually recovers, at least from the fever, but his constitution is plainly breaking up. He then hears of the death of his cousin George, caused by infection conveyed in a coat which he had seen covering the wasted remains of Downes' wife and children. His first impulse is again to persecute Lillian; but the Countess will not allow him, not because he is an impertinent, odious, contemptible, convicted snip and coxcomb, but because "there is nothing there for your heart to rest upon—nothing to satisfy your intellect"!!! So she reads Tennyson to him, and expounds her views throughout several chapters upon Christianity as bearing upon Socialism—views which we regret to say that the noble lady, by adopting that peculiar exaltation of speech which was said to characterise the oracles of Johanna Southcote and Luckie Buchan, has rendered unintelligible to us, though they appear to have had a different effect upon her audience.

The end of the story is, that Alton is sent out to Mexico by the desire and at the expense of the Countess, in order that he may become "a tropical poet," not only rhetorically, but physically; and he is accompanied by Crossthwaite and his wife. We are led to infer that failing health, upon both sides, was an insuperable obstacle to his union with the Countess. He pens this autobiography during the voyage, and dies within sight of land, after having composed his death-song, than which, we trust, for the credit of tradition, that the last notes of the swans of Cayster were infinitely more melodious.

Such is an epitome of the story of Alton Locke; a book which exhibits, in many passages, decided marks of genius, but which, as a whole, is so preposterously absurd, as rather to excite ridicule than to move sympathy. What sympathy we do feel is not with Alton Locke, the hero, if we dare to desecrate that term by applying it to such an abortion: it arises out of the episodes which are carefully constructed from ascertained and unquestionable facts, and in which the proprieties of nature and circumstance are not exaggerated or forsaken, whilst the pictorial power of the author is shown to the greatest advantage. Of this character are the scenes in the needlewoman's garret—in the sweating-house, from which the old farmer rescues his son—in the den inhabited by Downes—and the description of Mackaye's deathbed. These are, however, rather the eddies of the story than the stream: the moment we have to accompany Alton Locke as a principal actor, we are involved in such a mass of absurdities, that common-sense revolts, and credulity itself indignantly refuses to entertain them.

We are sorry for this, on account of the cause which is advocated. If fiction is to be used as an indirect means for directing the attention of the public to questions of vital interest, surely great care should be employed to exclude all elements which may and must excite doubts as to the genuineness of the facts which form the foundation of the story. A weak or ridiculous argument is, according to the doctrine of Aristotle, often prejudicial to the best cause; and we cannot help thinking that this book affords a notable instance of the truth of that observation. But we have more to do than simply to review a novel. Here is a question urgently presenting itself for the consideration of all thinking men—a question which concerns the welfare of hundreds of thousands—a question which has been evaded by statesmen so long as they dared to do so with impunity, but which now can be no longer evaded—that question being, whether any possible means can be found for ameliorating and improving the condition of the working classes of Great Britain, by rescuing them from the effects of that cruel competition which makes each man the enemy of his fellow; which is annually driving from our shores crowds of our best and most industrious artisans; which consigns women from absolute indigence to infamy; dries up the most sacred springs of affection in the heart; crams the jail and the poor-house; and is eating like a fatal canker into the very heart of society. The symptoms at least are clear and apparent before our eyes. Do not reams of Parliamentary Reports, and a plethora of parole testimony, if that were needed to corroborate the experience of every one, establish the facts of emigration, prostitution, improvidence, crime, and pauperism, existing and going forward in an unprecedented degree—and that in the face, as we are told, of stimulated production, increasing exports, also increasing

imports, revivals of trade, sanitary regulations, and improved and extended education? Why, if the latter things be true, or rather if they are all that is sufficient to insure the wellbeing of the working classes, we should be necessarily forced to arrive at the sickening and humiliating conclusion, that the English people are the most obstinately brutalised race existing on the face of the earth, and that every effort for their relief only leads to a commensurate degradation! That belief is not ours. Though we think that a monstrous deal of arrogant and stupid jargon has of late been written about the indomitable perseverance and hereditary virtues of the Anglo-Saxon race—principally by contemptible drivellers, who, so far from possessing the pluck, energy, or sinews of the genuine Anglo-Saxon, are cast in the meanest mould of humanity, and endowed with an intellect as poor and feckless as their limbs—we still look upon the British people as the foremost on the roll of nations, and the least willing to degrade themselves voluntarily, to transgress the boundaries of the law, to avail themselves of a humiliating charity, or to subside shamefully into crime. And, if this view be the correct one, how is it that misery not only exists, but is spreading—how is it that the symptoms every day become more apparent and appalling? When Ministers speak of the general prosperity of her Majesty's subjects, as they usually do at the opening of every session of Parliament, it is perfectly obvious that they must proceed upon some utterly false data as to the masses; and that the prosperity to which they allude must be that only of an isolated class, or at best of a few classes, whilst the condition of the main body is overlooked and uncared for. The fact is, that her Majesty's present advisers, one and all of them, as also some of their predecessors, have suffered themselves to be utterly deluded by a false and pernicious system of political economy, framed expressly with the view of favouring capitalists and those engaged in foreign trade, at the expense of all others in the country. Their standard of the national prosperity is the amount of the exports to foreign parts; of the home trade, which is of infinitely greater importance, they take no heed whatever. Thus, while the vessels on the Clyde and the Mersey are crowded with industrious emigrants, forced to leave Britain because they can no longer earn within its compass "a fair day's wage for a fair day's labour"—whilst benevolent people in London are raising subscriptions for the purpose of sending out our needle-women to Australia—whilst the shopkeeper complains of want of custom, and the artisan of diminished employment and dwindling remuneration—we are suddenly desired to take heart, and be of good cheer, because several additional millions of yards of calico have been exported to foreign countries! And this, according to our philosophical economists, is reasoning from cause to effect! Cotton manufactures are, no doubt, excellent things in their way. They give employment or furnish subsistence to about half a million of persons, out of a population of twenty-seven millions—(that is, in the proportion of one to fifty-four)—but the exportation of these manufactures does not benefit the artisan, neither is its augmentation any proof or presumption that even this single trade is in a flourishing condition. Increased exports may arise, and often do arise, from a decline in home consumption—a most ominous cause, which even cotton manufacturers admit to have been last year in operation. But this is not a question to be narrowed, nor shall we narrow it, by dilating upon one particular point. We shall reserve it in its integrity, to be considered fully, fairly, and deliberately in a future article, with such assistance as we can derive from the exertions and researches of those who have already occupied themselves in bringing this subject prominently before the notice of the public. It may happen that some of those writers to whom we allude have greatly overshot their mark, and have arrived at hasty conclusions, both as to the cause of the evil and as to its remedy. The Communist notions which peep through the present publication, are not likely to forward the progress of a great cause. But those ideas evidently have their origin in a deep conviction either that Government has been wanting in its duty of protecting the interests of the masses, or that it has erred by adopting an active line of policy, to which the whole evil may be traced. Both propositions will bear all argument. It would be easy to point out many instances in which Government has refrained, to the public prejudice, from using its directive power; and instances, still more numerous, in which legislative measures have been proposed and carried, directly hostile to the best interests of the nation. And therefore, although some remedies which have been proposed may appear absurd, fantastic, or even worse, we are not entitled, on that account, to drop the investigation. Failing the suggestion of possible cures, people will grasp at the impossible; but the tendency to do so by no means negatives the existence of the disease. There is at present, we believe, but little or no active agitation for the Charter. So much the better. If the experience of 1848 has taught the working-men that this demand of theirs is as visionary as though they had petitioned for a Utopia, they will be more prepared to listen to those who have their welfare thoroughly at heart, and who have no dearer or higher wish than to see Englishmen dwelling in unity, peace, and comfort in their native land; all these disastrous bickerings, feuds, and jealousies extinguished, and order and allegiance permanently secured, as the result of an altered system of domestic policy, which shall have for its basis the recognition and equitable adjustment of the claims of British industry. The task may be a difficult one, but it is by no means impossible. Every day some fallacy, hatched and industriously propagated by selfish and designing men, is exposed or tacitly withdrawn; every day the baneful effects of cotton legislation become more apparent. If the representations of the Free-Traders were true, the condition of the working-classes would now have been most enviable. Is it so? The capitalist, and the political economist, and the quack, and the Whig official may answer that it is; but when we ask the question of the masses of the people, how different is the tenor of the reply!

