THE EDINBURGH REVIEW AND THE BALLOT.*

THE question of voting by Ballot is one which involves so many considerations, largely affecting the freedom, the happiness, and the prospects of the community, that, notwithstanding the discussions which took place concerning it at the late elections, and those with which the newspaper press has since teemed, we deem no apology necessary, for devoting to it a few of our pages; it must soon come under the consideration of parliament, and as the views of Ministers are presumed substantially to coincide with those put forth in the concluding article of the just published number of the Edinburgh Review, we shall express our opinions in the form of strictures on that article.

The writer fully admits the existence, to an enormous extent, of undue influence, bribery, and intimidation. He does not attempt to deny or to qualify this fact, which is, unhappily, 'as notorious as the sun at noon day.' He merely says that they existed previously to the passing of the Reform Bill, and that they continue to exist. But this concession shows that the efficiency of that measure was much more limited than many of its supporters expected. It shows the urgent necessity of a supplementary measure to supply what it has left imperfect. Many joined in the cry for reform chiefly from a strong sense of the demoralizing influence of the old system upon the community. They regarded the subject rather as religious and moral than as political. All such must be sorely disappointed; nor can those whose minds took a more comprehensive view, and who saw the connexion between national institutions and national character, be better satisfied. In two particulars it is allowed by the reviewer that the effect of the Reform Bill has been to increase the evils of the old system. We shall state these particulars in his own words.

'It is beyond all question clear, that the late elections have exhibited instances of bribery among the freemen on a scale that would have done credit to the worst days of the old system. And this is the place to mention one of the two particulars, wherein we have said that the reform has somewhat increased the evil. The registry gives each party a pretty accurate view of the state of the poll beforehand. All the voters are known, and a tolerable estimate can be formed how the case is likely to stand on the vote. The candidate sees that there are a thousand respectable householders, whom no bribe can reach. Of these he finds he shall have four hundred, and his adversary five; and that a hundred may be undecided, or may not vote at all. But he likewise sees that three hundred freemen are registered, and of these there may be two hundred whom money will procure. If he can buy the whole, or nearly the whole of these, and obtain his half of the better sort who won't take bribes, the election is secure.

* Edinburgh Review, No. 112. Art. 10.

The knowledge of the exact numbers wanted, and the certainty that each vote, when purchased, will prove good, facilitates in a considerable degree this most infamous and execrable crime. * * *

'The other evil which has not been extirpated by the reform presents much greater difficulties. It is by no means in itself of so crying a nature as the corruption which debases the morals of the people, but it defeats the whole purposes of the elective franchise. We refer, of course, to the influence exercised over voters by those upon whom they are in some degree dependent; as by landlords over their tenants, or customers over tradesmen. We have said that there were two particulars in which the new system might be said to have given greater scope to bribery and to influence than they had before; and one of these, relating to bribery, has been explained. The other relates to influence through the extension of the franchise to leaseholders, but more especially through the provision forced upon the Ministers by the House of Commons, for giving votes to tenants-at-will. The avowed object of the Tories in this was to increase the direct influence of the landed interest, giving, as it were, so many votes to each landowner; for unless it did so, the landed interest gained nothing by the change. Those statesmen, then, of all others, cannot be heard to contend that the tenantry, and especially the tenants-at-will, are free, and exercise the right of voting without any control; for that right was given them by those statesmen, in order that it might be exercised at the will of their landlords.'

In addition to these we have an appalling description, but perfectly within limits, warranted by the facts of the proceedings at the late election, which show the people's rights to have been most grossly outraged, and the result, however satisfactory may be the character of the candidates returned, to be far short of a representative system. He then states the question as follows, on which we join issue with him.

'Now we believe no man will venture deliberately to deny, that if such practices continue,—whether the violent outrages upon the law in Ireland, or the more dangerous and more subtle violations of all right which in England elude the law, or break it more effectually, because more securely, than if they openly evaded it—they will become so utterly intolerable, so inconsistent with even the shadow of a free choice, that a remedy must be administered; and that the only question will be, whether or not the remedy which may be propounded, is likely to be effectual, in case it should be attended with evils which we ought not to encounter unless sure of success. We are aware that in these words we have described the Ballot.

'Were the Ballot unattended with mischief, there is no doubt that the continuance and spreading of the oppressions we have been describing, would fully justify, nay would demand a resort to it, even if its efficacy was more than questionable; because the evil complained of has become so crying, that we should be justified in trying a remedy, if there was even a chance of cure, provided it could do no harm. But if it is attended with mischief, the question comes to be most important, what chance it affords of producing the good

sought from its operation; because if that chance is but slender, we are bound to consider the price paid. This inquiry, therefore, resolves itself into three:—1. Will the Ballot protect the voter? 2. Will it produce mischief, whether it succeeds or fails in giving protection? 3. If it protects the voter, is that benefit sufficient to outweigh the mischiefs it occasions?'

We shall endeavour to follow the writer through his arguments on these questions. He may have all the advantage of his own statement of the subject, and selection of topics. It will not be difficult to show the futility of his opposition on the ground and with the weapons of his own choice. The discussion of the first question is preceded by the observation, that 'the expedient in question has of late assumed a form entirely new as regards its importance.' It is made a charge against Tory landlords, that 'to them assuredly it is owing that we are now engaged seriously in discussing what a year ago we should hardly have deemed worth any argument.' This complaint does not tell much for the writer's perspicacity, or for his memory. Did he really expect a year ago that Tory landlords would change their conduct and their natures? Was he so unsuspecting as to believe that when once the Reform Bill was passed, pride, oppression, and cupidity, would instantly and spontaneously reform themselves, in order to be in harmony therewith? There is nothing in what has occurred which need have taken any one by surprise. The evil was old *enough, and notorious enough.* It was one which the Reform Bill was neither framed, nor intended to reach; which in the particular case of tenants-at-will it directly increased; and which, by the extension of the suffrage, but still keeping that suffrage a limited one, as compared with the mass of the population, it could not but increase incidentally; nor is it fair, to charge the mischief exclusively on Tory landlords; the question of influence is not between Whig and Tory, but between power and weakness, wealth and poverty, the aristocracy and the people. The Whigs have been under less temptation than the Tories, because they have usually been in opposition, and therefore on the popular side. A coincidence, by the way, which shows what the political condition of the country has been, and is sufficiently condemnatory of the mode in which it has been governed. Nor can we allow, that the Whigs come into court with clean hands. It was by that party that corruption in the House of Commons was matured and systematized, nor has its conduct in relation to the electors been any exception to the general rule, that the amount of crime bears a direct ratio to the force of the temptation. Usually both parties have played the same game, by the same means. Never had the Whigs so little occasion for the employment of influence as at the late elections: and yet the private history of some contests, and the obvious character of others, (Chatham, for instance,) shows that there was no indisposition to resort to it when it was

deemed necessary. And it is rather amusing to see them now, in all the strength of power and popularity, lift up their hands in innocent surprise at Tory flagitiousness. With few thinking men who are sincere friends to Parliamentary Reform, as the means of good government, has the subject of the Ballot gained any additional importance by the events of last year. Little was said about it, because Ministers would not include it in their Bill, and the aim of all sincere reformers, and their most imperative duty, obviously was, whatever the Bill might leave undone, to get it passed as soon as possible, for the sake of what it would accomplish. If the subject last year was not worth an argument, it was not because enlightened men had forgotten its importance, not because it had ceased to be the best, most probably the only mode of meeting the specific evil to which public attention is now directed, but because the circumstances of the times afforded an opportunity of which it behoved all honest men to avail themselves, of putting down other evils by means of the other remedies which the Reform Bill provided. Anterior to the diversion of public attention from this branch of the subject by the introduction of that Bill, a conviction of the desirableness of the Ballot had spread very extensively through the country. The powerful article in the Westminster Review for July, 1830, commonly ascribed to the historian of British India, and the pamphlet entitled, 'A Discussion of Parliamentary Reform, by a Yorkshire Freeholder,' attributed, and not unworthily, to Mr. Bailey of Sheffield, were surely not altogether beneath the notice even of an Edinburgh reviewer. To us Southrons these men do not seem mere pigmies for the Northern giants to overlook disdainfully. We know not exactly where to look for their betters in political and moral philosophy, and are sure that if we did, we should not find men by whom their opinions and reasonings on such a topic would be treated superciliously. The fact is, that the question of the Ballot was an integral portion of the Reform controversy, until it was separated by the Whig ministry. It had been so for years. From the time when popular demonstrations in favour of Parliamentary Reform seemed crushed by the Manchester massacre, in 1819, and the passing of the Six Acts, or Code Castlereagh, in the session of parliament which followed, until it became, in the hands of Henry Brougham, the means of destroying the Wellington administration, in 1830, almost all who advocated Reform advocated the Ballot also. Nor was there any novelty in this identification. It existed at the very commencement of a desire for Parliamentary Reform. There is an excellent chapter on the subject in 'Burgh's Political Disquisitions,' published in 1774, in which, amongst other things, it is mentioned that a bill for electing the Scotch peers by ballot was moved in the House of Peers, A. D. 1734, and its rejection protested against by many

lords, on account of the influence exercised over the election of those peers. There is also a curious fact mentioned in a citation from the State Tracts, *viz.* that it was customary in the borough of Lymington, in Hampshire, to elect by ballot, 'which method,' says the writer quoted by Burgh, 'I know to be of great advantage where it is made use of. It prevents animosity and distaste, and very much assists that freedom which ought to be in elections. No man in this way need fear the disobliging of his landlord, customer, or benefactor.' In such terms was the custom spoken of, while it existed. But we have said enough to remind the writer that the conviction of its utility is no novelty, no unheard of and desperate resort against the Tory oppressions of last year. It seems already, by the case of Lymington just referred to, to be known to our constitution, (as the phrase goes;) in practice we are already familiar with it, and the examples of France and America have closely associated it with the idea of representative government.

The writer commences his reply to the first of the three questions in which his view of the subject is comprised by a pretty large concession.

'*Will the Ballot be effectual to its purpose of protecting the voter* from injury, and preventing candidates from bribing? Will it put an end to intimidation and corruption? *That such is its tendency cannot be denied.* At first sight it looks as if it must with certainty produce the desired effect, and to the full extent. Perhaps even the closest inspection, the most practical consideration, may still leave it in possession of a portion of this virtue; but there seems no reason to doubt that very material deductions must be made in accommodating the theory to the practice.'

The Ballot, then, is allowed to be efficient to some extent. The question becomes only one of degree. Within limits, how wide they may be we cannot say, the writer allows that it will answer the proposed end. It will remedy *a portion* of the evil, though not the whole. To his 'first sight' the results seemed certain to its full extent. Let us examine, therefore, what difference is made by the exercise of his national gift of 'second sight.' He first takes the case of the agricultural tenant. The landlord, he says, will not allow him to vote, unless he is sure of his man; unless he can 'trust him in the dark.' Very well. Then either the landlord is baffled, or the voter is for that time disfranchised. Either result is better than that which ensues in the present state of things. It is obviously better that the tenant should either vote according to his conviction, though against his profession, or not vote at all, than that he should vote *against* his conviction. It must never be forgotten, that, to obtain votes in conformity with the convictions of the voters, is the object contemplated. This is the first point. The next best thing is, that a man under constraint should not vote at all. It is an evil that he cannot

gratify his desire, exercise his right, and do his duty by his country; but it is a much less evil than that he should be compelled to do that which crosses his own desires, is an abuse of his privilege, and an injury to his country.

It is allowed by the writer that there is a great distinction between the case of landlord and tenant, and that of customer and tradesman. In the latter case he concedes the efficiency of the Ballot. 'The probability is, that customers would no longer canvass their tradesmen, or endeavour to sway their votes. In narrow districts they might do so; but in a large town the practice would most likely cease, when the votes were to be given in secret.' This is ample reason for the Ballot being immediately established. Cases of oppression make more noise in the country; they are more conspicuous from the farmers' comparatively isolated mode of living; but there is a far greater mass of undue influence, bearing grievously upon town voters. The lines of dependence which traverse the whole frame-work of society are so many meshes for the entanglement of the weak. Every man at an election is reminded of his dependence; it is one great fight of influences; almost every one has some portion of that irresponsible power over his neighbour, the possession of which is so strong a temptation to its abuse. If only in towns voting could be made free by the Ballot, its enactment ought not to be delayed through another session.

It is argued that the Ballot would not protect from popular intimidation, from Political Unions in England, and a violent multitude in Ireland, whose vengeance might always be directed by demagogues against individuals, even where no reasonable ground of suspicion existed that there had been hostility, or treachery towards the favourite candidate. The writer even imagines, and a man must be rather hard driven to make such a supposition, that many friends of the popular cause would not vote at all, lest they should be persecuted afterwards on suspicion of having voted on the other side. He thinks they would rather bear the certain odium of neutrality than incur the contingent evil of unsupported accusation, which they would have no means of demonstrating to be false by an appeal to the poll-books. The case is so improbable, that we need scarcely dwell upon it. 'The infuriated rabble,' who would take vengeance on such grounds, would be equally wrong-headed, unconvincible, and vindictive were the vote recorded, and would, no doubt, include the sheriff and poll-clerks in their violent proceedings, for having made a false record of the vote in question. The absurdity of the one supposition is not greater than that of the other.

The writer also gravely alleges that the Ballot will promote bribery, because the bribed voter is 'enabled do to the service purchased in perfect security,' as if he were not also enabled to neglect it in perfect security. Rogues, no doubt, would take

money from a candidate, and more money from his opponent, as long as the contending parties were fools enough to give it. And, after all, how would they vote? The game would soon be found both too expensive and too uncertain to persevere in. There would be no connexion between the means employed, and the end desired, wherever the constituency was numerous. Where it is small, indeed, it might answer to bribe the whole, payment being contingent on the return of the candidate; but a small constituency, so small as to be manageable in this way, ought not to exist; it must, on any mode of voting, have a tendency to become a close borough. With open voting, it is the certain prey of the government, or of a neighbouring nobleman, or of a large capitalist; and with secret voting, it can become no worse.

Although the reviewer affects to concede that secrecy of voting might be obtained, he yet forgets the concession, and continually assumes its impracticability. He thinks that no man, certainly no countryman, could possibly keep his own counsel; though house and home, bread and bed, depended upon his doing so. He thinks that men would be found out by their political opinions, as if the very fact of compulsory voting, whether open or secret, did not imply that the tenant's opinions were known, and known to be opposed to those of the landlord. Then, as now, the vote is what the landlord wants, not the opinion; the sole difference is, that now he can make sure of it; then, he could not. He thinks that half the voters might dislike the Ballot, and ostentatiously proclaim for whom they voted, thereby discovering the secret of the other half; not seeing that few things could make the whole affair more doubtful, than such an ostentatious proclamation. He thinks that canvassers would learn at the poll-booths the state of the poll every hour, and 'have a note from the poll-clerks of who came up during the hour,' and so 'tell pretty accurately whether promises have been kept or broken.' To be sure, they might tell pretty accurately, for a pretty contrivance would this be for the prevention of secret voting altogether. There is no real difficulty in ensuring the object if it be honestly aimed at; it is accomplished now whenever people care about it; and might be, for the largest constituency, by a few simple arrangements. In a subsequent part of the article, the whole question, as to the public good, is conceded, supposing the secrecy secured and maintained. By compulsory voting, it is said, 'the public is injured, no doubt; and by the Ballot this injury is avoided, for the real, though carefully concealed opinion of the voter is fairly represented.' We may, therefore, go on to consider with him, whether this 'be a good purchased too dear?' What is 'the price to be paid for it?'

The first item in the account is somewhat formidable. 'The voter's whole life must be so adjusted as to deceive the person whose vengeance he has reason to dread.' And then we are

treated with much pathos on the vice and misery of this 'life of deception.' So far as any thing beyond the mere act of voting is concerned, we have already disposed of this argument, by observing that the oppressor wants the vote and not the opinion; that the control of opinion and its expression on other occasions is already given up, generally at least, as that of the vote would be, when once balloting was established. The tenant goes to public meetings; he there holds up his hand and lifts up his voice in accordance with his feelings; his friends and neighbours all know what his opinions are; it is only when he comes to the final and efficient expression of them that the sacrifice is demanded of him, and he becomes an apostate or a martyr. His vote is a public and solemn falsehood. The Ballot transfers the falsehood from the extorted vote to the extorted promise. That is the whole difference. There is a compelled lie in each case; but the voting lie goes to deprive individuals of their rights, and the country of representation, and to confirm the power of a rapacious aristocracy: the promissory lie only baffles the iniquitous purpose of the oppressor, which, after being once or twice baffled, would cease to be pursued. And then another monstrous evil would be corrected: the degradation of a compelled vote against conviction is what many are impatient of, and if they cannot escape the thraldom, they find some relief in patching up a seeming consistency by modifying the expression of their political opinions so as to soften the incongruity. They bend to pick up a 'reason upon compulsion.' They equivocate with their tongues and palter with their own minds. The plague spot is on them, and the corruption eats into their souls. This is the worst species of falseness both for the individual and for society. It poisons the founts of morality. The non-observance of a promise, exacted in defiance of all right, by the armed ruffian who can blow your brains out, or the powerful ruffian who can deprive you and your family of bread, is not deemed much of a crime by most moralists; if it be a crime, it is not one which taints the system: but the pain and shame which put a mask upon the mind, tend to the destruction of all principle.