Next month we propose to resume the consideration of this most important topic.

FOOTNOTES:

- [48] *Alton Locke, Tailor and Poet: an Autobiography*. In 2 vols. London: Chapman and Hall, 1850.
- [49] As more than one pen has been occupied with the subject of Crichton, we think it proper to state, in order to prevent misinterpretation, that the author above alluded to is Sir Thomas Urquhart, and not Mr William Harrison Ainsworth. Nobody will suspect the latter gentleman of having trodden too closely on the heels of history. In his hands, the young cadet of Cluny is entirely emancipated from the sanctuary or the cloister, and entitled to take permanent rank with the acrobat Antonio, whose feats upon the slack-rope must be still thrillingly remembered by the frequenters of the Surrey-side, or with the late lamented Harvey Leach, in consequence of whose premature decease the gnome-fly has vanished from the ceiling of the British stage.
- [50] *Cheap Clothes and Nasty*. By PARSON LOT. London: 1850.

THE RENEWAL OF THE INCOME-TAX.

Although a considerable period must yet elapse ere the expiration of the Parliamentary holidays, it will be well for the public to be prepared for the discussion of certain questions which must perforce engage the early attention of the Legislature. We know not, and have no means of knowing, what may be the nature of the coming Ministerial programme. Were we to argue entirely from the results of past experience, we might well be excused for anticipating the absence of any kind of programme; seeing that the Whig policy of late years has been to remain as stationary as possible, and to take the initiative in nothing, unless it be some scheme devised for the evident purpose of bolstering up their party influence. Whether the old line of conduct is to be pursued, or whether Lord John Russell, desirous to give a fillip to his decreasing popularity, may propound some organic changes—for there are rumours to that effect abroad—is at present matter of speculation. One subject he *must* grapple with; and that is the taxation of the country, taken in connection with the Property and Income Tax, which, unless renewed by special Act of Parliament, expires in the course of the ensuing year.

That an attempt will be made to continue this tax, no reasonable person can doubt. Ever since it was imposed, Ministers have acted as though it was permanent and not temporary. They have done this in spite of the solemn pledge given to the country by its originator, that it should not be made a regular burden—in spite of the frequent and unanswerable remonstrances advanced by many who felt themselves aggrieved by its unjust and unequal operation. The limited nature of its duration was made the first excuse for avoiding its revision—the necessities of Government the next excuse for continuing it in all its imperfection; and yet these necessities, so far from being casual, were purposely created by the remission of other taxes, in order to afford the Premier of the day an apology for breaking his word—in plain English for violating his honour. We defy any man, however skilled he may be in casuistry, to alter the complexion of these facts, which are anything but creditable to the candour of the statesmen concerned, or to the character of our political morality.

We are, therefore, fully prepared for a demand on the part of the Chancellor of the Exchequer for the reimposition of the Property and Income Tax. He will attempt to justify that demand by the usual allegation that it is absolutely necessary in order to meet the exigencies of the State; and that it yields very near five and a half millions of revenue, not one penny of which he can spare if he is to defray the expenses of the public service and the interest of the National Debt. This might be an excellent argument if employed to meet the proposal of any financial Quixote for abolishing a tax which the Legislature has solemnly declared to be permanent. But it is no argument at all for the continuance of this tax after its stated legal period has expired, any more than for the imposition of some tax entirely new. The real state of the case will be just this, that our recent commercial policy and its attendant experiments have landed us in a deficit of some five and a half millions, which, on the whole, in the opinion of the Chancellor of the Exchequer, may be most conveniently supplied by a NEW ACT authorising the direct taxation of Property and Income, on the same terms as before, for a certain period of years. That is all that can be said for the reimposition; and, *cæteris paribus*, the same argument would be as effective and as well grounded, if the honourable gentleman using it should propose to raise the sum required by clapping on an additional land tax, or by doubling or trebling the assessed taxes.

What the exigencies of the State now require is the raising five and a half millions more than the ordinary produce of the revenue, and NOT the resumption of the Property and Income Tax. These are two separate and distinct things; but, as a matter of course, we must expect to see them confounded, as if the fact of a peculiar tax having once been raised, gives a sort of servitude to the provider for the Exchequer over the property from which it is levied, notwithstanding the express limitations of the statute, continuing the impost for a certain time, but no longer. This has been, and no doubt will be the Whig logic; and it is very material for those who think with us that it is full time that this odious, unjust, and inquisitorial tax should cease, to remember that they stand now on precisely the same footing which they occupied when the impost was originally proposed. Sir Robert Peel, then in the zenith of his power, and with a large and undivided party at his back, dared not propose it as a permanent source of revenue. He asked it, in 1842, as a special and exceptional boon—almost as a mark of personal confidence in himself; and as such it was given. He did not attempt to aver that the measure was perfect in its details; on the contrary, he admitted that it was partial; but he excused that partiality on account of the shortness of its duration; and the public, believing in the sincerity of his statement, was willing to accept the excuse. He used the money thus partially raised for the reduction of other taxes, in the hope of effecting "such an improvement *in the manufacturing interests* as will react on every other interest in the country;" and when, in 1845, he proposed its continuance for another limited period, he expressly said, "I should not have proposed the continuance of the Income-Tax unless I had the strongest persuasion, partly founded on the experience of the last three years, that it will be competent to the House of Commons, by continuing the Income-Tax, to make such arrangements with regard to *general taxation* as shall be the foundation of *great commercial prosperity*." And again, "If we receive the sanction of the House for the continuance of the Income-Tax, we shall feel it to be our duty to make a great experiment with respect to taxation." So, then, by the confession of Sir Robert Peel, its author, the Income-Tax, a great portion of which is levied from the agricultural section of the community, was laid on for the purpose of enabling him to stimulate manufactures; and that being done, it is to be made permanent,—the landed interest, in the meantime, having been almost prostrated by the subsequent repeal of the Corn Laws!

Such is the history of this tax; and we apprehend that, even without, reference to the iniquity and inequality of its details, it is so manifestly unjust in point of principle, that no statesman can, consistently with his honour and duty, propose it again for the adoption of the Legislature. Have manufactures benefited by the remission of duties thus purchased for them by the extraordinary sacrifice of so many years? If so, let them contribute to the national revenue according to the amount of that benefit. If not, why, then, the vaunted experiment has totally failed—the money been uselessly squandered; and the sooner that the taxes which have been taken off are reimposed, the better. But to subject the agricultural portion of the community and all professional men to a perpetual extraordinary tax for the purpose of advantaging the manufacturers, is a proposition so monstrous, that, notwithstanding the tenor of recent legislation, we can hardly bring ourselves to believe that it will be seriously entertained.

But we must not be too confident as to that. The Whigs are not famous for financial ability; and even if their talent in that line were much greater than it is, they would find it difficult, without seriously compromising that course of policy to which they are committed, and mortally offending some of their slippery supporters, to devise means for raising a revenue at all adequate to the deficiency. Last year an annual sum of nearly £600,000, the average amount of the brick-duty, was remitted, nominally for the benefit of the peasantry, actually for that of the manufacturers: the window-duty may be considered almost as doomed, and there are clamours for other reductions. So that we need not be surprised if, about the time of the opening of the Budget, the Chancellor of the Exchequer should be driven nearly to his wits' end, and the Whigs determined, at all hazards, for the fourth time to lay on the Income-Tax. Now, in counselling opposition of the most determined nature to any such attempt, we are actuated by no factious spirit. We are quite aware that money must be raised for the efficiency of the public service and the maintenance of the public credit. We see the difficulty as clearly as Sir Charles Wood can state it; but the existence of a difficulty by no means implies that most of us are to submit to gross injustice, and many to be subjected to positive plunder. In short, we hold *that the period has now arrived when, for the public safety, the general good, and the satisfaction of all classes, the whole of the taxation of Great Britain should be revised, and adjusted on distinct and intelligible principles, so that each man may be made to bear his own burden—not, as at present, either to carry double weight, or to shift his load to the already cumbered shoulders of his neighbour.* Surely this is no extravagant demand, no unreasonable expectation. Heaven knows, we have now been experimenting long enough to enable our rulers, if they are at all fit for their duty, to have arrived at some positive results. Why should any "experiments" have been tried, if they were not to lead to such an end? We say deliberately, that no better opportunity than the present can occur for forcing on that revision of the taxation which almost every one believes to be necessary. The excise reformers—those who demand the repeal of the taxes on paper and on soap—those who wish the window duty abolished—those who advocate a further reduction of customs duties, and those who, like Mr Disraeli, desire an equitable adjustment of the burdens upon land—have all here a common ground to rest upon,—namely, the injustice or the inexpediency of our present fiscal regulations. We occupy the same ground in protesting against the continuance of the Income-Tax. Surely, with such general testimony from men of all parties against the continuance of the present heterogeneous and unsatisfactory arrangements, it is time that our statesmen should really bestir themselves, and announce to us upon what principles for the future our taxation is really to proceed. We cannot go on for ever robbing Peter to pay Paul. We cannot always submit to a perpetual shifting of burdens, as if the people of this country were so many dromedaries, to have their hourly capabilities of relief determined by the caprice of their drivers. Yet such, in effect, is the present state of matters; and such it will continue, unless we are resolved to avail ourselves of an opportunity like the present, and force our governors, as is the clear right of the governed, to explain and justify the principles upon which their method of taxation is framed. Unless this be done, we are indeed a degraded people; because, when every class believes that it suffers injustice, to submit tamely to that, with constitutional remedies in our hands, would argue a pusillanimity utterly unworthy of a free and enlightened nation.

We have long foreseen that some such crisis as the present must arrive. It was, indeed, inevitable, from the time when the two rival Premiers began to bid against each other for popular support, and to make the British nation a chess-board for the purpose of exhibiting their individual dexterity. The cleverer man of the two lost the game by over-finessing. But before that occurred, enormous mischief had been done. All was disorder; and the conqueror at this moment does not see his way to a proper readjustment of the pieces. But order we must have, and arrangement, and that speedily too, if the functions of the State are to go on tranquilly and unimpeded. Men are tired of being used as actual impassive puppets. They want to have a reason for the moves to which they have lately been subjected; and a reason they will have, sooner or later, let Ministers palter as they may.

Very little consideration will show that such a revision, *upon fixed principles*, is absolutely necessary, if justice is to be regarded as any element of taxation. The ordinary revenue of the United Kingdom, on the average of the last ten years, is rather more than fifty-five millions, whereof twenty-nine millions constitute the annual charge of the public debt. Those fifty-five millions, it is evident, fall to be paid *out of the annual produce of the country*, as well as the local burdens, which amount to a great deal more, there being, in fact, no other means of payment; for, without produce at home, foreign commodities cannot be purchased, and the consumer of such commodities is the party who pays not only the prime cost of the article, but all the taxes which may be levied upon it; and this he must do, if not directly, at least indirectly, out of produce. Hence, the burden of taxation remaining the same in money, and not fluctuating according to the value of produce, it is evident that it never can be for the general interests of the

country that produce should be unduly depreciated; that is, that it should be sold at prime cost to the consumer, perfectly free of that portion of taxation which it ought on principle to bear. It is really amazing that so self-evident a proposition should have escaped the notice of our legislators; nor can we otherwise account for the fiscal blunders which have been committed, than by supposing that men in power had become so used to shuffle and deal with taxation, that they entirely lost sight of its clear and fundamental principles. Let but the reader bear this in mind, *that all taxation is ultimately levied from production*, from which also all incomes are derived,^[51] and he will be able clearly to follow our reasoning to the points at which we wish to arrive—first, the absurdity, anomaly, and injustice of the present system; and, secondly, the necessity for a complete and speedy remodelment.

The direct burdens or taxes upon agricultural produce, by far the most important, permanent, and extensive branch of production in this country, are levied principally through the land. These are estimated as follows:—

Land-tax,	£1,906,878
Tithes,	2,460,330
Carry forward,	<u>£4,367,208</u>
Brought forward,	£4,367,208
Property-tax on land,	1,334,488
Poor and county rates,	5,714,687
Highway rates,	766,854
Church rates,	377,126
Turnpike trusts,	939,085
Property-tax on dwelling-houses,	664,383
Property-tax on other property,	196,212
Total,	<u>£14,360,043</u>

It is foreign to our purpose at present to compare this amount with that of the direct and local burdens paid from manufactures, though it may be useful to recollect that the latter amounts only to £4,432,997, being less than a third of the sum derived from the other. What we wish the reader to observe is, that the sum of fourteen and a quarter millions is a primary fixed burden upon the land, and must, in the first instance, be levied from the land's productions.

But the cost of production is further increased by the effects of indirect taxation. More than one half of the fifty-five millions which constitute the public revenue—twenty-eight and a half millions, arise from taxes imposed on the following articles of consumption—spirits, malt, tobacco, tea, sugar, and soap. All these are consumed principally by the labouring classes, and must be paid for out of produce in the shape of wages. Consequently, in addition to the prime cost of produce and the profit of the grower, the consumer does or ought to pay that portion both of direct and indirect taxation which is leviable according to justice, and distinctly levied by the State on the article which he purchases. To make this matter more plain, let it be understood that every quarter of wheat grown in Great Britain, before it can be brought to market, is charged with a portion of the direct taxes which we have enumerated above, and also of the indirect taxes which come through the labourer; and that these are positive burdens levied by the State for the public service and the payment of the national obligations. Now, mark the anomaly. The cry is raised for cheap bread, and it appears that cheap bread can be obtained by importing grain free of duty from abroad. A law is passed allowing that importation, and an immense quantity of corn is immediately thrown into the British markets. But on the production of that corn on a foreign soil, no such charges are leviable as exist here. Direct burdens on the lands do not, in many countries, exist; and in no country save our own are indirect taxes levied to the same amount upon articles indispensable for the labourer's consumption. The excise duty on soap alone—in 1848, close upon a million—is said to cost each labouring man in this country a week's wages in the year. What is the consequence? The foreign grain is brought into this country, and exposed at a price which immediately drags down the value of British grain. If the supply were limited, the power of the foreign grower to exact an enormous profit might in some measure tend to counteract the evil; but the supply being unlimited—not confined to one locality, but extended to two continents—there arises a competition between foreign markets for the supply, which drags down prices still more. The farmer, when he complains of the ruin which has overtaken him, and the writer who advocates the cause of Native Industry, when he points out the disastrous consequences which must arise from the pursuance of such a course of policy, are met—not by argument, but by flippant and contemptible sneers. We are asked "whether we object to have our food cheap?"—"whether plenty is a positive evil?"—and so forth: questions which only expose the shallowness and the imbecility of the inquirers. We have no objections to cheap bread—quite the reverse—provided you can have that consistently with putting the British grower upon an exact level or equality with the foreigner. Take off the direct taxes on land, and the indirect taxes which bear upon the labourer; persuade the manufacturers, now so uncommonly prosperous, to defray the interest of the national debt; clear away customs and excise duties on malt, tea, tobacco, sugar, and soap: and then—but not till then—will we join with you in your gratulation, and throw up our caps in honour of your veiled goddess of Free Trade.