We are next told that the franchise is a public trust, which the state ought to know is honestly discharged. True; and the state knows that now it is not honestly discharged, and cannot be. By the reviewer's own concessions, the state knows that the trust would be better discharged by secret voting. 'What security can the state have that it shall be honestly exercised, if it is to be used in the dark?' The very best; because the honesty is in the correspondence of the vote with the voter's own opinion, which correspondence the openness of the vote endangers, by allowing the interference of those who think differently. The fear that 'by secret votes the whole feelings and opinions of the non-electors may be set at naught,' is rather an extraordinary appre-

hension at the end of an article which attempts to show that the Ballot would enslave the electors to seditious mobs. If the non-electors influence through opinion, their influence would have its fair and full operation: if by fear, the Ballot would baffle them, as it does powerful individuals.

This is a more meagre list of mischiefs than might have been expected. The third question is dismissed very summarily by the reviewer. It 'has been answered in discussing the first two. The practical result seems to be that too little benefit is likely to accrue from the Ballot in protecting one class of voters, the tradesmen in large towns, to counterbalance the mischiefs sure to flow from removing that check of publicity under which all public duties ought to be performed.'

So men juggle with words. The 'check of publicity!' a check it is, and a fearful one; but it checks, in this case, not the wrong but the right employment of a power; not the offence but the duty.

A 'public duty' is analogous to a private duty, when the public itself is the agent. Its responsibility is to itself; representatives are responsible to their constituents; there the 'check of publicity' is in its proper sphere; but the people are the ultimate authority, and their independence should be secured with the same care as the dependence of the delegate or representative.

Experience has shown how imaginary are the evils ascribed to the Ballot. Is the life of every clubbist in St. James's a living lie, from the impending vengeance of pugnacious candidates who have been black-balled? Are the French particularly reserved as to their political opinions? Are they for ever haunted and struck dumb by the spirit of the electoral urn? And the Americans, are they all sunk in the profound, gloomy, and suspicious stillness which so appals the reviewer? It is sometimes said, that in America Ballot does not ensure secrecy. Very often probably not. It is a weapon the possession of which may alone, in ordinary cases, be sufficient to prevent attack. After two or three times using it, there might be an end of unavailing interference. Such seems to have been the case in America. The States have adopted it in succession, as they perceived its advantages in those where it had been previously introduced. This would scarcely have happened, had it been practically only a more cumbrous kind of open voting. No State has disused it. And in America, be it remembered, there is no such trouble as we have here in getting rid of a mischievous or useless institution. They have no everlasting laws and constitutions. Their enactments die out, and are revived or not, as experience has shown their worth. Every fifty years, in the new England States at least, and probably in all, a convention for the especial purpose decrees the revival, or allows the expiration of every portion of their constitution. In Massachusetts, New York, &c. these conventions have been held,

within the last few years. In no instance has it been determined to discontinue the Ballot. In not a single State has it been abrogated. In some instances it has averted the attempt at introduction of the corruption and confusion of English contests. We know of no indications that it is less effective in the States where it has recently been introduced, than in those where it has been long established, nor that in the latter it did not become efficient promptly after its introduction. The writer allows that, if the Ballot had been coeval with our elective system, 'to ask a vote, still more to ask a question as to how a vote had been given, would no more have entered into any man's mind, than it now does to overlook a person when he is writing, or to open letters directed to another.' But then he says our habits are already formed, and cannot be changed. We think they might soon be reformed. The objection is only one of the difficulties which the Americans have surmounted. A large portion of our present constituency, too, is unencumbered with these old and unchanging habits; if the effect could only be produced on the next generation, it would be better than dooming all generations to the bitter evils of the present system. But we should scarcely have to wait so long as that.

The writer has all along assumed, that, with the Ballot, the present system of personal solicitation would continue to be practised. This assumption is essential to the validity of every argument which he has adduced: and it is a fallacy which pervades all reasonings against the Ballot; which magnifies or creates the evils supposed to be attendant upon it, and which hides the great good which we confidently expect from its adoption. We are convinced that the Ballot would efficiently protect the oppressed voter. That it would protect him without the accompaniment of any evil which should make us hesitate as to its adoption. But we should be ready to confess ourselves grievously disappointed, unless it also became productive of great positive advantage. Its tendency is to annihilate the present mode of canvassing, which is a degrading appeal to the vanity, the fear, and the interest of the voter, and to substitute for it, that exhibition of principles and purposes, which is an appeal to his understanding. The candidate now, has to secure influences and interests; he would then have to secure *opinions*. So different an object would require the adoption of means as different. The personal canvass of contending parties would be transformed into the discussion of political principles and public measures. The object would be, not to terrify or bribe, but to enlighten, and convince a constituency. In fact, a great school of public instruction would be created. Each candidate being dependent on the free and final judgment of opinion, the most diligent measures would be taken to furnish full materials for the formation of that opinion. A few members of the new Parliament owe their election to this honourable and useful

mode of proceeding. The Ballot, and the Ballot alone, can make it common. Freed at first from external domination, the servility of men's minds would wear out. And we should be in the way for obtaining, in the largest and noblest sense of the words, an enlightened and irresistible public opinion.

And what is the alternative to this simple expedient, according to the plan of the reviewer? He perceives the evil—the enormous and intolerable evil—oppression, tyranny, aggravated harshness, corrupting influences, and, to a certain extent, representation made a mockery; and what does he propose? There are but two suggestions. The one is the disfranchisement of the *freemen*, at least wherever bribery is proved against them. This is truly the old English system of legislation. There is nothing like the last remedy of the law. For crimes great or small, invasions of property tempting the eyes, feet, and fingers of poor wretches, there was the simple and final cure, hang, hang, hang! So now, that our institutions and our aristocracy together have corrupted and debased some thousands of the community, put them out of the political world in a like summary manner. Disfranchise! disfranchise! leave the corrupting influences which may act in due time upon the rest, and let them be disposed of also; so that, at last, the constituency may be evidently as pure as its representation, because identical. The annihilation of the franchise should be regarded, in a free country, with feelings similar to those excited by the annihilation of life itself. Every neutralizing or reformatory process ought to be fully tried before there is even the lowest whisper of disfranchisement. Like hanging, it should be the end, and not the beginning of our penal code; and, if admitted at all, only admitted, because some measure was absolutely necessary, and all others were unavailing. So much for the one suggestion. And what does the reader think the other is? Why, it is simply, 'the expediency of giving the new system a fair trial.' That new system which the writer himself has shown to have left the old evils of influence, and added new ones; that new system, which was never framed to apply to this part of the electoral machine, but which leaves the question of secret or open voting wholly untouched; that new system, which cannot have the fair trial he asks, unless the Ballot be adopted; because there will be a power constantly dragging it back towards the corruption of the old system. Moreover, on what point can we better give it a fair trial than on this very question? There is no surer test to which the system itself can be subjected. We will take his advice, and observe the working of the system, and mark how the Reformed Parliament deals with the Church, and the law, and the great monopolies; but there is no *experimentum crucis* like that of the way in which it shall deal with the Ballot. The first and best thing which the representatives of the people can do, is to secure to the people

the power of freely choosing their future representatives. If the Church be not reformed this year, it may be reformed next year. If only half measures of economy be adopted now, & more rigid revision may be instituted hereafter. But if the reformers in parliament let slip the opportunity of confirming for ever the full measure of that popular ascendency which has been gained, and securing the freedom of election against all base influences, the probability is that they may long wait for so good an opportunity. Our charity is hard pushed by those who strenuously counsel the postponement of constitutional reforms to economical reforms. The latter are each a good; the former are the power of good. By first making sure of the power we may do at leisure all the good we please; by neglecting that, we may partially achieve some modicum of good, and pay dearly for it afterwards by the visitation of a revived corruption, which we have wilfully made ourselves less able to cope with than we now are, and might have continued to be. The writer thinks worse, if any thing, of the aristocracy than we do. He describes a spirit in the country determined to prevent the freedom of voting. He believes it capable of inquisitorial proceedings, of the violation of confidence, and the employment of spies, and of the application of every species of torture except that which is technically termed so, in order to control or corrupt a sufficient portion of the people for the accomplishment of its own purposes. Now is the time, then, during this first reformed Parliament, to take the most efficient measures, that the people may not hereafter be either controlled or corrupted. That was a shrewd fellow who, when the fairies promised him the realization of three wishes, though he wanted both a pudding and a purse, made his first wish that all his wishes might for ever after be realized.

ON THE LIFE, CHARACTER, AND WRITINGS OF DR. PRIESTLEY.

Continued from p. 30.

If any one were to put forth the prospectus of a Cyclopædia, proposing to write all the articles himself, he would be set down for a genius or a madman. His admirers would think him the wonder of the world; his opponents would cry out upon him as a shallow pretender. To the discerning, the conception of such a design would disclose the true character of his mind. To imagine the outline, and glance even rapidly from the Alpha to the Omega of human attainments, implies no ordinary power; to look over the wide continent of knowledge, and see it mapped out in all its bearings, and trace the great skeleton truths, which form its mountain barriers, and follow the streams of beauty that wind below their base, is the prerogative of none but the comprehen-

sive and far-sighted mind. But to suppose that the same intellect which sketches the outline can fill up the details, that he who understands the mutual relations of the different departments of science and art can unfold all their mysteries, betrays a miscalculation of the voluminous contents of human knowledge, and an ignorance of the varieties of intellectual power requisite to embrace them all. To refer to a catalogue of Dr. Priestley's works is like consulting a prospectus of a Cyclopædia; and it is impossible to remember that they are all the productions of one individual, without the impression that his mind was more adventurous than profound, more alert than gigantic, and its vision more telescopic than microscopic. How far this impression is just we may attempt to ascertain. We believe it to be the truth, but not the whole truth.

There can be no doubt that versatility was the great characteristic of Dr. Priestley's genius. Singularly quick of apprehension, he made all his acquisitions with facility and rapidity; and hence he derived a confidence in the working-power of his own mind, and a general faith in the sufficiency of the human faculties as instruments of knowledge, which led him on to achievement after achievement in the true spirit of intellectual enterprise. This excursiveness of mind was encouraged by his metaphysical creed; it has been the prevailing error of the Hartleyan school, that they have made too light of the original differences of mental capability, conscious, perhaps, that their philosophy has hitherto failed to explain them; and the natural consequence of incredulity respecting the existence of peculiar genius, is to give increased reliance on the efficacy of self-discipline, to lessen the motive to a division of intellectual labour, and make the mind a servant of all work. We are aware, however, that no speculative tenet is enough to account for the mental peculiarities of the individual who holds it; for the adoption of the tenet is itself a mental phenomenon, requiring to be explained, and frequently arising from that very constitution of mind which is supposed to be its effect. That Dr. Priestley thought little of the exclusive fitness of peculiar understandings for peculiar pursuits, is to be ascribed to the absence of any exclusive tendency in himself; that he was disposed to try every thing, arose from his having failed in nothing: the consciousness of power must precede the belief in power; and the philosophy of the sentiment, *possunt, qui posse videntur*, is incomplete till the converse is added, *qui possunt, posse videntur*.

Dr. Priestley's extraordinary versatility, then, while it was confirmed by his intellectual philosophy, is to be traced to his possession of original endowments, bearing an equal relation to many departments of knowledge. In theology, in mental and moral science, and, above all, in experimental chemistry, his rapidity and copiousness of association, his prompt perception of analo-

gies, his faith in the consistency of creation's laws, and his consequent passion for simplicity, were all available as means of detecting error, and aids in the discovery of truth. And the excellence which these qualities enabled him to attain in his several pursuits, was of the same kind in all. In none did they confer on him superlative merit; in some, at least, they led him into great faults; but in every one they fitted him to be the able and dauntless explorer, powerful to penetrate the *terra incognita* of mystery, and quick to return enriched with the spoils of fresh thought. Year after year he visited the temple of truth, and hung upon its walls some new exuviæ; and who can wonder that his offerings, in their abundance, were more miscellaneous than rare; that they consisted not always of the gold and the silver, which could be for ever deposited in the sacred treasury, but sometimes of the scattered arms and fragments of wreck which were of little worth but as trophies of victory. He was the ample collector of materials for discovery, rather than the final discoverer himself; a sign of approaching order rather than the producer of order himself. We remember an amusing German play, designed as a satire upon the philosophy of Atheism, in which Adam walks across the stage, *going* to be created; and, though a paradox, it may be said that truth, as it passed through Dr. Priestley's mind, was going to be created; the requisite elements were there; the vital principle was stirring amid them, and producing the incipient types of structures that were yet to be; but there was much that was unfit to undergo organization, much that could never be transmuted into forms of beauty, or filled with the inspiration of life; and there must be other processes, before the mass emerges a graceful and a breathing frame.

The characteristic qualities of Dr. Priestley's understanding led him to prosecute, with the greatest ardour, those subjects of inquiry in which but little progress had been made. The earlier and less exact stage of a science, which promises a great affluence of new phenomena, and admits of only the lower degree of generalization, and prepares the approach to the establishment of merely empirical laws, was that to which his powers were adapted. At a more advanced period of its history, when the field of observation is narrowed, and the demand for precise deduction increased, and where no appeal to fact can be of use, unless of the most refined and delicate kind, his faculties could have found no appropriate employment. In the age of Galileo he would probably have gained a reputation for discoveries in optics or astronomy: in our days he might have aided the progress of geology; but in his own generation the former had passed, while the latter had not reached the point at which alone he was able to apply an effective stimulus. It may be doubted whether, if he were living now, he would not find chemistry in advance of his peculiar genius; whether its greatest discovery, the law of definite proportions, which has emi-

nently enhanced the dignity, by increasing the precision of the science, would not appear to have spoiled it for his hand: and were a question to arise, what branch of it would retain the greatest attractions for a mind like his, no one could hesitate to answer, electro-chemistry, in which there is mystery enough still to stimulate an ardour like his, and glimpses enough of wonderful and extensive laws, to inspire the investigator with the perpetual feeling that he is on the eve of great discoveries. Could we have been permitted to select a period in the history of science with whose spirit his mind was most congenial, we should have set him down among the contemporaries or immediate followers of Bacon; when, to a new and intelligent system of inquiry, nature began to whisper her mighty secrets; when every penetrative mind that understood their value, rushed to her shrine and listened reverentially to the great oracle; when the rapidity of discovery, following close on a dreary track of centuries barren of philosophy, gratified the love both of the wonderful and of the true; and when the passionate relish for fresh knowledge prevented the observance of definitive boundaries between its different regions, and tempted the inquirer to a wide and adventurous range. Dr. Priestley has recorded of himself, that he exercised without difficulty the power of exclusive attention to any object of study; but it would be a great error to suppose that this mental habit in him, was the same with that profound and steady abstraction which characterised the intellect of Newton, and amid whose stillness he slowly passed the upward steps of induction to the sublimest law of the material creation. Dr. Priestley's attention was eager rather than patient, active rather than laborious; suited to subjects whose relations are various and simple, rather than few and intricate; inclined to traverse kindred provinces of thought in quest of illustration, more than to remain immovable in the construction of a proof. His mind would become restive, if it had not scope. It was incapable of proceeding long in the linear track of mathematical logic. The illumination of his genius was rather diffusive than concentrated. He could never have singled out any one phenomenon, and planted it in an intense focus of intellectual light, till he had fused it into its elements, and could exhibit its minutest component in distinct separation from the rest. The kind of accurate observation, and cautious analysis and finished induction which Dr. Bradley manifested in his discovery of the aberration of light, and which at once detected, measured, and explained by reference to a new cause, one of the minutest phenomena of the heavens, must be sought in a different order of intellect from Dr. Priestley's.

During the origin of a science, when the object is to accumulate facts and arrange them according to their more obvious affinities, the quality most needed by the philosopher is the quick perception of analogies which we have ascribed to Dr. Priestley.

During its higher progress, when the object is to include large classes of facts under some general theory, or to measure the precise amount of causes already discovered, the quality most needed is a searching discriminative power; a quality most rarely united with the former, and certainly not distinguishing the philosopher of whom we speak. Had he possessed it, few names greater than his would have appeared in the world's roll of honour. Because he wanted it, many of his philosophical works will have to be rewritten. *Non omnis morietur;* but while his opinions will live, and, with few exceptions probably, become the faith of posterity, his own exposition of them will hardly satisfy the wants of a future age. That Dr. Hartley, at a time when no very precise limits had been drawn between physical and metaphysical science, should have entwined together the greatest truth in the philosophy of mind with a most gratuitous speculation in the physiology of brain, is not surprising: that Dr. Priestley should have perceived that the doctrine of association was a fact and the doctrine of vibrations a fancy, and have disentangled them from each other, is no more than might have been expected of his discernment; but that he should have separated them merely on the ground of their different evidence, without discovering their different provinces; that, in his character of metaphysician, he should still have manifested a hankering after the very theory of which he had disencumbered his great master's philosophy; that he should have been misled by the plausible analogy which promises to explain the phenomena of mind by the changes of matter, indicates a want of clear perception with respect to the due limits of mental science which should have been reserved as the exclusive glory of the phrenologists. Dr. Priestley evidently thought, that, if there were but proof of the doctrine of vibrations, it might be duly expounded from the chair of moral philosophy; and had no idea that the professor who should do so would deserve a caning for his impertinence from his brother of the physiological school. Nor is this the only instance which marks his deficiency of acute discriminative power. The true test of this rarest and highest of human faculties is to be found in the researches of mental science; its most refined exercise is required and its greatest triumphs are achieved, in unravelling the subtle processes of reason, in penetrating the moving throng of thoughts and feelings, and, through all their magic changes, distinguishing the separate history of each from its origin amid the obscurity of infancy; and clear as a lens must that mind be, which, in transmitting through it the white light of intellect, can faithfully decompose it into its elemental colours. Dr. Priestley had far too much perspicacity not to perceive that mental analysis might be pushed much further, and, if intellectual science is to rank with other sciences, must be pushed much further, than it had been carried by the orthodox philosophers of

Scotland. But we cannot think him happy in the specimens of analysis which he has left; often ingenious, they are seldom complete; they amount only to approximate solutions of the problem which he was encountering; they frequently furnish valuable hints to the future inquirer and set him in the right track; but in his eagerness to reach the object of his search, Dr. Priestley overleaps many needful steps of the process, or breaks off in the midst, and deems the task accomplished which a more careful thinking would feel to be only commenced. This disposition to post through a difficulty and see nothing in it, is especially apparent, we think, in his account of the idea of power, and in his attempt to explain the phenomena of memory; and throughout his works it would be in vain to look for the piercing analysis of Brown or Mill, before whose gaze the most intricate and delicate of human emotions and the most evanescent trains of human ratiocination are arrested, and questioned, and made to marshal themselves in their true place, amid the nimble evolutions of the mind. His merits in the department of mental science consist less in the success with which he attacked its difficulties than the skill with which he multiplied its applications; less in the light which he introduced into its interior recesses, than in the range of kindred subjects over which he spread its illumination. In his mind morals, history, religion appeared tinged with it, and thence adorned with greater dignity. Instances of this are to be found in his 'History of Early Opinions,' his sermons 'On Habitual Devotion,' 'On Habit,' 'On the Duty of not Living to Ourselves,' and above all, in his 'Analogy of the Divine Dispensations;' an essay which may be regarded as perhaps the happiest effort of his mind, involving precisely that brief and simple exposition of a metaphysical principle with copiousness and magnitude of application, to which his powers were peculiarly adapted. There is, too, a solemnity in it, arising from the congeniality of its train of thought with all his faculties of intellect and soul, which is rarely perceptible in his writings. It is philosophy kindling itself into worship.

Dr. Priestley's rank as a linguist and a critic may be inferred from the qualities which we have already ascribed or denied to him. The same fertility of association and love of analogy which facilitated to him the acquisition of a foreign language up to a certain point, rendered his complete mastery of it almost impossible. He wanted the imperturbable patience, the nice eye for minute differences, the unwearied faith in the importance of an apparent trifle, which are requisite to the character of the accomplished philologist. His knowledge of the laws of thought rendered him a perspicuous interpreter of the theory of language; and, if the subject had been strongly urged upon his attention, would perhaps have made him a successful student of philosophical etymology, would have enabled him to detect the relations

which group together in a few great families the whole population of words in the same language, and, having thus laid bare its primeval state, to trace the successive steps of association by which it has multiplied its resources, and refined its susceptibilities with the increasing wants and more delicate perceptions of the minds whose instruments it has been. There was nothing, at least, to prevent his delineation of the outline of such a history; the details must have partaken of the defects already noticed in his mental analysis. Be this as it may, however, the attempt was never made. Nothing could ever have made him forget that language is only the vehicle of ideas, and the study of it, therefore, only a means to an end; and we suspect that few who are habitually impressed with this undeniable truth, will become men of erudition. We do not question the importance of minute criticism; we admit that without it the *whole* meaning of an author cannot be developed, and that the lights and shades of expression which it brings out are really lights and shades of thought, constituting an essential element in the graces of a foreign literature. But most readers are utilitarians; of the amount of meaning which they lose by an accuracy not absolutely finished they are necessarily unconscious, the quantity which they gain will seem enough for their purpose; and, unless they possess a sensitiveness of taste seldom to be found, and read in order to gratify their perception of the beautiful, they will feel little inducement to brace themselves to the long barren toils of the professed linguist. It may be doubted, however, whether Dr. Priestley renounced the needful labour upon any such deliberate calculation, and whether he did not greatly underrate the attainments requisite for a philologist. At least we cannot but think that many of our grave professors, who can lecture an hour upon a word, would smile at his characteristic project of translating the whole Hebrew Scriptures himself, during the intervals of other occupations, in three or four years.

Dr. Priestley has repeatedly recorded of himself a remarkable deficiency of memory; a want to be regretted less on its own account than because, in conjunction with another cause, it involved a mental failure of a more serious kind—a weakness of conception. By conception we mean the power of bringing vividly before the thoughts, in combination, the parts of any object or any scene which has been presented to the senses or the mind. It is emphatically the pictorial faculty needed by the illustrating artist when, having gathered from Milton or from Byron the elements of his design, he brings them harmoniously together, and groups his figures, and makes his perspective, and disposes his lights; needed by the historian, when, having learned the catalogue of a great man's deeds, he blends these fragments into an image of his mind; or, having collected the dispersed events of a period, he disposes them in due relation before his

view, so as to become familiar with the spirit of the time; needed equally by the theologian, that he may live in thought through the sacred days of old, and become pilgrim in heart to the holy land; that he may not only know how many stamens there are in the lilies of the field, and how many feet in the cedar's height, but see how they grace the plains of Jericho, or wave upon the top of Lebanon; not only count the steps of the temple and tell the manufacture of the priest's robe, but gaze on the majestic pile from the Mount of Olives, or stand in the resplendence of its golden gate, and hear the murmur of the prayers, and watch the incense curling to the skies; not merely discourse on the properties of hyssop, and conjecture of what timber the cross was made, but mingle with the weeping daughters of Jerusalem, and raise a reverential eye towards the crucified, and listen to that fainting cry of filial tenderness. Now, both in his history and in his theology, Dr. Priestley's deficiency of conception is much felt. In the former there is not, as far as we remember, a single delineation of character, a scene or a cluster of incidents *as a whole*, and consequently not any picture that leaves a strong impression upon the reader's mind; they are accounts, not of persons but of actions, not of eras but of events; the trains of contemporary events in different localities are placed before us like a number of parallel lines, with no attempt to twine them together; and each course of successive events like so many points, not melted into a continuous line. The nature of ecclesiastical history itself offers, it is true, a great obstacle to the preservation of unity; it is in its very essence a dislocation; a number of events which form no proper class in themselves; a part arbitrarily cut out from the whole, comprising effects removed from their causes, and causes left alone by their effects; and, independently of this difficulty, the materials of ecclesiastical history are unpromising enough. Yet there are portions containing elements for strong impression; there are persecutions, and councils, and crusades; there are the broad contrasts of an idolatrous civilization and a barbarous Christianity, of the genius of Rome and the spirit of Christ, of the religion of the East and the philosophy of the West; there are the matchless heroes of conscience in the Alpine fastnesses and intrepid reformers of the cities of Germany; and there is no reason why the power of these passages should be abandoned to the province of fiction. The want of picturesque effect in Dr. Priestley's narratives involves in a great degree a loss of moral effect; by giving a ground plan of a persecution, and an enumeration of all the horrors it contained, he produces rather a disgust at the butchery than enthusiasm at the magnanimity with which it is said to have been met. The merit of his histories is to be sought, not in the narrative of incidents, but in their exposure of opinions; not in the facts, but in the inferences; not in the deli-

neation which shows what society was, but in the philosophy which proves what it must have been.

That the deficiency of which we speak should diminish the interest of his theological writings, that it should unfavourably influence their manner, will be readily admitted by all; but it may not be at once obvious how it could affect their matter, and lessen their intrinsic soundness and truth. It is, however, evident that, *cæteris paribus*, in proportion as an interpreter of ancient writings can place himself in sympathy with his author, can plant himself by his side and look round on his position, can even take occupancy of his very mind, and discover how all things are tinged by the hues of his peculiar intellect and feelings, the chances are multiplied that the interpretation will be correct. Indeed it is merely as aids to this transmutation of mind on the part of the student that the labours of the scripture naturalist, the traveller, and the archæologist are valuable. Now Dr. Priestley appears to us to have been incapable of thus laying down his own personality; at the foot of Sinai, among the captives of Babylon, in audience of the minstrelsy of Israel, on the pavement of the temple, in the hired house of Paul, or with the exile in Patmos, he is the good, plain, speculative Dr. Priestley still. He moves like a foreigner through all the scenes which he visits, too restless to take up his abode in them, and grow warm beneath their suns, and find a home among their people, and learn the spirit of their joys and sorrows, and be ranked as one who 'loveth their nation.' Accordingly his theology is too much an occidental system transplanted into the East; he sees vastly too much philosophy, and vastly too little piety in the Scriptures. He shows too much disposition to change their beautiful histories into imperfect ethics; and perhaps, by missing the object which the writers had in view, estimates their logic with real injustice. Whether illustrations of these peculiarities may not be found in his extensive use of the Gnostic philosophy as a key to the writings of the apostle John, in his interpretations of the Jewish prophecies, in his anticipations with respect to the mode of transition from this life to another, and in his appreciation of the letters of Paul, we leave to be decided in the court of enlightened biblical criticism. Let not our admissions with respect to Dr. Priestley's theology be unfairly used; a name like his is indeed in little danger from such concessions; let it be remembered that they leave unimpeached the correctness of the processes by which he proved and proved again the great truths which form the definition of Unitarian Christianity; and until the time shall come (and it will not be soon) when the absolute unity of God, the universality and paternity of his government, and the simple humanity of Christ, shall need no more defence, recourse will be had to the storehouse of perspicuous proof which his works contain.

(*To be continued.*)

BEAUTY.

I LOVE all beauty! Animate or inanimate, the fabric of nature or the work of art, still shall beauty be ever welcome to me, as it has been from the earliest perception of my childhood until now. Many and strange are the scenes on which I have gazed; many are the harsh lessons I have unwillingly learned; painful has been each succeeding discovery of worldly deceit in those who were most trusted; bitter was it to find that outward beauty could sometimes cover inward deformity; yet still, fall what may, in riches and in poverty, in sickness and in health, under whatever form beauty approaches me, to see it is to love it. Beauty is love, and love is beauty. When universal love shall enwrap the whole earth as with a garment, then shall universal beauty follow in its train.

Hark! what sound is that? A noble ship is flying through the watery waste, with her tall masts straining, and her canvass flying loose, where old ocean clips earth's central line with his broad girdle. The transient hurricane rushes along in its mad career, which no craft formed by human hands may resist. The heavens are black as night, and the surface of the sea is smooth, while still the rushing wind increases, and the shuddering vessel flies like a guilty thing before it, till the harsh voice of the mariner rises with an unearthly sound, faintly heard amidst the whistling uproar, and 'fourteen knots' startles the watchful master, as the craft is laid gunwale under, and again rights with the loss of her canvass, blown from the ropes that held it. Now are heard the pattering raindrops, large, few, and heavy; they increase; the wind blows less furiously; the rain comes heavier, the drops fall faster, faster still; the water falls in torrents—in sheets—till the decks are swimming, and the scuppers scarcely give it escape. The wind is gone, and there is a dead calm; the mariners have fled from the disease-imparting deluge to seek refuge in the hollow of the vessel; downwards, downwards, vertically as the line of the builder, still falls the torrent from 'heaven's windows,' and not a sound interrupts its hissing plash on the bosom of the salt deep, which in moveless apathy receives the falling waters to its embrace. Still are the heavens dark, and to the westward, dense masses of black clouds are piling one on the other in horrible thickness, looking as though they might be grasped with the hand. The vessel stirs not, and the steersman leaves the helm to seek dry garments, while the lately-peopled deck remains deserted, and the symmetric craft looms through her watery drapery like a phantom ship.

Hope dawns again. Mark where the clouds are parting; see the black changing to grey, still dark, but with floculent masses gradually separating; a red tint is spreading along a central

streak; deeper, still deeper is it tinging; it bursts, and the ragged edges are fringed in glowing gold, surrounding a field of deepest azure, which widens to an extended plain, changing around its border to a clear pale sea-green, where it joins the purpling and pink clouds, on which are still recumbent a mass of black mountain-looking vapours, momentarily lighting up with a glare of lowering red, varying with cameleon quickness, and separating into streaks. Look! look! they are pierced with golden radiance, the atmosphere is bathed in a flood of light, while darkness is fleeing away. It comes! it comes! the god of day has burst his watery bondage; the flood of heaven is arrested in its course as though it never had been; the eye may no longer look on the glowing splendour of the equinoctial beam, but turns to the broad expanse of the waste of waters, on whose placid surface not a ripple, not a spot, not a vestige of life or movement, may be seen. Like an unbroken and faultless mirror is the glassy face of ocean, stilled even to deadness by the power of the falling flood, which soothed its raging fury in mingling with it like an embrace of love. It looks not like the great salt lake; even now, as the sun glares upon it, it resembles a solid giant crystal.

And yonder work of human hands, the only, the solitary object resting on the bosom of the deep, motionless as the water wherein she is mirrored, yet with a busy hum arising from the mariners, who again crowd her decks; what is she, whither goes she? Look on her, and say if aught more lovely ever pressed the bosom of the blue deep, or spread her white wings to a tropic breeze. Mark that low hull, straight upon the water, with not a single white speck to deform the symmetric outline. Could such a form have been modelled by mere human hands? See the lovely bow where it breasts the pale green reflected from the metal which sheathes the vessel like an armour; and cast more than a glance on that clean run and exquisitely moulded counter, upward rising like the scornful lip of beauty, as though in mockery that the element whereon she floats should deem it possible to arrest her flight. She looks motionless, yet she is not so. Without a breath of air stirring, still she draws ahead by the mere witchery of shape which the artist has imparted to her. Scarce a fish swims the deep can outstrip her speed, give her but smooth water and the wind a beam; yea she can almost gibe the wind in its teeth, when her master puts her on her mettle, and curbs her with the helm. Vain hope were it for any craft on the waters to arrest her course, against the will of her guide. The ospray alone may track her silvery wake. Look on her again, mark her tall spars raking aft, and wrought to mathematical precision, not a shaving could be taken from them without impairing their accuracy; strain them either more forward or more aft, and they would be misplaced. Mark the symmetry of her rigging, so perfect, yet so exquisitely adapted, that it looks as though a spider had

wrought on the fairy vessel with a tracery of gossamer. Yet so well fitted are all parts to each other, that, though her canvass has blown away in the squall, not a spar is sprung. She is an armed craft, yet she shows no ports. Look closer at her. What see you on her deck? An enormous long gun traversing on a frame, which throws sixty pounds of iron at every discharge, with rifle accuracy and at a safe distance. She wears no flag, but have you not yet made her out to be a schooner of three hundred tons, of Baltimore build, three weeks old, and bound round the Horn to cruise in the Pacific with a Patriot commission, under which she will sweep the commerce of Spain from the face of the waters? But hark again! Listen to the shouts of the mariners. They are bending fresh sails of white cotton duck to the yards and booms; the rigging is strewn with men; the helm is once more in hand; the south wind blows. Look forward where the wave is streaking with ripply patches; the sails flap heavily against the spars; it was but a puff which died away. Hark! how the master whistles a low note to wile it back; slowly it comes; again the masses of canvass are bellying, but still it is not sure; yes, yes, the clouds are clearing off to the south, and the sky is streaked with mares' tails; the breeze comes; the vessel is going about; how like a live thing she moves! See, she lies her course, the wind is three points before the beam, but yonder red patch on the log-line marks that her way is eleven knots. Glance your eye over the taffrail. Draw a line down yonder whitening wake, and it would strike through stem and stern-post. The slate will be broken, and the log-book expended, ere her dead reckoning records leeway. This, this is beauty; a sublime combination of nature and of art.

Many days have passed away. Look to the south! farther!—farther still! Yonder sails the gallant craft. The breeze is strong, and two points abaft the beam, yet the log tells but nine knots on the hollow troughy sea. The mariners are all clad in their wintry garments, the light spars are housed, and the upper masts are shortened, and half her canvass is reefed and taken in. The water smooths and the speed of the craft increases to twelve knots. A deep mist is around, and neither sun, moon, nor stars, have been seen for three days. 'Breakers ahead!' shouts the mariner in the foretop, and the master shortens sail, while the stormy peterel flits to and fro athwart the stern with its gloomy wings, and ever and anon encircles the mizen truck, uttering its unearthly ominous scream. Two hours have elapsed, and a heavy fall of snow has heaped the deck; the wind has changed, and blows steadily from the north, while the mist has cleared away, and a faint glimpse of sunshine illumines the wintry sky. The craft is in a strait scarce seven miles wide, with lofty mountains on either hand. The water is smooth, but covered with white foamy crests, and the log tells nine knots, yet how slowly

pass the objects on the shore! Why is this? Mark you not that the ocean stream is running like the race of Pentland past her bows, mocking the swift-heeled vessel, and robbing her of more than three-fourths of her speed. A scanty two knots is her progress over the ground, but heed it not, there is much to look on worthy the delay. Turn your gaze westward over the quarter. See you those lofty mountains in the distance, snow-covered like the land in which they are rooted? The central one was in former ages a volcano, whence the Spanish discoverers called the island domain which it overlooks, the 'Land of Fire.' Have you ever beheld a more wild and desolate region? Yet, ere you answer, look eastward. Behold yon horrid towering crags, whereon not even the snow can find a secure resting-place. There offers not foothold for a human being, and the sharp angular points, rising on every side from amidst the cheerless snow, and glistening in the faint rays of the half-frozen sun, look as though even a bird would be impaled which might essay to perch. It is Staaten Land, an island so wild and forlorn, that none but a Dutchman, accustomed to purloin land from the ocean, could be found even to bestow a name upon it. Strong must have been the desire of possession, which could have induced human beings to lay claim to such a spot. The strait to which it forms the eastern border took its name from the navigator Le Maire. Look at the rocks on either hand, where the dashing surf has swept away the snowy crust. See the uncouth seals which here and there stretch their hairy length upon them, from time to time tumbling awkwardly into the sea, in unwieldy sport. Here and there, where a patch of sand skirts the rocks, or a slope of shingle meets the plash of the wave, the absurd looking penguins show their painted necks. Were it summer, and you essayed to land, the stupid animals would endeavour to drive you from their territories with their outstretched flippers, and spoon-looking beaks. No slaughter you might make amongst them, would convince them of their folly. Had you slain an hundred, and but one were left, he would still press on to share the fate of his companions, as senselessly as a Russian soldier, and without any more apparent object.