Two things cannot be doubted—the existence of such burdens here, and their non-existence abroad. Well, then, let us see if Britain possesses any peculiar counterbalancing advantages. Our climate, it will be conceded, is later and more uncertain. This remark applies even to the south of England, which is but a section of the corn-growing districts. In Scotland we notoriously struggle under vast climatic disadvantages. Capital may be more easily commanded than elsewhere; but then, people seem to forget that in order to have the use of capital it is necessary to pay interest, and the payment of that adds materially to the cost of rearing produce. We are said to have more

skill—and we believe it in part; but if we farm better, we farm also more expensively; and those who are now our competitors have had the full benefit of our experience without the corresponding risk and loss. As for freights, these are as low from ports in the Baltic as they are from many of our corn-growing districts to the nearest available market. If there are any other points for consideration, we shall be glad to hear them; but we know of no other: and the upshot of the whole is, that our landowners and farmers are now expected to compete on equal terms with the foreigner in the home market—the equality consisting in the produce of the former being taxed directly and indirectly to an amount certainly exceeding two-thirds of the whole national revenue, whilst that of the latter is admitted tax free, on payment of the merest trifle!

"All these," says the Free-trader calmly, "are exploded fallacies!" Are they so, most excellent Wiseacre? Then tell us, if you please, where, when, and by whom they were exploded? Admirable Solon as you esteem yourself—and we admit that you are qualified for the Bass—it would puzzle you, with the aid of all the collective wisdom you can gather from the speeches or writings of Cobden, Bright, Wilson, Peel, or your daily organs of information, to refute one single proposition which has been here advanced, or to negative a single conclusion. Do you deny that the burdens we have specified exist in Britain? You cannot. Do you deny that the wheat-growing countries from which we now receive our principal supplies are exempt from similar charges and taxation? You cannot. Do you deny the truth of the economical proposition, that all burdens and taxes imposed by the State upon any kind of produce are proper elements of the cost of production, and ought to be paid by the consumer? You do not. Well, then, will you venture to aver that, at present prices, wheat being at 42s. 2d. per quarter, according to the average of England, or at any period which you may choose to specify within the last eighteen months, the purchaser of British wheat has repaid the grower of it the whole cost of its production, comprehending the full amount of its direct and indirect taxation? If you venture to say Yes, then you are at issue, in point of fact, with your own vaunted authorities, Sir Robert Peel, Wilson of the *Economist*, and every writer of the best ability on your side, none of whom have supposed that wheat can be grown in this country with a profit at a lower rate than 52s. 2d. per quarter, whilst others assume the minimum rate to be 56s. If you answer No, the whole question is conceded.

The fact is, that our opponents, if they had the least regard for common decency, ought to be chary of talking about exploded fallacies. We should like to know on which side the burden of the fallacy lies? Have we not, even within the last six months, seen long and elaborate articles in the leading Free-Trade journals, assuring us that wheat was rising, and must rise to a profitable point? Was not this argued over and over again in the columns of the *Economist*, with such an array of statistical authorities as might have overcome the conviction of the most desponding farmer? Where are the assurances now, and the arguments to prove that a free importation of foreign corn would simply have the effect of steadying, and not of permanently depressing prices? And yet these men, as miserably detected and exposed as Guy Fawkes when dragged from the cellar, have the consummate assurance to talk about "exploded fallacies!"

But we must not suffer ourselves to be led away from the point which we were discussing. What we wish to enforce is the fact, that at present there are no fixed principles whatever to regulate the taxation of the kingdom; and we have brought forward the case of the agriculturists, not being able to find one more important or strictly apposite as a remarkable illustration of this. Taxation remains the same, notwithstanding the operation of a law which has produced a violent and permanent change in the value of agricultural produce. Now, if produce is accepted as the real thing to be taxed—and you can truly tax nothing else, since all taxes must be paid from produce—can this be just and equitable? Certainly not, if your former mode of taxation was likewise just and equitable. The agriculturist who was secured by law against unlimited foreign competition, might calculate on selling his hundred quarters of wheat for £280, on an average of years, and could therefore pay his taxes. You change the law, bring down the value of his wheat to £200, and yet charge him the same as before. How can his possibly be otherwise than a losing trade? Then mark what follows. We have said that no kind of produce whatever can be remunerative unless the consumer of it repays the grower the full cost of production, along with the grower's profit, and *the whole of the direct and incidental taxation to which it is liable*. In the case of corn this cannot be, because you now admit to the British market grain which is exempt from all taxes, and grown at far less cost than here, and the competition so engendered drags down the price of British corn far below the remunerative point, consequently the consumer does not pay the charges and costs of production, (taxes inclusive,) and the farmer goes to the wall. Such is the plain and inevitable course of things; and those who sneer at the tales of agricultural distress will do well to examine the matter dispassionately for themselves, and see if it can be otherwise. Very possibly it may never have occurred to them—for it does not seem to have occurred to our statesmen—that the indirect taxation of the country is at least as great an element in the cost of produce as that which is direct. Nevertheless it is so. The beer which the labourer drinks, the tobacco which he smokes, the tea and sugar used by his wife and family, the soap which washes their clothes, and many other articles, all pay toll to Government, and all contribute to the cost of the grain. And if the grain when brought to market will not pay its cost, there is an end not only of British agriculture, but of the best part of the revenue which at the present time is levied from the customs and excise!

Sift the matter as closely as you will—the more closely the better—and you can arrive at no other conclusion than this, that in the long run all taxation must necessarily be levied from produce. If so, what is the inference? Clearly this, that you cannot permanently levy taxation except upon a scale commensurate to the value of produce.

If the value of production is lowered, the power of taxation must decrease in the same ratio.

Cheap bread then ceases to advantage the consumer; for that amount of taxation which was formerly levied from the production of corn in this country, must necessarily, since taxes have a fixed money value, be raised from something else—that is, from some other product—if any can be found adequate to sustain the burden. Towards this consummation we must gradually tend by the operation of an inevitable law, unless the eyes of our statesmen, and also of the constituencies of Britain, are opened to the extreme folly of the course which we are just now pursuing. In pure theory no one can object to Free Trade. It is a simple rule of nature, and a fundamental one of commerce, the free exchange of superfluities among nations. But taxation alters the whole question. We are not now, as before the Revolution of 1688, free from debt as a nation, and at little annual cost for the maintenance of our establishments. By an arrangement, in which the present generation certainly had no share, we have taken upon us the debts not only of our fathers, but of our ancestors of the third and fourth generation, and have become bound to pay the annual interest of the expenses of wars, the very name of which is not familiar in our mouths. The annual amount of taxation necessary for that purpose has heightened the price and value of all commodities in Britain, and consequently, by rendering living more expensive, has increased the cost of our establishments. How, then, is it possible, under such circumstances, to have free trade? You may have it, doubtless, in one article, or in many—that is, you may have free importations, but that is not free trade; nor can it exist until you have abolished the last farthing of customs duties at the ports. Well, then, let us suppose this done; let us assume that every article of foreign produce is admitted duty-free: the question still remains, how are you to raise the fifty-five millions for the public revenue, and a still further enormous sum for local taxation, including the maintenance of the established churches, the poor and county rates, and all the other necessary charges? It obviously cannot be done from capital, without gradually, but surely, making capital disappear altogether. It must be done from income; and income, as we have seen, is entirely dependent upon the value of produce. Agricultural production, estimated at the former prices, was calculated to amount to £250,000,000 annually. That can no longer be calculated upon. £91,000,000, according to Mr Villiers, was the amount of the depreciation in a single year; and as the net rental of Great Britain and Ireland is under £59,000,000, it is plain that, *supposing all rents were abolished*, the tenantry must expect to draw £32,000,000 less than formerly, a depreciation which evidently would leave no room for taxation whatever. We must, however, upon the supposition above stated, that all customs duties are abolished, (and we shall include also the excise,) deduct from this latter sum the amount of the labourer's consumption of articles formerly taxed. In order to avoid cavil, we shall estimate the number of the agricultural labourers, with their families, at 10,000,000; and as the customs and excise duties together amount to about £30,000,000, we take off £11,500,000 as the labourer's proportion. This is greatly above the mark; but it will serve for illustration. It reduces the tenant's loss, after extinction of the rents, to £20,500,000 annually.