The craft is in mid-channel. Birds innumerable, of many varieties, are floating on the waters, skimming their surface, hovering in the air, and cleaving the blue space with their wings. Geese, ducks, divers, gannets, and penguins, rest on the wave, while the peterel and pintado, or Cape-pigeon, follow in the wake, darting down each moment for their food. The turkey-buzzard hovers upwards, borne on his moveless pinions while wafted in the breeze, and the gallant ospray proudly cuts the air in his soaring flight, till his vigilant eye marks the track of the fish on the surface, and he stoops on his prey swiftly as the lightning flash darting from on high. But, lo! yonder comes the giant of the

ocean breeze, the majestic and snow-white albatross; his enormous pinions bear him in circles high in air, while he surveys the strange object which has come to invade his domain. The sun's ray has struck upon his plumage of dazzling white, and nearer, nearer still, he approaches. Twice has he circled the mast-head, and his wing has brushed the long streamer, whose quivering has startled him from his self-possession. Higher he soars, and now he is almost stationary, while he scans the cause of his alarm. His pinions are again about to fan the air, but, no! it is too late. The master stands on the quarter-deck, and a ball from the unerring rifle of the western wilderness has reached the noble bird at his airy height; downward he plunges with involuntary swiftness, and now he is motionless on the water, with his ruffled plumage, showing like a heaped snow-drift: even in death that majestic bird is beautiful. But, hark! the mimic thunder has reverberated fr n the rocks around, and the air is filled with its screaming tenants all rising on the wing, as though greeting their common foe-man with their reproaches. But a few moments, and the source of their alarm is forgotten—they have again returned to their several pursuits.

Look again to the south—still farther—farther! For many days has the gallant craft breasted the head-wind and heavy sea, in the sixtieth degree of latitude. Mark her through the snow-storm, with no cloth but a storm-sail on her. Three days have passed, and no fire has burned on board her. Look on yon hungry mariner eagerly devouring the raw and briny meat he cannot cook. Vegetable substances may not satiate his craving. Heavily blows the gale, and the mountain waves run high, as though eager to dash the vessel on the Southern Continent, where so many Spanish war-ships have left their stranded fragments. Vain hope! she is not manned by Spaniards, nor is there aught in her build over which a lee-shore might claim power; like a sea-bird in the wave, she laughs the tempest to scorn, and still points a northward prow, whether mounted on the foamy crest, or shooting down the deep abyss.

Days have again elapsed, and that beautiful craft has again every spar rigged out, and is clothed from deck to trucks in her snow-white duck; she has made twenty-five degrees of northing, and is gently gliding over the placid surface of the Pacific Ocean. The early morning sun is shining out, and over the whole surface of the azure sky not a vestige of cloud is to be seen. The joyous mariners are carolling in their light garments, revelling in the elasticity of a climate whose type must have been found in Paradise. It is mid-winter, yet the temperature is balmy and delicious, and every fibre of the body thrills with delight, while the spirit is entranced as with a spell. 'A sail! a sail!' shouts the man at the mast-head, and many glasses range the horizon on the instant. It is on the weather-bow, but the helm is altered,

and the craft lies directly in the wake of the stranger. Three hours, and she is up with her, but she wears a flag which yields only disappointment, and the craft swiftly leaves her to leeward. Again the helm is changed, and the course is due westward; the sun is at its meridian height, and a fresh man has mounted to the mast-head. 'Land!' is his cry; and all eyes are strained forward. Is he right, or is it a fogbank? Surely only rising clouds are to be seen. Mark how they change their aspect! No land could look so lofty. Look again; there is an opening over yon flocculent mass, above which is a misty vapour slowly clearing away. The opening is growing wider, and in the centre of it there is a mountain peak. Look! the mist has cleared away from the summit, and the giant mass is seen rearing its snowy head towards the heavens. Onward moves the craft, and the mountainous snowy ridge is seen trending away, north and south, with a broken and ragged outline, here and there rising into conical elevations, which seem to mock their base. Is that smoke which is curling round one of the peaks, or is the melting snow resolving into vapours? I cannot pronounce. Nearer and nearer we approach, and now the hitherto unbroken surface begins to vary. Ridges and vallies begin to appear in the faint blue mass. Ha! a secondary ridge, devoid of snow, appears to run parallel with the main chain. How barren, sharp, and defined it looks; how jagged is its outline! Look a little to the north; see you yonder bell-formed mountain rising from the secondary ridge? It is the Campana de Quillota, far and near the sailor's landmark, and many wondrous stories are told of the wealth which the aborigines buried in its entrails, to hide it from the Spaniards. Witches and demons guard it; and though at night a blue flame plays around the entrance to the cavern, by day all trace has disappeared. It is a beautiful mountain! See how its summit rises clear, while a drapery of mist has shrouded its central region. Upward rises the mist, and now again the mountain is lost to view. But nearer we approach, and the third, or marine ridge of hills, is becoming visible. The loftier ridges are magnificent, but this is beautiful. Look; into what shadowy forms it is broken! Mark the glens, thickly clothed with woods of dark green foliage, and rising above them in beautiful relief, the light green grassy slopes, which, at their extreme height, melt into a red marly tint, as if to show the outline like a map. Look on the arms of the mountains, spreading outwards, and gradually lengthening into long rocky promontories, abutting in the glassy ocean, with the continuous reef showing its sharp points at intervals, as the slow roll of the approaching tide varies in its speed. Voluptuous is the soft motion of the vessel, as if in unison with the flute of the mariner on the bow, beneath which the faint ripple of the water dashes with a musical sound. Look now on the near cliffs. Those old granite crags are moss-crowned above, and sea-weed

circles around their base, while, at their mid-height, marine plants are flourishing. Look to the right of them, where a slender thread of water trickles downwards from the fissure in the rock. What a lovely green spot it has formed around it, encircled by shrubs thickly studded with crimson blossoms! Move the glass to the left. There is a thicket of aloes on the very face of the crag. How green and beautiful the thorny leaves appear! Above them there is a patch of cactus. Mark the one which stands apart, lofty as a tree, and looking like a tree divested of its lateral branches. Were you nearer, you would behold it thickly set round with spines, long, hard, and wiry, which serve the women of the country for knitting-needles. Look now lower down, half-way between the aloe-patch and the ocean, more to the right. The white speck on that tabular rock is salt, formed by the heat of the sun. When the northerly gales are on, the bounding surf dashes to that height, and thus makes a provision for the salt-gatherers: but it is a perilous trade they follow. Do you see a speck aloft in the air, which seems motionless, high above the cliffs? It is a condor, looking out for his prey. Look, it grows larger. He has discovered something. He is sailing in a circle with outstretched wings, which seem to have no movement; round and round he floats, but with a gradual descent, like a slow spiral. Again he is fixed, and cautiously surveys the scene beneath him. Something has scared him, and now he soars away till he is almost out of sight. Now he stoops down till within an hundred yards of the cliff, and again sweeps round in a broad circle. Once more he is fixed, and may be distinctly marked; his neck is stretched out, and with the glass you may distinguish his long crooked beak and bald head, rising out of a collar of white feathers, which project like a ruff at right angles from his neck. His claws are drawn up, and in his wings there is a tremulous motion; at the ends of them there are feathers projecting like the sticks of a lady's fan. How very beautifully they play! Now he is satisfied with his survey, and he stoops again. Mark him! downwards he goes to yonder patch of yellow sand. What seeks he? There is a young seal asleep beneath the cliff. He shall sleep no more. The talons of the condor are in his back, and already are his eyes torn out with the beak: in madness the seal rolls in the sand, and his enemy meanwhile buffets him with his wings, and tears away his skin in fragments. Still he struggles, and has half reached the water; but look; another condor has descended, and yet another. They do not quarrel, but devour their living prey in concert. In an hour, the skeleton alone will be left to tell the tale.

The craft has shot past the bight, and is rounding a point where the northern gales have left rocks piled on rocks in horrible confusion. The eternal granite seems in its massy fragments to bid defiance to the ocean wear. She leaves them behind,

and a fair bay is opening to the gladdened eyes of the crew. The sun has just dipped beneath the western wave, but the pale moon sheds around the scene a holier light. On the right hand all is in darkness, save the broken outline of the lofty cliffs, marked in the blue vault, and the speck-like fires of the fishermen, whose canoes have left the waters. To the left is seen a winding road, leading, by a zig-zag traverse, to a fortress on the cliffs, beneath which a gentle surf is playing. A broader road crosses the mountain farther on; farther to the right is a picturesque ravine, out of which a small mountain brook is meandering, bordered in some parts by rocks, and in others by green sloping banks. White cottages peep forth amongst them, surrounded by patches of garden, which seem scarcely to find a level. Vines crawl here and there up the face of the banks, and straggling peach and almond trees are rooted in the clefts of the rock. That level patch which looks greener than the rest, and behind which there is a thread of water, is lucerne grass. The brown-looking tree, which shades it at the end, is an olive. That with the thick shade is a fig-tree. At mid-day the master of the dwelling and his family take their meal beneath it, and the green lemons and bitter oranges, fresh from those trees which skirt the garden, furnish a delicious relish to it. The cliffs surround the bay in the form of a horse-shoe. In the centre there is a broad, level, sandy beach, on which canoes are drawn up. Backwards towards the cliffs a fair town is spread. Many of the dwellings are surrounded by white-walled gardens, and thickly groved orchards; they are the dwellings of the rich. Church towers rise amongst them, and huts of rushes fill many vacant spaces. Row upon row you may see white cottages, rising one above the other, and looking over the numerous vessels which stud the water like an enchanted mirror. Oh! how beautiful it is! Can the crew of that craft leave it to follow the trade of war on the waters? They will. The leader is in his youth, and has not yet learnt to distinguish good from evil. Enthusiasm is to him as judgment. Reader, it is but a sketch. Wilt thou travel further in search of beauty, with

JUNIUS REDIVIVUS?

ON THE PROSPECTS OF THE PEOPLE.

TO THE EDITOR.

SIR,—It may be the habit of looking on the dark side of a picture which has ever led me to regard national prosperity as consisting almost entirely in the absence of poverty, but I still must maintain that all estimates of the happiness of a community should be founded, not on the aggregate riches of its members, but on their

freedom from want; and that if a single individual in it has to complain that he cannot obtain remunerating employment, there must be some defect in the social state. I acknowledge that the term 'remunerating' is somewhat vague, and I intend it to mean such employment as will enable a moderately industrious man to be in a constant progression towards bettering his condition, from whatever low point he may have started. That the whole of the human race may be placed in such situations I have not the slightest doubt, but I confess that, from a long course of misgovernment, the problem, in our own country, is become somewhat difficult to solve, in consequence of the mass of poverty, and its accompaniment, ignorance, which has been for a long period suffered to accumulate. We can now see plainly enough how it has been prevented in another country. The Atlantic, or old states of North America, have produced the elements, or springs of poverty in a far greater number than this country, in the shape of a rapid increase of population; but there these springs, as fast as they appeared, have found space to run off and diverge from the fountain-head, and, in thousands of rills, to fertilize the new meadows through which they have meandered: here, they have met with and obstructed each other in their course, and, for want of a sufficient number of separate and distinct channels, before they reached the sea, have accumulated into a mighty lake of human poverty, which, unless it is skilfully drained, will ultimately overwhelm the whole country in a general ruin.

I do not say that employment for the whole population might not have been found within our own limited boundaries, by wise legislation, under the *laissez-nous faire* system, or that it may not still be done; but unfortunately there is little hope of such legislators being found, unless chosen more directly by the people; and the intellect of this same people has been by former governors* (by the sins of omission and commission) so destroyed or brutalized, that the poorer classes are not at present fit to choose new ones. Our only hope must, therefore, rest on placing the rising generation under better auspices—in directing their education to good instead of evil. I give a much more extensive meaning to the term 'education' than is generally understood, and I consider the whole of mankind as going through even a *regular course* from the moment they are born. Look through any large city, and say if there are not organized schools for the different departments of swindling, picking pockets, stealing, house-breaking, &c. &c., in which the course is conducted under a more rigid examination than even at our universities. Now these *élèves* can be more easily taught to obtain the same object by honest means, if we could once get them into *our* schools, and

* Under this term I comprehend all those who have exercised a control over the operative classes, whether king, lords, commons, clergy, corporations, conservatives, &c., &c., their retainers and followers.

this must be attempted, for, in nine cases out of ten, it is poverty that has driven them from us, and converted them into beasts of prey. But a good education is impossible, unless it is accompanied by the means of livelihood—the first cannot be imparted without the last. How then are the means of doing it to be offered? First, by repealing all laws which check national industry, amongst the most prominent of which are the Corn-laws. Secondly, by affording to *all* the free choice of cultivating lands or manufactures, either in the mother country or the colonies. These measures would banish poverty from the nation, but whether the quantum of reform which it has obtained will send men into parliament, fit and willing to execute them, time alone can show, but I trust much more to the law of necessity than to any other.

We can, of course, obtain no data from which to calculate the amount of population that our country can maintain, under a free system of exchange of manufactures for food, and it is possible that Great Britain may become to the world—what London is to Britain—a great metropolis. Now, as the inhabitants of London live by importing food from all quarters, (if the term import may be allowed in this case,) it is only to extend the same idea to a whole country or nation, and why may it not do the same? Holland has for ages been in this situation. The limit of the comfortable condensation of the population in any place may not easily be defined, and of the two modes of supporting it—bringing food to the people, or sending them to the food—the former is the most desirable, inasmuch as it is generally allowed that progression of intellect, and consequently the rapidity of human improvement, will always be in a direct ratio to the density of the people, in which the human mind is brought into full action by constant collision. No efforts of the press can possibly afford a full substitute for colloquial intercourse, as far as the improvement of the mind is concerned, and it is to be regretted that the custom of detached houses in the agricultural districts should exist, from which the proverbial ignorance of the English farmer arises; I therefore cannot join in the regret expressed by Sir Walter Scott, that the French farm-houses were grouped in villages instead of being dispersed all over the country as in England. It is in some degree to the French nation being so gregarious that their superiority over other people in the *agrémens de la vie* is to be attributed. The isolated dispersion of the population exists also in the United States, and however superior that nation may be over all others in its government, I still think that our country will be the first to demonstrate the proposition of what is the best form, and place it on a permanent basis, for there are many more modifications of a government than any which the world has yet witnessed; but under none can *liberty* and *poverty* exist together—the one will inevitably destroy the other. Before we can, therefore,

perfectly obtain the former, we must remove the latter. The practical obstacles of the attempt will arise from the difficulty of getting access to and obtaining the confidence of the poor. They have so long been degraded by all the other classes into a distinct *caste*, and kept at arm's length from the rest of the community, that we are regarded almost as their natural enemies, and every endeavour on our parts to obtain a greater intimacy with them will most certainly be misconstrued, and regarded with suspicion. The aristocratic pride of this country must humble itself; a personal interchange of friendly offices must take place between the rich and the poor; all arrogant assumptions of superiority must cease; our public schools of every description, intended for their education, must be conducted with a greater spirit of kindness and familiarity, and even our poor laws administered with the same feeling. *Hauteur*, obsequiousness, and servility must be banished the country. Unless this is accomplished it will be impossible to educate, or even to govern the poor. As for our charitable donations, (so miscalled,) the greater part of them are worse than useless; they are bestowed without any acquaintance with the object, and then of course received without any kindly feeling. The donor is thus entitled to no praise or reward, for *there can be no virtue without a sacrifice*, and where is the sacrifice in the simple act of taking from the pocket what is never missed? There is but one species of true charity, and it is that only which will enable the poor to live without it, or, in other words, to assist them in earning their own subsistence. The terms 'ignorant mob,' 'brutal rabble,' &c. must cease to be used, and those who now employ them must be taught that they are not of the 'rabble' *only* by the fortuitous concurrence of circumstances, and are themselves partly the cause of the existing ignorance and brutality by neglecting every means of removing it; the people are so merely because those who ought to teach them better, do not perform their duty. These are unpalatable truths with many, but I am ready to bear the obloquy, and challenge the contradiction. With you, sir, I know they will be received in the best spirit, because the most congenial to that of your excellent Repository, and I beg to subscribe myself most respectfully yours,

Bristol, 9 *Jan.* 1833. JOHN HAM.

NOTICES OF FRANCE.—No. 5. The Six Codes.

[From the Commonplace-Book of an Invalid.]

The six French Codes—Some account of each—Appendix and its contents—Bulk of French law up to 1831, contrasted with that of English law—Justices of the peace—Primary courts—Cours royales—Assize courts—Costs of suit—Court of Cassation—Grand juries abolished by Bonaparte—The 'Hypothèque,' or register of titles—Pot de vin—A favourite custom at court—The new municipal law—Law on the organization of the national guard—New electoral law—Improvement of the ballot—Imperfections in French jurisprudence—Dependence of juries—excessive number of judges and suppléans—Power of transference and consequent delays—Improvements in the criminal code proposed by commission of revision—Unspeakable obligations of France and the whole world to Beccaria, Romilly, and Bentham.

The great body of French law up to the year 1831 consisted of six Codes, entitled respectively, 1. Code Civile; 2. Code de Procédure Civile; 3. Code de Commerce; 4. Code d'Instruction criminelle; 5. Code Pénal; 6. Code Forestier; accompanied by *tables of costs and expenses*, with an appendix subjoined to the first five codes. The first five of these codes compose what was known by the name of the *Code Napoleon*, all of them not having been completed till during the period of his usurpation of the rights and liberties of the people; but the credit of them is alone due to the National Assembly of France who devised and prepared them. After the restoration the Bourbons added the appendix, containing amongst others a law against the freedom of the press, and the even more infamous *loi, pour la répression des Crimes et des Délits commis dans les édifices ou sur les objets consacrés à la religion catholique, &c.* and also the sixth code called *Code Forestier*. The *Code Civile*, the first, and by far the most comprehensive of these divisions, defines the rights of persons in their various capacities of citizens, parents, sons, daughters, guardians, minors, married and unmarried. It next treats of property in its respective modes of acquisition and possession, as inheritances,* marriage portions, sales, leases, bonds, loans, mortgages. The *Code de Procédure Civile* prescribes the manner of proceeding before the different courts of justice, beginning with the Juge de paix; also the mode of carrying sentences into effect, whether the payment of damages, the distraining of goods, or the imprisoning the party condemned. It declares likewise, the course to be followed in transactions distinct from those of the law courts, as in arbitrations, taking possession of an inheritance, or a division of property between man and wife. The *Code de Commerce* begins by defining the duties of certain officers, or commercial agents, such as sworn brokers and appraisers; it next treats of partnerships, of sales and purchases, of bills of exchange, of shipping, freight, and insurance, of temporary sus-

* This division, being that to which the attention of the writer was more particularly directed *practically* as well as *theoretically*, will be considered more at large.

pensions of payment, and bankruptcies. The *Code d'Instruction Criminelle*, a very different but equally interesting division, explains the duties of all public officers connected with the judicial police, whether mayors, assistants of mayors (*adjoints*) *procureurs du roi*, *juge d'instruction*, &c. After prescribing the rules regarding evidence, it regulates the manner of appointing juries, and the questions which fall within their competency. Its further dispositions relate to the mode and nature of appeals, and to the very unpopular courts authorized to try state offences, termed *Cours Spéciale* under Bonaparte, and *Cours Prévôtale* under the Bourbons. The *Codè Pénal* describes the punishments awarded for offences in all their variety of gradation, from the penalties of the *police correctionnelle*, to the severest sentence of the law. All offences are classed under two general heads,—state offences, such as counterfeiting coin, resisting police officers, sedition, rebellion; and offences against individuals, as calumny, false evidence, manslaughter, murder. The appendix to the *Code Pénal* contains a law to indemnify the emigrants, dated 17 May, 1826, which has given rise recently to much debate in the chamber of deputies; and which has been materially altered; a law relative to there pair of highways, or what in England are called parish roads;* laws for the regulation of notaries, interest of money, relatif à la Plaidoirie, pleadings in courts of justice, and regulating the profession of advocate (*avocat*) and the barristers; the horrible law of sacrilege, passed 20th April, 1825, and the laws against the press and periodical journals. The *Code Forestier*, passed in the third year of Charles the Tenth's reign, (1827,) attempts to reduce to rule that management, not only of the royal, but the national forests, and in some cases even those belonging to private individuals, and to establish guards, fines, and other regulations, which, after all, must, and in most cases may best be left to the persons immediately interested in their conservation, and in the profits derivable therefrom, under the protection of such legislative enactments as our last English Trespass Act contains, for the protection of timber, coppice-woods, &c. &c. In France it is computed there are 17,000,000 of English acres of forest land, 3,700,000 of which are said to belong to the government, and which, according to the published accounts, do not make an annual return of more than 800,000*l.*, or after the rate of little more than four shillings per acre—a result sufficiently indicative either of gross neglect or mismanagement.† The impertinent interference with the rights

* It will scarcely be believed that more than ordinary repairs under this act, such as repairs of bridges, &c. cannot be effected without the consent of different officers at a distance—so insatiable was the appetite of the Bourbons for the creation of patronage.

† Abundant proof of this was afforded to the writer, when he afterwards crossed the Bocage, went through the national forest of Bersay, and lived for a fortnight in one of the romantic recesses of the vast forests of the Ardennes, several of which were for sale.

of private property sanctioned by the forest code, are such as none but an ignorant and despotically inclined government would have attempted. Inasmuch as the character of the present government of France partakes of those *statesman-like* qualities, this evil must wait a little longer for its remedy.

These codes, the first attempt to reduce the laws of a great nation into the compass of a pocket volume, consist of a number of sections and short paragraphs, each paragraph marked with a number, to facilitate reference. The style is as concise as is consistent with clearness. The arrangement is minute and elaborate. Copies of it are in possession not only of the judges, pleaders, and attornies, but of agents, merchants, and persons in business generally, who, without being enabled by it to dispense with the aid of lawyers in a suit, find in it a variety of useful information and explanations, which not unfrequently prevent a suit, and qualify men of moderate understanding to solve questions of common occurrence in their respective occupations. In England, on the contrary, such is the immense number of law-books, and their ponderous size, that it would require the age of one of the patriarchs to gain a competent knowledge of them. The most condensed edition of the statutes at large, yet given to the public, occupies thirty-nine volumes in quarto, seven and a half of which comprise the Acts from Magna Charta to the end of the reign of George II., the remaining thirty-one and a half being filled with those of the two last reigns! In France the justices of the peace are very numerous, there being one for each canton, and consequently near three thousand in the kingdom. They are never, as in England, clergymen, and seldom country gentlemen,* but persons acquainted with the law, and mostly in circumstances which make the salary, small as it is, (from eight hundred to one thousand francs, thirty to forty pounds,) an acceptable return for a portion of their time. They are not unfrequently provincial attornies, or pleaders retired from business. The justice of the peace (or *juge de paix*) in France is authorized to pronounce finally in petty sessions under fifty francs, or two pounds, and to make, in questions up to one hundred francs, a decision subject to appeal. He takes cognizance likewise of disputes about tenants' repairs, servants' wages, the displacing of the landmarks of property, driving incautiously on the highway, damaging standing corn, endangering a neighbour's property by neglecting repairs, &c. No action can be brought before a court of justice in France until the plaintiff has summoned his adversary before a *juge de paix* with an amicable intent, (*cité en conciliation*,) and received

* Under the old system in France there were no country gentlemen, none answering to what we understand by that phrase, no men of moderate fortunes living on their estates in the country. It was the policy of the Bourbons to have but two classes of persons—the very rich and the very poor. The operation of the laws of inheritance will in time give France this class in society.

from the judge a *procès verbal*, showing that the difference could not be adjusted. When the justice is prevented from acting, his place is taken by his first, and, if necessary, by his second substitute. Of the *primary courts* there is one for every arrondissement, making above three hundred and sixty for the whole of France. Each is composed of three or four members, of two or three *suppléans*, or assistant members, and of a *procureur du roi*, acting on the part of the crown.

In populous districts, *cours de première instance* comprise six, seven, eight, or more members, and are divided into two or three chambers. They are chiefly occupied with questions of civil law, and hold, in the extent of their jurisdiction, a medium between the humble limits of the *juge de paix*, and the extensive powers of the *cour royale*, their decisions being final wherever the income of a property does not exceed forty shillings, or the principal forty pounds; but subject to an appeal to the *cour royale*.

The members of these inferior courts are now named, like other judges, by the crown, and hold their places for life. The salary of each is eighty pounds, their number, including *suppléans*, is not far short of three thousand. A section of the *tribunal de première instance* is appropriated to the trial of offences, under the name of *tribunal de police correctionnelle*; these are for graver offences, to which punishment of imprisonment, not exceeding five years, may be adjudged, whereas, in the former, imprisonment is limited to five days, or a fine of fifteen francs. These offences are such as assault and battery, swindling, privately stealing, using false weights or measures, &c. The higher courts of justice are equal in jurisdiction to our courts in Westminster-hall and on the circuit, but with this material difference, that in France the civil courts are always stationary. The *cours royales*, in number twenty-seven, are attached to the chief provincial towns throughout the kingdom. They are all formed on the same model, and possessed of equal powers, though differing materially in extent of business and number of members. The number of the latter depends on the population of the tract of country (generally three departments) subject to the jurisdiction of the court. In a populous quarter, like Normandy, a *cour royale* comprises *twenty*, *thirty*, and even *forty* judges, and is divided into three or four chambers, of which one performs the duty of an English grand jury, in deciding on the bills of indictment; (*mises en accusation*;) another is for the trial of offences, (*police correctionnelle*,) and a third, with perhaps a fourth, is for civil suits. These courts are often called *cours d'appel*, as all the cases that come before them must previously have been tried by an inferior court. The collective number of judges in these higher courts is not short of nine hundred, an aggregate hardly credible to an English ear, and which would prove a very serious charge on the public purse, were not their salaries very moderate, the lowest being one hun-

dred pounds, while the highest does not exceed three hundred pounds a year; the amount being regulated in strict reference to the population of the towns where the court is held.* The assize courts take cognizance exclusively of criminal cases; that is, of the crimes or serious offences referred to them by the *cours royales.* They consist of three, four, or five judges, members of the *cour royale,* but never belonging to the section that finds the indictments. The distinguishing accompaniment of a French assize court is a jury, which, as in England, consists of twelve members, and decides on the facts of the case, leaving the application of the law, however, to the judges. Complete unanimity was at no time necessary in a French jury. At first a majority of ten to two was required; but this was subsequently altered to a simple majority, with the qualification that, in case of condemnation by only two voices, (seven to five,) the verdict should be reconsidered by the judges, and the party acquitted if, in taking judges and jurymen collectively, there was a majority in his favour.

The assizes are the only courts in France that are not stationary. They are, however, held in the chief town of a department once in three months. *The costs of suit are very exactly defined by a printed tariff or table;* and it is a rule in criminal as well as civil cases that *the party condemned or losing, is liable for all.* The special courts (*cours spéciales*) were constituted out of the usual course for the trial of state offences by Bonaparte as engines of *his* tyranny; the *cours prévótales* by the restored Bourbons as instruments of *theirs.*† Besides the foregoing applications of that term, the name of *tribunal,* or court, is given in France to a committee of five merchants, or leading tradesmen, *appointed by the mercantile body* in every town of considerable business or population. Their competency extends to all disputes occurring in mercantile business, and falling within the provisions of the *code de commerce.* Their decisions are founded on that code and on the customs of merchants, and are final in all cases below a thousand francs. The presence of three members is necessary to form a court; the duty is performed gratuitously, and the number of the courts in France is between one and two hundred.

The court of cassation, the highest known to the French laws, is held at Paris, and is composed of three chambers, each of sixteen members and a president, making, with the premier president, a total of fifty-two. Its province is to decide definitively in all appeals from the decrees of the *cours royales;* investigating not the facts of a case but the forms of law, and ordering wherever

* The English reader should, however, recollect the great difference of the value of money in France and England, as well as the still greater difference in the style and expenses of living in the two countries.

† These have been gotten rid of since the revolution of 1830. The present king is suspected of being desirous of restoring them.

they have been infringed or deviated from, a new trial before another *cour royale.* This revision takes place in civil as well as criminal cases. It determines also all differences as to jurisdiction between one court and another; and exercises a certain degree of control over every court in the kingdom. It has power to call the judges to account before the minister of justice, and even to suspend them from their functions; acting thus as a high tribunal for the maintenance of the established order of judicature. How much better it has answered this its intended purpose and duty than those who would exercise and those who would establish arbitrary power if they could, has been proved in a late memorable instance. May the integrity and independence of French judges be thus ever vindicated, and may the noble example not be lost to other countries!

The French minister, 'Keeper of the Seals and Minister of Justice' (*Garde des Sceaux, &c.*) may be compared to the Chancellor of England, though his patronage is much more limited and his functions much more suitable to that of a minister. He, in fact, rarely acts as a judge, but exercises a general superintendence over the judicial body. He is the medium of communication between the king and the courts of justice, in the same way as the minister of the home department is in regard to the civil authorities. The expenses of the judicial body fall under his cognizance. The *procureurs généraux* and *procureurs du roi* throughout the kingdom address their correspondence to him; and it is his province to report to the king on the commutation or alleviation of punishment; on pardons; in short, on all points in dispute or controversy whether of legislation or administration. One of the more immediate results of the revolution of 1789 was the institution of *trial by jury* in criminal cases; for some time there were grand juries in France similar to ours in England, from which model they were adopted; these were, however, parts of the system of the National Assembly which ill-suited the despotic views of Bonaparte; to attempt seriously to get rid of the former he found would be running too great a risk, even for his cunning and daring. Partly by means of intimidation, and partly from the paucity of numbers, and the habits of French country gentlemen having been corrupted, and their views directed to advancement at court, (which had been made the centre of attraction,) rather than to rural concerns and the improvement of their country neighbourhoods, the functions of grand jurymen and their importance were but ill understood and therefore the less valued, so that the wily usurper of the rights of the people succeeded in transferring them to the *cours royales.* This chamber of a *cour royale* still decides, and in secret, on the bills of indictment, on *ex parte* evidence, as do the grand juries of England, so that not only a secret tribunal, the members of which are appointed by the king, but a considerable expense, is entailed on the country,

which the readoption of the grand jury system would save. Under a professedly liberal government, the unsolicited restoration of grand juries, and the exclusion of the executive power from interference with the election of common juries, might have been confidently expected; but the restoration of these popular rights does not appear to form any part of the *projet* of the present government, which seems to be more occupied with aggrandizing itself, than with fulfilling the royal promise of republican institutions. These, however, as well as the nomination of the *juges de paix*, the mayors, and other local magistrates, must ere long, no doubt, be restored to the people, for whose use and benefit they are required, and out of whose pockets those officers are paid.

In another important article the proceedings of courts of judicature are different in France and in England. Paris does not, like London and Edinburgh, absorb almost all the civil law business of the country. It has, it is true, its *cour royale* on a large scale, comprising five chambers and fifty judges, but its jurisdiction is confined to the metropolis and the seven adjacent departments. There is a *procureur du roi* for every tribunal of *première instance*, and a *procureur général* for every *cour d'appel*. Deteriorated as in some respects the French codes undoubtedly are, since they came out of the hands of their great fosterfathers, the benefits France has derived from them, and their immense superiority over the wretched, old, incongruous, contradictory, anomalous, and oppressive systems which bore down the energies, and reduced to desperation the hopes of the country, are altogether incalculable. France has now, as Fenelon declared she ought to have, a WRITTEN LAW;—*a law to be referred to;—a law the guide of the judges; and which ought to be, and if not which ere long will be, the protection of the subject;—a law which, if not perfect, is still known to be the law;* and which may, and doubtless will, be amended where it is susceptible of improvement. It lies within the compass of the understanding of any man of common sense, and its different codes appear to be so well classed, the provisions of each to be so clearly arranged, and the indices so copious, as well as faithful, that reference to any particular branch is rendered both safe and easy.* The provisions of the French laws for registering mortgages and purchases of land, one object of which is to regulate the expenses of conveyances, and another to prevent litigation, and ascertain, or make a clear and indisputable title, are excellent; and if the government, instead of stamp duties, requires a considerable *ad valorem* duty, which, however, includes the charges of the notary and all other expenses, it is after all but a trifling consideration given for the important advan-

* Mirabeau, in his 'Enquiries concerning Lettres de Cachet,' after enumerating several European countries which have some, though imperfect written codes, adds, 'The French alone had not only no uniform code, but were without even a collection of their customs.'

tages which the system confers, though no one can deny that it is a heavy tax and one which ought to be reduced. The modern distinction introduced by the English lawyers between an *equitable* and a *marketable* title, and the delay and expense thereby inflicted on a seller, together with the necessity, and at times enormous cost of getting-in outstanding terms, are entirely avoided. Public and repeated notices, with sufficient time to make them available, are given for the purpose of considering and admitting any hostile claim, or of making known and valid any prior mortgage; and few persons are to be now found in France who, previously to advancing money either on mortgage or on purchase of land, do not examine the records at the *Bureau Hypothèques.** There is a custom in France which, at first sight, would appear to be confined to the usage of dealers in wine, but the seller of land is also entitled to his '*pot de vin.*' In the items of the sales of M. Marchant de Verrière's wines, made year after year at his vineyards near Orleans, genuine particulars of which were obligingly communicated to me without reserve, a certain sum per hogshead is mentioned as the sale price, and in addition, so much for '*pot de vin;*' for instance, '8 November 1816, sold 64 hogsheads of white wine at 60 francs,' and '60 *francs de pot de vin.*'† This '*pot de vin,*' which is arbitrary, and bears no fixed proportion to the price of the article sold, is applicable to other articles as well as to wine, even to land, a considerable amount of the purchase money being sometimes paid under that denomination, and is seldom included in the gross sum to be *hypothequed.* It bears great resemblance to the per centage generally paid down by way of deposit in England, which constitutes a portion of the purchase money of an estate on which the *ad valorem* stamp duty is levied; the '*pot de vin*' is not subjected to the operation of the *hypothèque,* and not being taxed is of course not protected by it. This singular custom is not of modern origin in France. Under the old regime, whenever a bargain relating to the monopolies and other sources of revenue was struck between the king and the *fermiers généraux, every minister* received a gift called '*un pot de vin,*' which pottle of wine was of the value of 100,000 livres. The favourite sultana procured these places for her friends, or for those recommended by her friends; and these ladies were known to be particularly fond of this *kind* of wine,—they drank with great avidity repeated *pottles.* To indemnify themselves for these presents, the *fermiers généraux* oppressed the people in the most dreadful manner. To save themselves from this excessive tyranny the people were naturally driven to commit many frauds in return, or as they deemed it, in self-defence, so that the *ferme générale* exercised the most unceasing vigilance, and un-

* Hypothèque, *s. f.* Droit acquis par un créancier sur les biens que son débiteur lui a affectés pour la sûreté de sa dette.—*Dictionnaire de l'Académie Françoise, cinquième édition.*

† In a future notice the whole of these interesting particulars will be given.

sparing severity, and is stated at one time to have had, throughout France, in pay an army of clerks, subalterns, scouts, and spies to the astonishing number of eighty thousand men!* In addition to the foregoing codes and appendix, in the session of 1831, laws passed the French legislature which it has been thought fit to call the seventh code, probably for want of due consideration, that the multiplication of laws cannot increase the number of codes. Much as the French laws have been simplified, and infinitely better as they have been arranged, (indeed under the old Bourbons there was no classification at all,) it seems to have escaped the sagacity of the French legislators, that a system of jurisprudence could, in strictness, consist but of three codes, namely, the civil code, the penal code, and the code of procedure, and that all laws may be classed under one or other of these heads; the last also, code of procedure, being in fact but the mode in which the objects of the two other codes are to be carried into effect. The seventh and eighth codes (so called) were not printed, *as such*, in June 1831, but the principal laws they contain are the *municipal law*, (*loi sur l'organization municipale*,) *the law on the organization of the national guard*, (*loi sur l'organization de la garde nationale de France*,) and the *electoral law*, (*loi électorale*.) Under the provisions of the municipal law, the king still nominates the mayors of the communes throughout France, and the 'adjoints' or assistants.