Next, let us see what manufactures would or could do for maintaining our public establishments, and discharging our engagements to the national creditor. It will, we think, be shortly conceded, if it is not so already, that agricultural distress cannot possibly stimulate the consumption of manufactures in the home market. That market, indeed, depends entirely upon agriculture, because we have no other very important branch of produce which can furnish it with customers. Without agriculture the home trade must utterly decay; and as for the foreign trade, it is enough to observe, that in the very best year we have yet known (1845) we exported goods from this country to the value of just £60,000,000, being only £5,000,000 more than the amount of our yearly revenue, independent altogether of the large local taxation.

This is a simple sketch of Free Trade, worked out from ascertained and unquestionable statistics. The reader may like it or not, according to his preconceived political or economical impressions, but "to this complexion it must inevitably come at last." What we are doing, and have been doing for the last five or six years, is to reduce the value of all kinds of British produce as much as possible, and that by admitting foreign produce, which is in fact foreign labour, duty-free; and still we expect to maintain our revenue—all derivable from British produce—at the same money value as before! Such is the besotted state of political opinion, that a Ministry holding these views, and daily plunging the country deeper into ruin, can command a majority in the House of Commons; and whenever an intelligent and clear-sighted foreigner, like the American Minister, ventures to express an opinion, however carefully and cautiously worded, in favour of agricultural protection, the whole pack of the Ministerial press assails him open-mouthed, yelling and yelping as though he had committed some atrocious and inexpiable crime.

We have thus shown, we hope clearly enough, the dependence of revenue upon produce; a very important point, but one which is apt to be lost sight of in consequence of our complicated arrangements. People used to talk magniloquently, and in high-sounding terms, about taxed corn, and we have had ditties innumerable to the same effect, more or less barbarous, from Ebenezer Elliott and his compeers; but neither orator nor poetaster ever condescended to remark that the sole reason why duties were levied on the importation of foreign grain, was the existence of other duties to an enormous extent, directly and indirectly levied by Government from the British grower. Relieve the latter of these burdens, and he does not fear the competition of the world. But so long as you tax him who is, on the one hand, your largest producer, and, on the other, the best customer for your manufactures, you cannot, in reason, wonder if he demands that an equivalent for his taxation shall be imposed upon foreign produce; so that the economical law, and not less the law of common sense, which provides that the consumer shall pay all charges, may not be defeated—in other words, that his trade may not be annihilated altogether. We have seen articles, intended to be pungent and satirical, about the farmers "whining for protection." The writers who use such language evidently intend to insinuate that the British agriculturist is a

poor weak creature, unable to cope with foreign tillers of the soil—more ignorant than the Dane, more idle than the German, less active than the Polish serf, and not near so handy as the American squatter. If they do not mean this, they mean nothing. It is not worth while replying directly to such paltry and contemptible libels, but we may as well remind these gentlemen with whom the "whining" commenced. It began with the manufacturers, who have been whining for heaven knows how many years, that bread was too dear, and that they were forced to pay high wages in consequence. The papermakers are "whining" at this moment for a reduction of excise, and the nasal notes of a good many newspaper editors and conductors of cheap and trashy periodicals are adding power and pathos to the whine. No spaniel at the outside of a street-door ever whined more piteously than Mr Cardwell is doing at this hour about reduction of the tea duties. He is absolutely not safe over a cup of ordinary hyson. There are whines about hops, whines about sugar, whines about window taxes, whines about cotton, and all Ireland is and has been in a state of perpetual whine. In short, if by "whining" is meant a complaint against taxation, we apprehend it would be difficult to find a single individual who, in the present anomalous and jumbled state of finance, could not advance sufficient reasons for uttering a cry. The only way to remedy this is to reconstruct the whole system. Let this be done on principles clear and intelligible to all men, and we are perfectly convinced that for the future there would be few symptoms of complaint. It is not the amount of taxation which causes such general dissatisfaction; it is the unequal distribution of it, rendered still more glaring by the pernicious habit indulged in by Ministers of arbitrarily remitting taxes for the benefit of some exclusive class, and laying, on others—such as the Income-Tax—not on the plea of absolute State necessity, but confessedly "to make experiments." Of course, after such all announcement, everybody thinks that he, in his own person, may profit by the experimentalising. Without asking, nothing is to be had, especially from the Exchequer; and accordingly there is hardly any duty whatever which is not made the subject of petition, and against many there is a regular organised agitation. This is a most unhappy state of things, for it is inconsistent with the security of property. Values may be raised or depressed in a day at the single will of a Minister. Those who gain become clamorous for a further concession; those who lose become disgusted with what seems to them a gross partiality. In short, we devoutly trust that the days of experiment are over; and the Whigs may be informed, once for all, by the general voice of the nation, that it is now absolutely necessary for them to undertake the task of setting the financial house in order. The best method of accomplishing this desirable end, is by sternly refusing to permit the Income-Tax to be reimposed for the fourth time upon any plea or pretext, whatever.

But we must further say a few words, bearing directly upon this tax. Odious as it may be to the community, we cannot shut our eyes to the fact that there is much danger of its being reimposed; because Ministers possess a certain majority in the present House of Commons, and are not likely to leave any means untried for effecting their object. It is to them, indeed, of paramount importance; because, if they can succeed in saddling us with this tax for a further period of three years, they may easily excuse themselves for declining to undertake the revision of our financial system. We therefore deem it our duty to look a little more narrowly into the details of the former acts than, would otherwise have been our wish or inclination.

Our readers will certainly recollect that in 1848, when the Income-Tax was reimposed for the third time, the Whigs made a strenuous effort both to extend its existence and to augment its burdens. What they modestly proposed was this, that the Income-Tax should be extended over a period of five instead of three years, and that during two of these years the assessment should be raised from sevenpence to a shilling per pound. The result—which it argues the uttermost degree of imbecility in Ministers not to have foreseen—was a roar of disapprobation from one end of the country to the other; and the scheme thus foolishly broached was as pusillanimously withdrawn. Indeed, had it not been for the peculiar circumstances of the time, which rendered it exceedingly unadvisable that the stability of any Government, however weak and incompetent, should be endangered, it is very questionable whether Ministers could have succeeded in persuading the House of Commons to submit to this tax even upon modified terms. But the contents of the budget were hardly disclosed, before the roar of revolution was heard in the streets of Paris, and the Throne of the Barricades was overthrown by the self-same hands which had reared it. That evidently was not a time for the lovers of order to persist in an opposition which, if successful, might have resulted in confusion at home; so that a new lease of the Income-Tax was granted upon the same terms as before. On occasion of the first obnoxious proposition, we expressed our opinions freely with regard to the whole constitution of the tax, pointing out both its injustice and its impolicy, in an article to which our readers may refer for the more general argument.^[52] But there are one or two points with which we must separately deal.

The Act presently in force provides that farmers shall be assessed, not upon profits, but upon rental, to the extent of threepence-halfpenny per pound, on farms for which they pay £300 per annum and upwards. The gross amount of the sum so raised was in 1848 £309,890. Now, it is perfectly well known to every person that not one farmer out of ten has made a single penny of profit since the withdrawal of the duties on foreign corn in the commencement of last year. In the great majority of cases rent is at this moment paid out of capital, as the landlords will find to their cost when the leases expire, if many of them are not already perfectly cognisant of the fact. If this be the case, it becomes plain that this mode of assessment cannot be continued. To do so, would be for the State to use its power to commit an actual robbery. So long as any profit exists, the State has a right to tax it; unjustly it may be, and partially, but still the title is there. But the State has no right whatever to deprive any man of his property *under false pretences*. If a tax must be levied on income, so be it; but income is not a thing to be presumed under any circumstances, still less when the State, by its own deed, has made a violent change on the

relation and values of property. To force the farmers, of new, to pay this tax under the old conditions, would be an act of intolerable tyranny and oppression, for which the constitution of Great Britain gives no warrant; and we hardly think that any Ministry will be insane enough to adopt such a course.

There is, however, another feature in the Income-Tax upon which far too little attention has been bestowed. In this country REPUDIATION has always been looked upon with just horror. Something Pharisaical there may be, no doubt, in this grand adulation of credit; for an unprejudiced bystander might be puzzled to comprehend the precise reasoning of those who are convulsed at the thought of a lessened dividend from the Funds, whilst they can look quietly on at the ravages which are made in property of another description. Still, the feeling exists, and assuredly we have no wish that it should be otherwise. But we are bound to say that, if other ideas are to be encouraged on the subject of unimpaired credit, this Income-Tax seems to us most eminently calculated to pave the way for their introduction.^[53] Such was our opinion in 1848, and such is our opinion now. Once establish the principle of taxing the Funds, and there is no length to which it may not be carried. It will not do to say that the Funds are taxed in proportion with other property. That is not the case. This is an exceptional Act, creating and enforcing distinctions, and it excepts all incomes under a certain amount. It therefore virtually establishes the principle that it is lawful to tax the possessors of one kind of property (the Funds) for the benefit of the possessors of another kind of property who are excepted. In 1848 it was proposed that the assessment should be raised to one shilling in the pound. What would the fundholders say if some future unscrupulous Minister were to raise the assessment to five shillings or ten shillings per pound, and exempt every one from the operation of the act except the holder of national bonds? There can be no difficulty about a principle for doing so: it has been already admitted. Nay, more: the provisions of the Income-Tax are in direct violation of the most solemn engagements entered into by Acts of Parliament. As an instance of this, take the following:—

The act 10 Geo. IV. cap 31, which has for its object the funding of £3,000,000 of Exchequer Bills, contains the following clause: "And be it enacted, That such subscribers duly depositing or paying in the whole sum so subscribed at or before the respective times in this act limited in that behalf, and their respective executors, administrators, successors, and assigns, shall have, receive, and enjoy, and be entitled by virtue of this act to have, receive, and enjoy the said annuities by this act granted in respect of the sum so subscribed, and shall have good and sure interests and estates therein according to the several provisions in this act contained; *and the said annuities shall be free from all Taxes, Charges, and Impositions whatsoever.*" It needs no lawyer to interpret the clause. By solemn Act of Parliament the dividends were guaranteed free from all taxes whatsoever.

So thought Sir Robert Peel in 1831. When in that year a proposal was made to levy a small tax from the transfer of stock in the public Funds, he denounced the measure in the strongest terms, as a violation of the contracts made with the public creditor, and as a proceeding which must necessarily "tarnish the fair fame of the country." "He (Sir Robert Peel) dreaded that an inference would be drawn from the proposed violation of law and good faith, that a further violation was not improper. If in these times of productive industry and steady progressive improvement—if, in such times, in a period of general peace, when there was no pressure on the energies and industry of the country—the *Government contemplated the violation of an Act of Parliament, and express contract entered into with the public creditor*, what security could the public creditor have if the times of 1797 or 1798 returned?" Contrast this language with the propositions of the same eminent statesman in 1842, when he introduced the Income-Tax for the first time. "I propose that, *for a time to be limited*, the income of this country should bear a charge not exceeding sevenpence in the pound.... I propose, *for I see no ground for exemption*, that all funded property, held by natives in this country or foreigners, should be subject to the same charge as unfunded property."

No ground for exemption! Mark that, gentlemen who are interested in the Funds. On no mean authority was it then announced that an Act of Parliament, however solemn and stringent in its terms, is no fence at all against the inroads of a Chancellor of the Exchequer. True, people may have lent their money on the strength of that positive assurance; true, it may have been made the basis of the most important family arrangements: but all that matters nothing. Money is wanted to make "experiments," for the purpose of stimulating manufactures; and what is the maintenance of public faith and honour, compared with an object so important? So, in order to stimulate manufactures, the principle of repudiation was recognised.

After all, perhaps, British subjects might be content to submit themselves to the loss, and be thankful that it was no worse. But what shall we say to the forced taxation of property belonging to foreigners, and invested in the British Funds? What interest or concern had *they* in experiments upon British manufactures? Just let any of our readers suppose that he has invested the whole of his property in Dutch bonds, and that, after receiving two or three dividends, he is informed that, for the future, one half of his annuity will be retained by the Dutch Government, because, in order to "stimulate" the internal industry of Holland, it has been thought advisable to drain the Zuyder Zee! Would Lord Palmerston, if such a case were brought under his notice, sustain the plea of the Dutchman? We trow not—at least we hope not; for such a claim for redress would certainly proceed upon far better grounds than any which were urged by Don Pacifico. The two cases are precisely similar. The Dutch Government would have as much right to appropriate the dividends belonging to British subjects for the purposes of stimulating the internal industry of Holland, as the British Government has to retain any part of the dividends belonging to foreigners, for the declared object of stimulating British manufactures. If this free-and-easy mode

of "conveyance" is to become general, there is an end of public credit. Henceforward it will be but decent for us to use a moderate tone while speaking of Pennsylvanian defalcations. American swiftness may have outstripped us in the repudiatory race; nevertheless, we have gone far enough to recognise the principle, and to appropriate sevenpence in the pound.

We need not dwell on other evident objections which may be raised to the continuance of the Income-Tax. These suggest themselves to the minds of every one, and have been often pointed out and dwelt on by public writers. The danger of maintaining a war tax in time of peace—the eminently inquisitorial nature of the impost—and the injustice of assessing professional men, authors, artists, &c., whose incomes depend solely on their health, at the same rate as the possessors of accumulated property, are reasons sufficient to condemn it. But the most monstrous injustice, to the already severely burdened people of Great Britain, is the exemption of Ireland from its operation. It is impossible to assign any valid reason for the policy which dictated this odious partiality. Sir Robert Peel in 1842 could not find any better excuse than the following: "When I am proposing a tax, limited in duration, in the first instance, to a period of three years, and when the amount of that tax does not exceed three per cent, I must of course consider, with reference to public interests, whether it be desirable to apply that tax to Ireland. I must bear in mind, that it is a tax to which Ireland was not subject during the period of the war; that it is a tax for the levy of which no machinery exists in Ireland—*Ireland has no assessed taxes*—the machinery there is wanting, and I should have to devise new machinery for a country to which the tax has never been applied."