With a chamber of deputies, such as is that of the French, partly chosen under the corrupt overbearing system of Charles X, the patriotic deputies and the public found it impossible, without risking a commotion, which the real republicans in France deprecate, to obtain for the people the restoration of this their unquestionable right, and they were obliged to content themselves for the present with having wrested from the court the nomination to the inferior offices of the magistracy; and this monstrous anomaly, unless kings were endued with the attributes of ubiquity and omnipresence, remains for a further period of time a blot on the jurisprudence of France, and a strong proof of the arbitrary disposition even of an elected monarch. The law on the organization of the national guard gives the king the *choice* of the commanders of legions, (*les chefs de légion*,) and of the lieutenant-colonels, out of a list of ten candidates, presented by the legion. Every Frenchman, from the age of twenty to that of sixty years, (with the exception of ecclesiastics, the students at colleges, soldiers of the line, and a few others,) is to serve in person in the national guard of the place in which he resides. Their services are limited to the commune or arrondissement, excepting under particular and special circumstances of local disturbances or national invasion; in the latter case they are

* Domestic Anecdotes of the French Nation, p. 220.

compellable only to serve as protectors of convoys, in the garrisoned towns, and generally so as to enable the government to avail itself of the full force and efficiency of the regular troops. From the spirit universally displayed, however, there is no doubt but that the national guards would, in case of invasion, volunteer for active and unrestricted service. In the month of May, 1831, there were enrolled in the national guards between two and three millions of men, in different stages of training, and mostly clothed and armed. By the new electoral law, notwithstanding the evident disinclination of the chambers materially to enlarge the privileges, or rather to concede to the just claims of the people, the presidents of the electoral colleges are no longer necessarily the creatures of the minister, but are to be chosen by the *electors themselves.* The *electors are more numerous*, that is, the right of voting is *extended*, so that, judging from a number of local returns compared, it would appear that the increase will be at least three quarters to one, or, in a case where the electors *were* a thousand under the old Bourbons, and up to the period of the operation of the present law, they *will be* at least 1750. Several of the returns actually show the proportion of increase to be as 1900 to 1000, so that they will be the less easily intimidated or circumvented, and, above all, the provisions for insuring the integrity of *the ballot*, and for rendering that sacred, which had heretofore, in many cases, been violated and betrayed, will enable the electors to act according to the real dictates of their consciences, without fear or control. Thus France has gained much, unquestionably, by the new electoral law, although yet imperfect, and notwithstanding an immense majority of Frenchmen, having property to lose, and rights to be defended, are yet unrepresented. Whether, until there be a real representation of the sentiments of the great body of the people in France, other and more material improvements will take place in the jurisprudence of that country, remains to be seen. It was calculated by those who had opportunities for obtaining information, that though France contains thirty-two millions of people, the constituency, or persons legally qualified to vote for members of the chamber, did not amount to more than two hundred thousand individuals,—a satire on representation, and an absurdity scarcely to be paralleled; and yet there are above two millions of citizens who can be trusted with arms in their hands, and with cannon attached to their battalions!

The leading objectionable features in the French jurisprudence appear to be the nomination on the part of the Crown of such a vast number of judges; the imperfect and limited expense of the jury system; the retention of some barbarous and capital punishments, in direct opposition to the feelings and wishes of the people; the unnecessary number of *employés*; the harassing reference of a certain description of cases from one court and

authority to another, and the delay consequent thereon. Independently of the unspeakably greater security afforded by grand juries, in criminal cases, than by any constituted and paid authorities whatever, the periodical association of the principal resident landowners, and the interchange of information and opinions consequent thereon, would speedily create a species of country-gentlemen, above all things wanted in France, who would, in a short time, be qualified to act as justices of the peace, (peace-makers and peace-preservers amongst their neighbours,) and who would give a tone and consequence to the country departments, which they have not at present. In the inferior description of law-courts alone, it appears that, including the *suppléans*, there are in France three thousand persons having the character of judges. Even a single *cour royale*, in a populous district, has sometimes from twenty-five to thirty judges, the collective number of such being not fewer than nine hundred. This is cumbrous, expensive, and dangerous machinery with a vengeance.*

It is cheering to know that the commission of revision appointed by the minister of justice, which has been some time sitting, has sent a report (*projet*) to all the courts of the kingdom for their opinion and advice. They propose to abolish many punishments which have been long reprobated by the enlightened jurists of France, and condemned in the public opinion; such as civil death, branding and mutilation of the hand, the *corcou*, or iron collar. The punishment of death is *no longer* to be inflicted on coiners, for counterfeiting state seals, forgery, or robbery, even under aggravated circumstances, nor for some other, at present, capital offences. Great and salutary alterations are contemplated in some of the articles of the second section of the third book of the *code pénal*, which treats 'of plots and attempts against the king and his family;' and Bonaparte's abominably arbitrary acts against vagrants, in the fifth section of the same book and code, are to be entirely repealed, as well as the supplementary law to the penal code, passed the 25th of June, 1824. Thus it appears that although the ministers are content to march in the rear of public opinion, they have either too much respect for it, or regard for their places, to withhold all compliance with its dictates. It is at any rate consolatory to the feelings of humanity, which have been so long outraged by the existence and execution of arbitrary and barbarous laws, that decided progress is constantly making in the improvement of the systems of national jurisprudence, and particularly in assimilating the spirit and practice of the penal code more and more to the clear dictates of justice, and to the

* The celebrated case of Dumonteil, the priest, *who had dared to marry*, furnishes a memorable example of the manner in which the plainest cases may be turned over from one court to another, each shifting the responsibility from itself, whilst the accused is in danger of becoming the victim to their delay. See Constitutionnel, May 1831. See also Nouveau Mémoire à consulter du Jeune Jésuite, Paris, 1829.

mild and merciful spirit of the GOSPEL OF PEACE; whilst it is not a little gratifying to the legitimate and honourable pride of Englishmen, to know and to have it freely acknowledged by foreigners, that, next Beccaria, this happy change is mainly attributable to the splendid talents and unwearied benevolence of their illustrious countrymen, Romilly and BENTHAM.

M.

GOETHE'S WORKS.—No. 7.

AFTER a pause, we resume our catalogue, and purpose to present a synoptical view of the contents of the remaining volumes with fewer digressions into collateral remark.

The thirteenth volume consists of miscellaneous poems, for the greater part belonging to that class of Goethe's earliest writings, comic and satirical, which astonished the age, excited tumultuous applause from the gay and young, and were received with frowns from the severe and scrupulous. Written in that artificial doggerel of which Faust is the most elaborate refinement, here are his Political and Moral Puppet-Shows; his burlesque of the then expiring and now forgotten Franco-German rhymed tragedies; his Fast-night play of Peter Brey the false prophet; a sort of Tartuffe, &c. One little squib is indeed directed against that very unpopular ultra-heretical theologian Dr. Bahrdt, the precursor of the philological school rendered illustrious by Echhorn, Paulus, &c. Driven from his professorship and becoming a vintner, the doctor nevertheless found partisans and purchasers for his new exegesis, to which Goethe wrote a rhymed preface. In this he represents the doctor receiving a visit from the four evangelists in person with their *attributes;* (the legendary animals;) but the doctor will not introduce them to his company unless they will submit to be shaved and dress like gentlemen. Then follows a legend of our Saviour, such as in the middle ages would have edified the pious, and which Hans Sachs might have invented. The 'poetical mission' of that popular protestant writer, whose homely rhymes aided the reformation,* is an act of even affecting homage by the accomplished and learned poet of the 18th and 19th centuries to the humble shoemaker and versifier of the 16th.

In a similar style of studied homeliness, written for the departing generation, are, the verses on Meeding's death. And of a deeper import the *Kunster's Erdenwallen,* the artist's pilgrimage on earth, and the *Kunstler's Apotheose,* his apotheosis. These dramolets exhibit the hard fate of the artist, whose sole reward is,

The estate that wits inherit after death.

In the one we see him labouring on master-pieces for bread, in

* See Taylor's Survey, vol. i. p. 163.

the other, the deified artist beholds the triumph of his genius in the reverential worship which those same master-pieces receive.

To these are added a poem on Schiller's death, set to music, and performed in memory of his friend, on solemn occasions; a fragment entitled 'Mysteries,' in ottava rime, in which, with gorgeous pomp of verse, the awful ceremonies of the catholic church are displayed; but it is the vestibule to a temple that was never raised.

The volume terminates with a series of poems called '*Maskenzüge*,' *i. e.* Masked processions, composed from the year 1776 downwards, for festivals in honour of the birth-day of the late duchess of Weimar. In one entitled *Romantic Poetry*, a representation was given of the *minnesänger* and epic poets of the German middle ages.

Towards the close of Bonaparte's career, when the Empress Maria Louisa visited Carlsbad, Goethe, who was a frequent visitor of that delightful watering place, comprehended her in his complimentary verses, and without naming him, alludes to the hero whose dominion had been assured by the son, to whom he had assigned Rome herself as a guardian; and by whose *will* the peace of the world was on the point of being established!!! Not always is the poet a prophet; however when peace did come under other auspices, Goethe celebrated it by the most elaborate of his allegorical performances.

Des Epimenides Erwachen, i. e. The awakening of Epimenides, was performed at Berlin in 1815. The purely artificial character of this kind of composition seems to preclude the most valuable qualities of poetry, but Goethe, though approaching seventy years of age, still retained his power of thought and fancy. Passion, there is none in the poem. It contains no appeal to national or patriotic feelings. Neither Germany nor France is personified. Epimenides, the well-known sleeper of the Greek fable, is led to his couch, before which appear a host of allegorical beings. With a freedom which no mere courtier would have exercised, the elements of evil in society are brought forward in action. *Pfaffe*, (precisely our *parson* as a term of contempt,) Jurist, Diplomatist, Courtier, &c. in combination with Oppression, Cunning, &c. &c. The scene undergoes a mournful change. Desolation follows their march. But before the sleeper awakens, Hope, Love, &c. &c. have reestablished the splendour of the scene, and a choral hymn is sung in praise of *Unity*, who is introduced as a tutelary being, by which the mask is worthily closed. The unity that Goethe meant was of course that of all the people, at the head of which were their respective sovereigns. Not a union of all the people in a narrower sense, the commonalty against all the governments, the nobility, &c. &c.

Vol. 14. *Der Triumph der Empfindsamkeit Eine dramatische Grille, i. e.* The Triumph of Sensibility. We have already spoken of

this 'dramatic whim,' and sufficiently, vol. vi. p. 298. We merely add that there is incorporated in this piece a monodrama, *Proserpine;* a lyrical exposition of the feelings of the queen of hell after her abduction. It is introduced by a satire on the then rage for picturesque gardening *à l'Anglaise.*

Die Vögel, i. e. The Birds. An imitation of the first scenes in the well-known comedy of Aristophanes. It is one of the author's earliest pieces, written for performance on the duke of Weimar's private theatre at Ettersburg. There is nothing foreign about it, though every part of it is wild and extravagant. The satire bold, various, and by no means malignant.

Der Gross-Cophta, i. e. The Great-Cophta, a comedy in five acts. It was in 1785 that all Europe rung with the adventures of a political adventurer, *Cagliostro,* who amused an idle and frivolous generation, and even obtained partisans among the noblesse of the profligate court of France, by pretensions to magic. Among the dupes was the famous cardinal Rohan; among his confederates, the notorious countess de la Motte. These distinguished persons contrived to defraud a Parisian jeweller of a diamond necklace of immense value, which they pretended to purchase for the then young queen of France, Maria Antoinette. Her enemies endeavoured to implicate her in the fraud. Men took sides from party motives, but the revolution broke out, and its astonishing incidents threw into shade all the preceding intrigues of the French court. Though a very insignificant work, the poorest, perhaps, that Goethe ever wrote, as a representation of the state of society immediately before that momentous event even this comedy is not without historic value. We here behold Cagliostro, a successful impostor, frightening the women out of their wits, and even overawing the very men who more than half suspect him to be a knave.

The Count promises to introduce his dupes to the Great-Cophta, a prophet of vast powers—of course, himself. His accomplice, a niece of the Countess, in a pretended trance, describes the Queen of France to the enamoured Cardinal, and so ensnares him. And an incident is imagined which forms the catastrophe of the drama, in sufficient harmony with the real occurrence. The parties are detected at night, during the practice of a trick, in which the Queen was personated: and the arrest of the conspirators is the *dénouement* of the play. The Cardinal, though acquitted by the Parliament of Paris, was exiled by the King to his bishopric. The Countess and Cagliostro were both banished. She published her life in England—he died in a prison in the Roman states.*

* Goethe felt a strong interest in all that concerned Cagliostro; and published an account of his family, which he obtained at Palermo, by as innocent a fraud as ever was practised. The impostor's mother and sister were living there in great poverty. Goethe introduced himself to them as sent by Cagliostro. In their extreme ignorance

Der Bürger-General, i. e. The Citizen-General, a comedy, in one act; a sort of sequel to Florian's popular comedy, *Les deux Billets*, which Anton Wall had translated, and continued in German. This is a second continuation. It was written and performed at an early period of the revolution, when Jacobinism had made such slight advances in Germany, and was so little feared, that it could be laughed at. The only attraction which such a subject could have for Goethe lies in a highly ridiculous farcical character, *Schnaps*, (*dram*,) an impudent chattering barber, who pretends to have been appointed Citizen-General by the Jacobin society at Paris, whenever, in his village, the revolution shall break out. He has obtained possession of a cap of liberty, tri-coloured cockade, soldier's coat, &c. and with these he sets up the trade of revolutionary agent. After all, however, he is but a political Jerry Diddler; he does contrive to get a breakfast of sour milk, for which, however, he has to pay *in corpore*, (as the old lawyers used to say,) since he could not pay from his purse.

Vol. 15. The dramas terminate with a fragment in prose, *Die Aufgeregten, i. e.* the Insurgents. We neither wonder nor regret that it was left incomplete. The author's purpose (similar to that of the *Bürger-General*) was to expose as an object of ridicule the attempt of a conceited surgeon to raise the standard of rebellion against his sovereign, a *Reichsgräfinn*, Countess of the empire;—a sort of parody of the revolutionary scenes which had already begun in France. But, besides that the subject was too tragical for a joke, in effect the satire strikes less the Jacobins, than the political constitution which could be *so* assailed. The more than three hundred petty sovereigns of Germany aped ridiculously the formalities of greater powers. And even these otherwise very insignificant scenes, may be read with interest for the information they impart concerning the economy of the late petty states of the late 'holy German empire.'

Unterhalhingen deutscher Ausgewanderten, i. e. Amusements of German Emigrants. A noble family, driven over the Rhine, discourse, with more Socratic wisdom than dramatic passion, on the calamities of the times; and, as a relief from the sad realities of the hour, have recourse to the old remedy—story-telling. Hence is introduced that unique tale without a title, *Das Märchen*,—a word for which we have no corresponding term. In this tale there are no fairies; nor is it legendary, for it is founded on no popular superstition; nor does it resemble any thing we ever read, even Landor's *Gebir* is intelligible by its side. It is an experiment of what may be done by mere fancy. A juxta-position

and simplicity, (they could neither read nor write,) it was easy for him to make them believe his story; whilst he gladdened the hearts of the poor women as well by the substantial relief he afforded them, as by making them believe that their worthless kinsman had not altogether forgotten them. The picture of their simple piety is even touching.

rather than a combination of unconnected images, like a picture of chaos formed of splendid colours. It has no object, nor even characters, unless we consider to be persons two jacks-a-lanthorn, who shake gold from their—may we say body ?—to pay the ferryman, whose boat is nearly overset by their weight. Schlegel has entitled it a Golden Tale, and there is a magic in the style that fascinates the reader. But since it is style, and nothing but style, that captivates, it was bold, not to say rash, in Mr. C. to venture on a translation, in a late number of *Fraser's Magazine*, with notes, that read very like satire on his previous writings.

In the course of the dialogue a favourite theme is introduced, *Die guten Weiber*, The good Women. We have here an insight into Goethe's *domestic* psychological philosophy. The volume closes with what the author calls a *Novelle*, in the Italian, not English, sense of the word. It is rather a romantic anecdote or idyl in prose, than a tale. In grace of diction it emulates the sweetness of the few really beautiful serious tales of Boccaccio, such as 'The Pot of basil,' 'The Falcon,' &c.

With Vol. 16 commences a most important class of our author's works, his three philosophical romances.

Of Werter we have spoken already, vol. vi. p. 297. We add but one remark. The two last generations of novel readers have been chiefly attracted to this book by its power over their feelings as a work of passion. Posterity will probably contemplate it in connexion with the political convulsions of the age that succeeded its publication. Werter is not merely the hopeless lover,—he is the oppressed *bourgeois ;* he represents the class of persons wounded by the inequalities of rank, and unable to sustain the burthen of social existence ; his tragic fate points to the conflict then brooding in the great body of social life, which was so soon to sustain one of the severest shocks that the history of mankind records.

Annexed to Werter are *Letters from Switzerland*, which serve partially to solve a question that has been often put,—Did Goethe mean to identify himself with Werter ? In the preface it is merely said that the letters are asserted to have been found among Werter's poems, and to have been written before he knew Charlotte. And he identifies himself with the writer in a remarkable sentence, which, however, as far as we know, no one has yet remarked. At the Hospice of Usern, a priest having made a speech in praise of his Church, the letter-writer adds, 'How he would have wondered had a spirit revealed to him that he was addressing himself to a descendant of Frederick the Wise !' that must mean of Saxony : and, in 1779, Goethe did travel in Switzerland with the Duke of Saxe-Weimar, a descendant of the Wise Frederic. In 1773 he had travelled thither with the two Counts Stolberg : and in these letters he refers to an earlier journey. This amounts to all the proof such a position is capable of receiving. But there is in these letters the same two-fold character

which, according to Goethe's mother, there is in Werter. Those of the first part are in a melancholy mood; he writes with bitterness of the Swiss. He is travelling through a country little seen, though very beautiful, in the neighbourhood of the Jura mountains. In the latter part he goes from Geneva, over the Gemnii and St. Gothard, towards Italy, where the letters abruptly terminate.

We think that this latter journey may be fairly considered as belonging to his personal history, and ought to precede his journey to Italy in the works. Acquainted as we are with the scenes travelled over, we should think the tone exaggerated, but for two considerations: we have not had the good fortune to see this glorious country in winter; and it is now no adventure to cross the Alps in summer; in which season at least there are some four or five high roads as free from danger as the turnpike-road between London and Newmarket.

Vol. 17 consists of *Die Wahlverwandtschaften, i. e.* Elective Affinities; a romance written at a late period in Goethe's life, 1809, after *Wilhelm Meister.* It has not the lofty pretensions of that work, nor contains its manifold bearings on human life. The incidents are few, like those of Werter, but it wants its popular qualities. It is a tragic tale. The catastrophe is produced by the woful excesses of that passion of which Lord Bacon says, that the stage is more beholden to it than life. But the book is not confined to the developements of a wild tumultuous passion. The passionate scenes are relieved by long digressions of a soothing kind, every part of which is richly stored with moral and psychological wisdom.

Edward, a wealthy baron, the spoiled child of prosperity, is living on his estate, married rather late in life to Charlotte, whom he loved when young, but whom he did not obtain till after the death of her first husband, They have every object of earthly desire in abundance. The Baron hears that an old school-fellow and friend, a military man, is dismissed from service, and insists on his coming to reside with them. His wife in vain remonstrates, objecting that the presence of a third person might interrupt their domestic felicity, and remarks that, under a like apprehension, she had not proposed that her niece Ottilia should be removed from her convent to their house. But the forebodings of the wife have no effect on the self-willed husband. The Captain comes, who merits the attachment of his friend, by rare powers of mind, and high honour and integrity. Ottilia, too, comes, and she is a model of female virtue and excellence, uniting to the warmest sensibilities of her sex all the purity of which it is susceptible. And yet a fatal combination arises which, borrowing, in illustration of the passions of our nature, the language of chemical science, our author terms *elective affinities,* which, in fact, are found in life as in nature. This

habit of contemplating the moral and physical worlds, reflecting each other as in a mirror, is very characteristic of German philosophy, and we, therefore, abridge a portion of the ominous dialogue that precedes the occurrence of any actual evil.

'That word, *verwandtschaft*, [relationship, affinity,] brought to my mind some troublesome kinsfolk,' said Charlotte; 'And yet,' said Edward, 'it is but a figurative expression; the book treats of earths and minerals, but man is a very Narcissus—he sees himself in every thing.' 'Ay!' exclaimed the Captain, 'man imputes his wisdom and his folly, his idle whims and his earnest desires, alike to plants and minerals, the elements, and superhuman powers.'

To the inquiries of Charlotte an explanation is given of the elective affinities which, in by-gone chemical theories, were often adverted to. Pursuing the analogy, Edward adds: 'Some substances, like friends and old acquaintance, unite the instant they meet, without losing their individual nature; wine and water for instance. Others are obstinate, and will not yield but to mechanical violence. Shake oil and water as you like, when the shaking is over they separate'—had the speaker been a prophet he might have said, 'as Holland and Belgium will do.'

'The complex cases are most curious,' said Edward, 'when feebler and remoter affinities come into play, and when they produce separations.' 'Does that *sad* word occur in natural history which we hear so frequently in life,' asked Charlotte? 'By all means,' answered Edward; 'formerly chemistry was known by no other name.'* 'We have done wisely in leaving that off,' remarked Charlotte, 'for uniting is a greater art than separating.' 'Don't think me a pedant,' said the Captain, 'if I use the language of signs to explain this. Imagine A and B to be united, so that they can hardly be separated. But C and D are added; and now A combines with C, and B with D, and there is no saying which is the first to leave its companion.' 'Let me use this as a simile, Charlotte,' added her husband. 'You are A, and I follow you as B does its A. Now the Captain has, in a certain degree, drawn me from you. And you need a D to supply the loss. This can be no other than your niece, Ottilia, whose coming you can no longer oppose.'

Ottilia did come, but the elective affinities operate otherwise than had been anticipated in the playful dialogue. In the tragical consequences of this fatal meeting of four excellent persons, lies the whole novel, though one only of the four, Edward, the self-willed, is subdued by irresistible desires. The Captain withdraws the moment he is conscious of the involuntary passion; and Charlotte swerves not for an instant from her conjugal duties. Even Edward flies and takes military service, and leaves Ottilia

* The nearly obsolete term for chemistry is *scheidekunst*, from *scheiden*, to separate, and *kunst*, art.

with his wife to pine away in solitude, unconscious of the nature of her own malady, and incapable of evil. During the imperfect repose permitted by the absence of Edward, the course of the narrative allows of delightful digressions. Beautiful dissertations are introduced on architecture, and on the elegant occupations incident to a country life of persons of taste. Other characters are introduced which diversify the scene; the splendid accomplishments of Charlotte's daughter are finely contrasted with the deeper charms of her niece, Ottilia; and a young architect serves to enrich their society by his conversations, as well as adorn the estate by the exercise of his professional talents. Among the episodes of the novel are an animated description of *tableaux vivans*; and, above all, a *novella*, entitled, '*Die wunderlichen Nachbarskinden*,' The Strange Neighbour's Children. At length, the campaign being ended, and Charlotte delivered of a beautiful boy, this repose is disturbed by the return of Edward.

The catastrophe rapidly follows, but of this we shall say nothing. The statement of the story of a novel, except for the purpose of explaining the author's drift, is worse than idle. Suffice it to say, that this pathetic tale ends as it *must* end—not without the intervention of that which, under various systems, and in different states of mind, has been indifferently called fate, accident, or providence.

Admirable as this little work is, perfect as a composition, and fraught with beauties of the highest order, we are by no means anxious that it should be immediately translated; at all events, we hope it will not fall into the hands of a mechanical translator. It would not please those who read for the sake of the story, who would find the dialogues and discussions too frequent and too long; and among those who would be capable of appreciating the deeper merits of the work, not a few might be offended by some of the sentiments. There is no branch of morality upon which there are greater diversities of sentiment, among different nations, than that which respects marriage. An Englishman must familiarize himself with the French Comedy before he can be reconciled to the absolute power which the father is assumed to have over the hand of his daughter. The problem of the French dramatist is to obtain the father's consent to the daughter's choice. The English author's frequent object is to exhibit the lovers in successful defiance of his refusal.

The German novel, like the French play, requires an indulgent allowance for diversities of national sentiment. A large proportion of English readers are indeed deeply convinced that our own national habit of thought (whether it concerns the observance of the Sunday or any other custom) is the only true and lawful and permissible habit. To them we have nothing to say. To another class we content ourselves with reminding them that in all that respects the indissolubility of marriage, the principles of the An-

glican church are nearer those of the church of Rome, than those of any other reformed church. And that in the Protestant Churches of Germany, as well the Lutheran, as the Calvinistic, divorces are allowed, as our own great and wise Milton so strenuously contended they ought to be.

TO INEZ.

Mine own, my gentle child,
My fountain of all love,
With a spirit soft and mild,
And a firmness naught can move!

Entranced I gaze upon thee,
Thou chaser of my gloom;
When a lover's heart hath won thee,
I will welcome but the tomb.

How glorious is thy brow,
Thine eyes how beaming bright,
Thy voice of silvery flow,
And thine intellect of light!

While listening to thy speech
I mark thy judgment's power,
I hold thy love more rich,
Than the spoils of beauty's bower.

I have tasted beauty's lip,
I have gazed on woman's charms,
I have drained the cup too deep,
And my heart no longer warms.

But thy love, so sweet and pure,
In which passion may not dwell;
Oh! might it but endure,
Then this bosom were no hell.

Thy kisses fall like balm,
On mine eyelids and my heart,
Like a summer evening's calm.
May we never, never, part!

Oh! gentle is each thought
While I gaze upon thy face;
The peace I long have sought,
Is in thy abiding place.

Yet I joy to see the flashing
Of the lightning in thine eye,
Which, with ruin round thee crashing,
Would still pale fear defy.

Oh! calm me, gentle child,
  With thine accents low and sweet,
Chase away each feeling wild,
  Bid my pulses softly beat!

Place thy small hand on my cheek,
  And thy sweet lips upon mine;
And my spirit shall grow meek,
  While united unto thine.

Oh! so deeply do I love thee,
  My beautiful, my bright;
Where thou art, day beams above thee,
  Where thou art not, is but night.

Though thou art not of my blood
  Thou art kindred to my soul;
Thou hast chased the warring mood,
  That no other might control.

We will talk of Art, and Nature,
  We will kneel at Wisdom's feet;
Thou shalt have no other teacher,
  Sweet child without deceit.

No hireling lip shall yield thee
  A cold, and coin-won lore;
But I, alone, will shield thee,
  And tend thy mental power.

Thy glance upon me lightens
  In love all mutely wild;
Hope once more round me brightens,
  Oh! bless thee, my sweet child!

Dec. 15, 1832. JUNIUS REDIVIVUS.

DR. SOUTHWOOD SMITH ON THE ANIMAL ECONOMY.

WE resume our analysis of the able and useful course of lectures which Dr. S. Smith has just completed on this interesting subject. The present portion will chiefly consist of extracts from the third and fourth lectures. They relate to the *properties of the blood, its circulation, and the structure and action of the heart.* We begin in the lecturer's own words.

'The blood is the common material out of which all the fluids and solids of the body are formed; out of which all the tissues and all the organs are built up. The blood is alike necessary to the formation of the tender and delicate membrane, and to the hard and compact bone; it gives origin equally to the mildest and blandest fluid as the saliva and the milk, and to the most active and irresistible, as the digestive or the gastric juice.

'The blood is the common material with which the capillary arteries, which as you will see hereafter are the masons and architects of the system, build up their different structures in the different parts of the body.

'The blood is the common stimulus by which the most important organs, both of the organic and of the animal life, are stimulated to the due performance of their functions.

'Without a supply of blood, the heart, which is capable of untiring action as long as this fluid is in contact with its internal surface, is no longer capable of the slightest motion. Without a supply of blood the brain is no longer capable of intellectual operations, or even of the slightest degree of perception. In less than one minute after this fluid ceases to flow in proper quantity, and of proper quality, through the vessels of the brain, sensation is abolished and fainting comes on.

'You are well acquainted with the appearance of the blood as it flows from a wounded blood vessel. You have seen that as it issues from such a vessel it is of a red colour; and you know that it is of a thick, tenacious, and gluey consistence. If you observe it merely when flowing in a full stream from a vein, or if you examine a mass of it collected in a cup immediately after it is removed from a blood vessel, you would suppose that it is a true and proper fluid, and that it is perfectly homogeneous in its nature. Yet it is not a fluid, and instead of being homogeneous in its nature, it is the most complicated substance in the whole body. Its constituent parts are numerous; each part has distinct and peculiar properties; and the whole are united together in a mode resembling nothing else with which we are acquainted. The more you know of the constitution and properties of this curious substance, the more deeply you will feel that your admiration of the structure of the animal frame ought not to be confined to the mechanism of its solid parts; that the whole is wonderful and admirable from the common material out of which the whole is constructed, to its most delicate and elaborate instrument.'

The *physical* properties of the blood, its consistence, colour, specific gravity, and temperature, come first under review. Its consistence is very quickly altered after it is removed from its vessel into a firm solid, and a thin fluid. No means yet known can prevent this change from taking place.

Redness of colour is not essential to blood. In large tribes of animals, as insects, it is not red, and there is no animal in which it is red in all parts of the body. Blood is circulating in abundance through the human eye, through even the transparent cornea, but it is not red blood. In the internal vessels of reptiles it is yellowish. In the organic organs of the higher animals it is always red, deep red in birds, deepest of all in quadrupeds, and in some tribes deeper than in others. Its colour varies in the different races of men, and in individuals according to age or disease. The pallidness, duskiness, or bright and transparent colour of the cheek are alone sufficient to announce to the physician the presence of some of the most formidable diseases. There are two kinds of blood in the human body essentially differing in their proper-

ties; one contained in the arteries of a bright scarlet colour, the other in the veins of a dark or Modena red.

The specific gravity of human blood, taking water as 1000, is about 1050. It is capable of rising to 1120, and of sinking to 1022. Disease almost always diminishes its weight, and the higher the organization of the animal the greater is the specific gravity of the blood. Venous is heavier than arterial blood.

The temperature of the blood varies considerably in different animals. In those called cold blooded it is only 1° or 2° above the surrounding medium. In the bird it is higher than in any other creature—it is 107° in the duck. In the quadruped it is higher than in man. In man it is about 90°, varying, however, like its colour, in disease. In almost every fever the temperature of the blood is very much altered. In the cold fit of ague it sometimes sinks to 94°, and Dr. Smith stated that he had found it rise to 102° in continued fever. No animal has the power of steadily maintaining its own temperature under intense degrees of heat and cold in a degree comparable to man. It is not known what degree of cold man may be able to bear, but it is certain that he can without injury bear it severe enough to freeze mercury; and Drs. Fordyce and Blagden remained for several minutes with perfect ease in rooms heated to 264°, that is 52° above the boiling point, and the temperature of their bodies did not rise more than 3° or 4°.

The phenomena connected with the *chemistry* of the blood are highly curious. It has been stated that soon after its removal from its vessel the blood is changed into a firm solid, and a thin liquid. This process of solidification, which is called *coagulation*, is in fact a process of death; it is completed in from 12′ to 20′, and in venous blood in 7′, when the system is in a state of health. When the coagulation is complete the blood is quite dead.

During the process of coagulation an aqueous vapour is seen to rise from the blood. This vapour is called its halitus. It has a distinct and very peculiar odour, which may be observed in passing a slaughter-house. 'There is another place,' Dr. Smith added, 'in which it is perceptible. It strikes strongly and afflictingly upon the sense in that great slaughter-house of human beings, a field of battle. Few who have been brought acquainted with it in that situation have ever forgotten it. Deep and intense is the horror with which they ever speak of the sensation it produced upon them.'

The solid portion of the blood is called the crassamentum or clot. After a certain time it further separates into a solid yellowish white substance, and into a red mass, to which the colour of the blood is owing. The former of these is called fibrin, from its disposition to arrange itself into fibres. It is by far the most important part of the blood. It constitutes the main part of all the solids of the body. It is strikingly like pure muscular fibre, and in the lower animals in which no distinct muscle can be traced, it probably performs the office of muscle. The red matter which forms the second portion of the clot varies in relative quantity in different animals, and in the same animal at different times, increasing according to its health and vigour. This red matter has excited more observation than any other part of the blood. It has lately been found, by means of the improved

microscopes, to consist of distinct red particles; in man, of a circular form, flattened or slightly concave at each side, variously estimated in size from the $\frac{1}{2\delta\delta\delta}$ to the $\frac{1}{8\delta\delta\delta}$ of an inch. The particles are perfectly transparent, and are seen to have a disposition to arrange themselves into piles, and the motion amongst them in producing this arrangement seems to depend on vitality, for it becomes more feeble the longer they have been removed from the body. In the mammalia they are always circular; in birds, reptiles, and fishes, elliptical; and they are larger in the fish than in any other creature. The least addition of pure water makes them assume a globular form, but any salt prevents this alteration. It is not known in what part of the system they are formed, but Dr. Smith observed 'the uniformity of their figure and size in each species of animals; and the undeviating precision with which they assume an elongated figure in oviparous and a circular figure in viviparous animals, leads to the supposition that their formation is owing to some simple but very powerful cause.'

The fluid portion of the blood is called the serum. It is a transparent fluid of a light straw colour, with a saline taste. By certain chemical agents and by heat, it is converted into a white substance, exactly like white of egg; it is, in fact, pure albumen. A thin fluid drains from it, called the serosity of the blood. This is the fluid which, when it issues from meat, is called gravy. The strongest and most ferocious animals have the smallest proportion of serum; and its quantity is considerably altered in disease; in severe typhus fever it is much increased: it is the fluid which is poured into the different cavities in dropsy. It contains a quantity of uncombined alkali, and holds in solution various earthy substances and neutral salts.

The component parts of the blood then are first, the halitus; second, the clot, composed of fibrin and red particles; third, the serum, composed of albumen and serosity.

The *vital* properties of the blood are yet to be explained, for the blood is alive. The proofs of this fact are various and convincing.