Most rare and convincing logic! Because Ireland on a former occasion was not taxed, she is not to be taxed now; because she pays no assessed taxes, her income also is to be exempted from contribution! Why, these were, of all others the very strongest arguments for laying it on; and most contemptible indeed was the pusillanimity of the representatives of English and Scottish constituencies, who did not on that occasion peremptorily demand the enforcement of equal burdens. What a premium to agitation is here held out! The Irishman with a yearly revenue of £150 a-year, pays no assessed taxes—is cleared from some excise duties—and enjoys an immunity from Income-Tax. The people of England and Scotland are kind enough to save him all these charges, in grateful recognition, doubtless, of his exceeding docility, and proverbial attachment to the Constitution. As to the allegation of want of ready-made machinery, the answer was plain—Make it. Nine years have gone by, and yet it is not made, and there is no proposal for making it; and it remains to be seen whether the fourth attempt at imposition will be as grossly partial as the others. If this tax is again renewed, there can be henceforth no escape from it. It matters not whether the term of the new lease be seven, or five, or three years—the tax itself will be immortal, and surely we shall not be insulted this time with a plea of deficient machinery.

For all these reasons, then, we counsel a determined opposition to any attempt which may be made to renew the Income-Tax, even for the shortest period. Ministers have no right to claim it as part of the ordinary revenue. It was levied originally for a specific purpose, on a distinct assurance that it was not to be permanent: that purpose, it matters not whether the results have been satisfactory or the reverse, has been accomplished, and we now demand the fulfilment of the other part of the agreement. Moreover, if the Income-Tax is renewed, we must relinquish for the present, and it may be for a long time, all hopes of that most desirable object, a complete revision of the national taxation. It is desirable for all of us, whatever may be our political or economical bias: because we take it for granted that no man can wish to impose upon his neighbour any portion of a burden which it is his own duty to bear; or to exalt the class to which he belongs by the undue depression of another. The present complicated and entangled mode of taxation prevents us from seeing clearly who is liable and who is not. It is like a great net, twisted at one place, torn at a second, and clumsily patched at a third; and it is no wonder, therefore, if large fishes sometimes escape, while the fry is swept to destruction.

What we wish to see is the recognition of a plain principle. There is a school of political economists existing in this country, who confound two distinct and separate things—principle and method. They profess themselves to be the advocates of direct, in opposition to indirect taxation; and they think that, in propounding this, they are enunciating some great principle. This is a most absurd delusion. In reality, it matters nothing in what way taxes are levied, provided they are levied justly—whether they are drawn from produce before it leaves the hands of the producer, as in the case of the excise, or charged on foreign goods at the ports from the merchant—or directly taken from the consumer in the altered form of assessed taxes. All that has reference merely to the method and machinery of taxation. Undoubtedly there are most important questions involved in the choice of a proper machinery. Hitherto the leaning of statesmen has been in favour of indirect taxation, as by far the least costly method, and as the only practicable one with regard to many branches of the revenue. In that opinion we entirely concur, never having yet seen any scheme for the merging of indirect into direct taxation which had even the merit of plausibility; nor do we suppose that, by any stretch of ingenuity, a method to this effect could be devised, not open to the gravest political objections in this or in any other old community. But these considerations do not affect the principle at all. Men cannot be taxed simply as men by poll-tax, for their means are notoriously unequal; property cannot be taxed solely as property, because that would cause all immediate transference of capital to other countries; incomes cannot be made the sole subject of taxation, partly from the same reason, and partly on account of the injustice of such an arrangement. The only true principle, and that which we wish to see recognised, is this—that the annual produce of the country alone must bear the weight of taxation. If that principle could be steadily kept in view, much of the haze and mist which modern political economy has spread, would be dispelled. Men would perceive that there is not, and cannot possibly be, in this great country, any such thing as the rival interests of

classes; but that what we have hitherto termed rival interests, is neither more nor less than the desire of certain parties to thrive and accumulate wealth at the expense of the rest of the community. They would also see that this selfish and nefarious intention must in the end defeat its own aim, for it is as impossible for a tradesman to thrive by the poverty of his customers, as it is for any class whatever to extract permanent prosperity from the depression and downfall of another. They would clearly understand that cheapness, when effected by the introduction of the products of foreign untaxed labour into this country, must be and is obtained at the cost of the British workman; that it consequently is no blessing to the country, but the reverse; and that each such introduction, either by displacing industry, or by beating down its wages, or by lowering the value of home products, augments the burden of taxation, and reduces all incomes, except, indeed, those which are derived directly *from* taxation—as, for instance, fixed salaries, government annuities, and the incomes of Ministers, officials, and the like. A dim perception of the truth of this seems to have dawned upon the minds of some of our legislators, and to have led to the appointment of that committee which deliberated last session on the subject of official salaries. The question has often been asked, why, since almost every article which money can command is cheapened, the servants of the public should still receive the same allowances as before? There are good grounds for putting that question; and some still more formidable ones, we anticipate, will be asked ere long, if we choose to persevere in our present commercial policy.

The amount of taxation to which this country is subject, and from which it cannot free itself without the sacrifice of the national honour, has the necessary effect of enhancing the cost of every commodity which is produced in it. England is, and must remain, a dearer country than any of the Continental states, because her burdens are heavier, and these must be necessarily paid from produce. The professed object of the late "experiments" was to counteract this; a scheme quite as feasible as that of making water run up-hill. But the depth of public credulity is not easily fathomed. People may be duped in a hundred ways besides being taken in by railway boards of direction. So, for the benefit of the rich, taxes were repealed or lowered on wine, silks, velvets, mahogany, stained papers, and fancy glass, and an Income-Tax substituted instead. The Colonies were broken down, and an impetus was given to the slave trade in order to procure cheap sugar. The labourers got a cheaper loaf, and were desired to consider that as an equivalent for lower wages. And now we find ourselves in this position, that, but for the Income-Tax, there would be an annual deficit in the revenue of from four to five millions; the farmers are absolutely ruined; and the manufacturers, by their own confession, making little or no profit.

The reason of this is quite obvious. We are striving to accomplish what is, in fact, an absolute impossibility. We wish to reconcile cheapness of commodities with a high rate of taxation, and at the same time to promote the general prosperity of the nation. But cheapness and high taxation cannot possibly co-exist *within the same limits*, nor can any exertion of industry or skill make them compatible with each other. On this point we believe there was little difference of opinion. But it occurred to certain interested parties, whose trade lay *without the limits* of Britain, that there might be a way of solving the difficulty, or, at all events, of persuading the public that they had solved it. So they devised that system which we erroneously denominate Free Trade, opening the ports for the introduction not only of cotton-wool duty-free, but of a great many articles which were either grown or manufactured in Britain, by far the most important of which were corn and agricultural produce. And this had, undoubtedly, the effect of producing cheapness, and may have for some time to come. But that cheapness is not natural. It has been brought about by converting a profitable into a losing trade, and by depressing all kinds of wages and incomes throughout the country. The introduction of foreign untaxed commodities has lowered prices in our market, not because they were too high before in relation to the amount of taxation, but because they could not stand against the weight of so heavy a competition. Hence arises in the country agricultural distress, which no palliatives whatever can remove—a distress which, commencing with the agriculturists, is spreading through all who are dependent on them for custom and livelihood, and finally must reach, if it has not already reached, the principal seats of manufacture. Hence the suffering, complaint, and wretchedness among the artisans of the towns, who find themselves undersold on all hands by the venders of foreign wares, and who are now cursing competition, without a distinct understanding of its cause. The Free-traders attempt to cajole them by pointing to the cheap loaf; but they do not add, as in candour they ought to do, that they have not removed, or attempted to remove, one jot of the taxes which weigh heaviest upon the industry of the working classes. The poor man, though he may escape direct taxation, nevertheless contributes as heavily, or even more heavily, to the national revenue than the rich, in proportion to his means. Bread and water he may have untaxed, but not beer nor tobacco, sugar nor spirits, tea nor coffee, spices nor soap. Free trade does not touch those things. They do not come within its cognisance; and yet, as we have said already, more than one-half of the national revenue is derived from duties levied on such articles.

There could be no difficulty whatever in raising an adequate revenue, if Ministers had the courage to adopt a sound constitutional policy. They ought, in the first place, to reimpose the taxes upon all articles of luxury consumed exclusively by the rich, and on all articles of foreign manufacture which are brought into this country to compete with the productions of our own artisans. In no other way is it possible to keep the balance even between taxation and produce. The working men have a right to expect this, and doubtless they will demand it ere long. Nor ought the Legislature to permit the importation to this country of any commodity whatever, raw or manufactured, which is a staple of our own produce, without imposing upon it a tax, equal in amount to all the taxes, direct or indirect, which are charged on the growers or manufacturers of the said commodity in Britain, and which do actually enter into the cost of its production. The strict justice of these propositions cannot be doubted; and it is only because our statesmen have

accustomed themselves, for a long time, to deal with taxation as if it were capable of regulation on no sort of principle, that the false views and impracticable theories of the Free-trade party have unfortunately been allowed to prevail.

But we shall not pursue this subject further at the present time. If, in the course of these remarks, we shall have succeeded in drawing attention to a subject but too little understood—the relation of the public revenue to the internal produce of the kingdom—we may confidently leave the rest to the good sense and intelligence of the reader. We shall not deny that we have a double purpose in setting forth these considerations just now. In the first place, we wish to prepare the public for the attempt, which we confidently anticipate, on the part of Ministers, for the reimposition of the Income-Tax. Believing, as we do, that if the attempt should prove successful, this very odious and partial impost (oppressive in its operation, and dangerous to the State, it being essentially a war-tax, and yet levied in the time of peace) will become a permanent charge on the community, we cannot do otherwise than recommend the most determined opposition. In the second place, we are desirous of hinting to certain political capons who have lately been attempting to crow over what they call "the grave of Protection," that they may save themselves the trouble, for some time at least, of repeating their contemptible cry. Nothing can be more purely ludicrous than the pains which those gentlemen have taken, for the last two or three months, to persuade the public that all agitation on the subject of protection to British industry has died away—that everybody is contented and happy under the new regime—and that the farmers themselves are convinced at last that they are making money in consequence of free trade in corn! If there is a meeting of an agricultural society—it signifies not what or where—at which, out of deference to the chairman, or in respect of a standing resolution, politics are specially avoided, we are sure, in the course of a day or so, to be favoured with a leading article, announcing that in such-and-such a district, all idea of returning to the Protective system is finally abandoned. Does any notable supporter of Protection happen to make an after-dinner speech, no matter what be its immediate subject—the presentation of a piece of plate to some well-deserving neighbour, or an oration at the opening of a mechanics' institution—without alluding in any way to the present price of wheat or the future prospects of agriculture?—we are immediately stunned with the announcement that he has become a virulent Free-trader. It is not safe at present to declare publicly that you prefer turnips to mangold-wurzel. If you venture to do so, you are instantly claimed as a Cobdenite, because it is said that you are exciting the farmers to further exertions in spite of prophecies of ruin. Under those circumstances, it becomes really difficult for an honest man, who entertains strong convictions upon the subject, to determine what course he should pursue. If he holds his tongue, as he surely may do for a month or so in the shooting season, he is held confessed. Silence constitutes a Free-trader—which, by the way, is a decided improvement on the older system. If he speaks at all, eschewing politics and agriculture, he is held to be as clear a convert as though he had lunched with Cardinal Wiseman. If he utters a word about improvements in agriculture, he is a lost man for ever to the farmers. These may be very ingenious tactics, but those who invented them may rest assured that they have not imposed upon a single human being. It would be better, for their own credit and character, if they dropped them at once. Since the publication of the last quarter's revenue returns, we have had a perfect roar of affected jubilee from the members of the Free-trading press. A grand shout and a long one was doubtless necessary to drown the announcement of an almost unparalleled decrease in the account, exhibiting a falling off in nearly every regular item, and a rapid absorption of capital, as indicated by the returns of the Property-tax. But it certainly was rather a bold experiment to fix upon Lord Stanley as a Free-trader. For more than a fortnight we were regaled with leaders in the *Times* and *Chronicle*, announcing that his lordship had publicly repudiated the principles of Protection at Bury; and yet, singularly enough, not containing that meed of compliment which might have been expected on the accession of so eminent a convert. This was a decided mistake. Their cue distinctly was to have extolled Lord Stanley to the skies, as a man utterly beyond the reach of prejudice, open to conviction, docile to the voice of reason, and persuaded of the error of his ways. Had they done so with sufficient adroitness, it is not beyond the verge of possibility that here and there some benighted people might have been induced to swallow the fable, and to conceive that because one statesman—whom we name not now—proved false to all his former professions and protestations, such changes are mere matter of course, sanctified and approved by custom. But the fraud was clumsily executed. The little children of apostasy—who are now left to their own devices, without any superintending guardian, and who, following their natural instincts, can do little else than undertake the fabrication of dirt-pies—have bedaubed themselves in a most woful manner. Anything more humiliating than the position of the *Morning Chronicle* it is impossible to conceive. For, when met in the teeth with a direct refutation of their slanders, the writers are absolutely idiotical enough to assert that they drew their conclusions, not so much from what was said, as from what remained unsaid—not so much from words, as from tones and significant gestures! It is a sad pity that the idea is not original. It strikes us that there is something of the sort in the *Critic*, where Puff undertakes to make the audience acquainted with the whole, tenor of Lord Burleigh's cogitations, through a simple shake of the head. Puff is by no means a defunct character. He has merely changed his vocation, and at present is eating in his own words and professions as fast as ever mountebank swallowed tape on a stage at Bartholomew fair.

Let those gentleman be perfectly easy. There is plenty of work yet in store for them. Though during the autumnal months it may be difficult to find proper subjects for leaders, without diverging from the fields of fact into the unlimited wastes of fiction, they may rest assured that ere long they will be summoned to a more serious encounter. The days of experiment are gone by, but the results still remain, to be tested according to their merit by the intelligence of the British people.

FOOTNOTES:

- [51] The exceptions to this rule are so few, that they need hardly be stated. Incomes from investments in foreign funds are perhaps the principal exception, but the amount of these is not large, and cannot affect the general principle above laid down, which lies, or ought to lie, at the foundation of every system of POLITICAL ECONOMY.
- [52] *Vide* the Magazine for March 1848. No. CCCLXXXIX. Article, "THE BUDGET."
- [53] See on this subject a remarkable pamphlet, entitled "*Past and Present Delusions on Political Economy*," by ALEXANDER GIBBON, Esq. The author has the merit of having pointed out at least one direct infringement of an Act of Parliament, to which we have referred in the text; and we must also bear our testimony to the soundness and precision of many of the views which he has stated on the intricate subject of taxation.

Transcriber's Notes:

Pp. [516](#), [545](#), [573](#), and [592](#) added missing footnote anchors.

P. [614](#) corrected total from £14,320,013 to £14,360,043

Simple spelling, grammar, and typographical errors were corrected.

Punctuation normalized.

Anachronistic and non-standard spellings retained as printed.

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