1. It is capable, like other living substances, of resisting within a wide range, the influence of physical agents. The egg while fresh is alive. During the period of incubation a hen's egg is kept for three weeks at a temperature of 103°, yet when the chick is hatched the yolk is found perfectly sweet; but if the life of the egg be destroyed by passing the electric fluid through it, and if it be then exposed to this degree of heat, it putrifies with the same rapidity as other dead animal matter. A living egg exposed to the 17th and 15th degrees of Fahrenheit took half an hour to freeze; when thawed and exposed only to 25°, it was frozen in a quarter of an hour. A living egg and one which had been frozen and thawed were placed together in a freezing mixture at 15°; the dead egg was frozen 25′ sooner than the other. Exactly the same results were obtained by analogous experiments upon the blood. It was found that a much shorter time and a much less degree of cold were required to freeze blood that had been previously frozen and thawed, than blood that had recently been taken from its vessel.

2. Blood has the power of becoming organized. Just as in the living egg when exposed to a certain degree of heat, certain motions spontaneously arise which end in the developement of the chick, so if

blood be poured out in the cavities of the body, or on the surfaces of organs, it solidifies, and if examined will soon be found to abound with blood vessels. It is this property that enables a wound to heal. The blood that is poured out of the cut vessels becomes solid; the red particles not being wanted are soon carried off by the absorbents; the fibrin remains, glues together the edges and staunches the bleeding; the vessels surrounding it quickly begin to be elongated and to shoot into it; it soon acquires vessels of its own, and as soon as a circulation is established within it, it is quickly changed into proper flesh or whatever is wanted.

3. A remarkable proof of the vitality of the blood is its power of remaining fluid while in its vessels, without which power it could not circulate, and the whole machinery of the body would be clogged up and stopped; while without its power of becoming solid all its other properties would be useless, and while its tendency to become solid is so great, that it does actually become so in a few minutes when removed from the body. Slowness of motion makes it thicker, and absolute rest promotes its solidification; and some of the most important actions of the economy depend on this property, for the arrangement of the secreting vessels is such as to ensure a slow motion of the blood through them. Dr. Smith justly remarked upon the necessity and the beauty of this arrangement. 'It was necessary in constructing the blood to preserve the balance between its fluidity and its solidity so nicely, that while all the varied purposes of the economy should be secured, its actions should not be impeded by the very instrument that was essential to them. A fluid must be formed capable of becoming solid with ease and certainty; this same fluid must be so constructed as to be capable of maintaining its fluidity with like ease and certainty. Now a substance endowed with properties so opposite, and all the opposing properties of which are so simultaneously and constantly called into play, and the continued play of which is so essential to the ultimate purpose of their action, is found in nothing purely mechanical; human ingenuity can construct no machinery analogous to it; it is found only in the mechanism of life; this mechanism we cannot see; it is beyond the power of our sense to appreciate; but surely we ought not to be insensible to the beauty and wisdom of adjustments which are so admirable, because we do not perceive the mechanism by which they are effected, and this very mechanism probably escaping our perception because its delicacy and its perfection so much surpass any with which our gross senses have made us acquainted.'

These are the chief facts connected with the composition and properties of the blood. We now come to the machinery which propels it through the body, beginning with the lower animals.

'Recent discoveries relative to the organization of the lower animals have not only taught us new truths, but have given us a new lesson. They have not only increased the stock of our information, but they have corrected our judgment; they have added to the number of facts which prove that nature is always consistent, and that whenever any part of her operations appears to us to be inharmonious, that very circumstance should beget the suspicion that our view of her work is incorrect or incomplete. Nature never recedes. If ever

she appears to us to do so, it is only because we do not understand her.'

The earliest instance in which the movement of the fluids has been seen is in the tribe of infusoria called Vorticellæ; creatures which fix themselves to other bodies by a kind of stalk, and have more the appearance of flowers than animals. Under the improved microscope two opposite currents have been seen flowing in the stalk; one upwards, the other downwards. Somewhat higher in the scale of infusoria there is a distinct appearance of vessels. In insects the mode by which the circulation was effected was very imperfectly understood till very recently; Mr. Bowerbank has now discovered that all down the dorsal vessel of the insect, and at regular intervals, are double valves. The dorsal vessel is seen to contract, and the blood which can be observed through the transparent vessels flows in jets answering to its contractions. This vessel is probably the engine that works the current, and appears to be an extended chain of hearts. One step beyond this and every thing connected with the circulation becomes clear. Two distinct sets of vessels are distinguished, with a third organ interposed between them. This organ is the heart, the two sets of vessels are, the veins carrying blood to the heart, the arteries carrying blood from the heart. The heart at this early stage is extremely simple; it consists of two bags which communicate with each other; one receiving the blood from the veins, called the auricle, the other propelling it into the arteries, called the ventricle. The artery when it springs from the ventricle is a large trunk, it divides and subdivides, as it carries out the blood to the system till it completely supplies every part; its ultimate branches are called the capillaries, and they are so minute and so numerous, that the point of the finest needle cannot pierce the skin without wounding some of them. Where the capillary arteries end the capillary veins begin. These two sets of vessels communicate freely with each other. The capillary branches of the vein gradually becoming larger and larger at length terminate in a large trunk which returns the blood to the auricle, the auricle transmits it to the ventricle, the ventricle propels it into the artery, and so the circulation goes on. But it is requisite that air should get at the blood to renovate it; for in affording nourishment and stimulus to the different organs, it at length loses all the nutritive and stimulant properties it possesses. In the four highest tribes of animals and in man the blood is aerated by means of lungs in the case of those animals which breathe in air, and gills in the case of those which respire in water. Respiration so performed requires the structure of the heart to be complicated by the addition of another artery. This second artery conveys the blood, not to the system, but to the lungs, called the pulmonary artery; while the artery which conveys it to the system is called the aorta. It also requires a set of veins to carry the renovated blood back to the heart. The more perfectly the blood is aerated, the stronger and more vigorous are all the actions of the economy. In reptiles and fishes it is only partially aerated; and their hearts are single, consist, that is, of one auricle and one ventricle. In birds and the mammalia it is double; but it is best (passing over the lower animals) to give a description of the circulation as it exists in man. We shall give it in Dr. Smith's own

words, necessarily omitting the references made to the diagrams, models, and real objects by which his lectures have been so amply illustrated.

'In man the heart is double—there are, in fact, two hearts, quite distinct in their action, and separated from each other by a strong partition, but closely united for the sake of convenience; one for the circulation through the lungs, the other for the circulation through the body in general. The first is called the Pulmonic, or the lesser circulation; the second is called the Systemic, or the greater circulation. The apparatus for the pulmonic or lesser circulation consists, as in all the preceding examples, of veins, of an auricle, of a ventricle, and of an artery. The apparatus for the systemic or greater circulation, consists of precisely the same parts, of veins, an auricle, a ventricle, and an artery. From the position of the heart when in its natural situation, the pulmonic heart is on the right side; it is therefore called the right heart: while the systemic heart is on the left side; it is therefore called the left heart. In the right heart there are two veins; the one above brings the blood from the head, and the superior extremities; it is called the superior *vena cava*; the one below brings the blood from all the lower parts of the body; it is named the inferior *vena cava*. The two *venæ cavæ* meet at one point, and pour their blood into the right auricle. The right auricle opens into the right ventricle. From the right ventricle springs a large artery, which is the pulmonary artery, and which divides into two large branches; one of which goes to the right lung, and the other to the left. This completes the apparatus of the right heart. The capillary branches of the pulmonary artery, after ramifying through the lungs, terminate in the capillary branches of the pulmonary veins; the capillary branches of these veins uniting together, and becoming larger and larger, at length form four trunks, two for each lung. These are called the four pulmonary veins. These pulmonary veins convey the blood from the lungs to the left heart; they open into the left auricle; the left auricle transmits the blood to the left ventricle, the left ventricle to the great systemic artery, or the aorta, while the aorta carries it out to the system.'

The broad part or basis of the heart is placed upwards, its apex downwards. The heart itself is held in its position by a membranous bag which encloses it, and which is termed the *pericardium*. That the blood circulates in the course just described is proved by convincing arguments, by the valves, by the effect of ligatures, by injections into the vessels; and, lastly, by the evidence of our senses, for it may be observed in a living animal. The membrane of a frog's foot is sufficiently transparent to allow the circulation of the blood to be distinctly seen by the aid of a microscope, and without injury to the animal. It has been exhibited by Dr. Smith; and those who have watched the living currents rushing in continued streams along their appropriate channels, will not easily lose the impression which such an instance of the wonderful and the beautiful in creation is calculated to convey.

The discovery of the circulation was made, as is well known, by Harvey, about the year 1620. He spent eight years in re-examining the proofs of the fact before making it known to the public, which he did through the medium of a brief tract.

'This tract,' said Dr. Smith, 'was written with extreme simplicity, clearness, and perspicuity, and has been justly characterised as one of the most admirable examples of a series of arguments deduced from observation and experiment that ever appeared on any subject. * * * How many bodies were killed, how many wounded, the interior of how many were exposed by accident, in the chase, at the altar, and yet the fact of the circulation of the blood escaped the observation of generation after generation, for century after century, until two hundred years ago. In the progress by which man has arrived at his present knowledge of the universe, nothing is more remarkable than the fact that it is only for the last two centuries that he has understood the blood in his own body, and in the bodies of other animals, to be in motion. If we try to imagine what that science of medicine could have been, which took no account of a fact on which, as a basis, the whole fabric of certain physiology must rest, we shall be prepared for what its history exhibits, the bewilderment and the weakness of human reason, in attempts to explain and to form theories while a fatal error was mixed with all its suppositions. I have said that nothing is more remarkable than that the circulation of the blood should not have been discovered until two hundred years ago. I ought to except the manner in which the announcement of the discovery was received by the public of that age. For eight years did the illustrious Harvey labour unceasingly to mature and complete his proof. During this period, without doubt, he sometimes endeavoured in imagination to trace the effect which the stupendous fact, to the knowledge of which he had attained, would have on the progress of his favourite science. And he sometimes, perhaps, fondly hoped that the labour he was spending in bringing to light a fact which would confer inestimable benefit on his fellow-beings, would at least secure to him their confidence, and make them look upon him, in some degree, as their benefactor. No! not a single convert did he make; nothing but contumely did he gain; nothing but injury did he receive. The little practice that he had as a physician, declined. He was too speculative; he was theoretical; he was not practical. This was the view taken by his friends; and his enemies, (for what enlightened and benevolent man is there whose intelligence and benevolence carry him out of the beaten track of speculation and of action, that has not enemies?) oh, what a torrent of abuse did *they* pour down upon him for having called in question the revered authority of the ancients—for having advanced new doctrines tending to subvert the credit of the Scriptures—doctrines which, if their progress were not checked at once, would undermine the very foundations of morality and religion. Slow as mankind have hitherto been in discovering their true benefactors, whether as relates to persons or to institutions, still it is a fact not to be forgotten, that the weak and wicked clamour that was raised against the great Harvey, lasted but a few years, and that he lived to witness the utter discomfiture of his enemies, the complete triumph of the truth, to realize as ample a fortune as he desired, and to rise to the very summit of reputation; surely this should cheer and encourage those who, two centuries afterwards, (and such centuries!) have encountered, or may encounter, the same reproach in a like cause.'

We now come to the *action* of the heart.

'In man, and in all warm-blooded animals, the whole blood of the body, in successive streams, is collected and concentrated at the heart. The object of the accumulation of a certain mass of it at this organ is to subject it to the action of a strong muscle, and thereby to determine its transmission with adequate force and precision through the different sets of capillary vessels. All the blood in the body is in succession brought to the heart; the heart is, therefore, the central engine that works the current.

'But it is different from every other engine with which we are acquainted. It generates the power it communicates. It accomplishes what no mere mechanism ever has or ever can accomplish. It originates a motive power.

'In the best constructed machinery, and in machinery that acts with the most prodigious power, there is no real generation of power. There is merely concentration, merely direction of pre-existing power. There are particular applications of it to the accomplishment of specific purposes, but there is no origination of it. But when we pass into the region of life we are in a new world, where, though there is still mechanism, put and kept in play by adjustments the most admirable, there is always something beyond mechanism, something not only not mechanical nor physical, but to which neither mechanics nor physics present anything analogous.'—'And of this the action of the heart affords a beautiful illustration. The heart is a muscle; its action is muscular action, and its action consists in the exercise of one single property, that of diminishing its length or shortening itself. But what is it that causes the muscle to contract? Take the case of a voluntary muscle. What is it that causes the muscles of my arm to contract, and that thereby enables me to move it? I apply no force to the muscle; I make use of no pressure; I employ nothing analogous to the force, without the previous exercise of which there would be no recoil in the spring; no expansion in the body compressed. I perform a mental act; that state of consciousness takes place which is called volition. I have a desire to gratify, a purpose to accomplish—instantly, as soon as the thought is conceived, as if by the conception of the thought, the required muscular motion is performed.—Where is the physical force here? Where the mechanical power? There is nothing analogous to it. The force that is exerted, the power that is called into exertion, is new power; it is generated at the moment it is needed; it passes away the instant it has performed its office; there is no possibility of accumulating it; no means of concentrating it; no mode of perpetuating it. Every act of voluntary motion performed by a voluntary muscle must be preceded by the mental state of volition; this is necessary, but this is all that is necessary.'

'Take, on the other hand, the case of the involuntary muscle. Though the property of contractility resides in the muscle, yet no muscle can contract of itself. It must be excited to contraction by some agent exterior to itself; and that agent, whatever it be, is called a stimulus. Of a voluntary muscle the appropriate stimulus is volition, or, more correctly speaking, some nervous influence sent from the brain, or spinal cord, into the muscle by the act of volition.

Of the involuntary muscles the appropriate stimuli are various, though some of these muscles are obedient only to specific stimulus. Thus the aliment is the appropriate stimulus of the muscular fibres of the stomach; the chyme of the duodenum, or second stomach; the chyle of the small intestines, and the blood of the heart.

'Now the mere contact, and the gentlest contact, of the muscular fibre with its appropriate stimulus, will cause the muscle to contract. If in an animal recently dead, the inner surface of the ventricle of the heart be pricked in the gentlest manner with the point of a needle, the ventricle will contract so as to bring the needle deep into its substance. If in the living animal, if in man, volition command, the arm will lift a weight of a hundred pounds, will overcome a degree of resistance to this extent, no force having been previously exerted to cause it to do so; nothing having preceded but a mental act.

'And this is the true physiological distinction between the production of motion by a living substance in an organized body, and the production of motion in a machine put into action by some physical agent. The living agent generates the power it exerts; the machine merely accumulates, or directs the power already in existence. Power of the first kind is vital; power of the second kind is mechanical. All vital motion is the produce of this one agent, the muscular fibre, and is obtained by this one action of it, *contractility*. All the motion that can be required in the economy, is capable of being produced by this one agent, and this one action, and, therefore, with a simplicity that marks all the works of nature, this is the only agent that is employed. Mechanical principles, without doubt, are put in requisition, and made to cooperate whenever this can be done with convenience and effect; whenever the doing so will economize the production of muscular fibre; but to the extent in which muscular fibre is really necessary, it is dealt out with no niggard hand; and the study of the muscles becomes a most interesting and beautiful study, when pursued with a view to observe the arrangements and combinations made to accomplish the infinitely varied and complex motions required and performed in the animal economy.

'The muscular fibres of the heart are curiously arranged. They almost all take their origin from one point, where the structure becomes *tendinous*; and this point is the pivot of the heart's movements. Tendon is highly elastic. The arrangement of the whole is such that the general contraction of the fibres must necessarily bring all the parts of the heart towards the central tendinous point, and the result is the compression of all the cavities, and the forcible ejection of their contents by their natural openings. The contraction is instantly followed not only by dilatation, but by the recoil of the elastic tendon.

'The two auricles contract together, and the two ventricles contract together, and these motions alternate with each other, and go on in regular succession. When the ventricles contract, the apex of the heart is drawn upwards, and raised or tilted forwards; it is this motion which is felt between the fifth and sixth ribs, and which is called the beating of the heart; it just perceptibly precedes the pulsation at the wrist. The different chambers of the heart open into and communicate with each other, and the effect of the contractions is to eject the blood they contain with great force. It was necessary to make a pro-

vision that this ejection of the blood should be made in the right direction; to provide, for instance, that the contraction of the right ventricle should propel the blood into the pulmonary artery, and not back into the right auricle. This provision is made in the *valves* of the heart. Between each auricle and ventricle there is a valve. This valve consists of a fold of membrane, thin, but exceedingly firm and strong, placed around the opening. As long as the blood proceeds forward in the proper course of the circulation, it presses this membrane close to the side of the heart, and *therefore* and *thereby* prevents it from occasioning any impediment to the onward current. But when, by the contraction that follows, the blood is pressed in all directions, and attempts to re-enter the auricle, it insinuates itself between the sides of the ventricle and the membranous valve, forces it up, and carries it over the mouth of the passage, and completely shuts up the channel. Were there not a further provision, the valve itself would be forced backwards into the auricle; but this is prevented by means of tendinous strings proceeding from muscular columns that line the inside of the ventricle, which strings are fastened to the loose edge of the valve. These tie it down, and prevent its going backwards too far. The contrivance is rendered still more perfect by vital action, which now comes into play. Muscle is excited to contraction by any stimulus; by none more than by distension. Exactly in proportion to the force with which the valve is pushed backwards, and so stretches the tendinous threads, and consequently distends the muscular column in which the tendinous threads end, do the muscular columns contract, and, by their contraction, force the valve to keep in its proper place.

'Among the countless instances of wise and beneficent adjustment familiar to the student of nature, there is commonly some one upon which his mind rests with peculiar satisfaction,—some one to which it constantly recurs, as affording *the proof* on which it reposes, of the operation of an intelligence that has foreseen and planned an end, and provided for its accomplishment by the most perfect means. And surely nothing is more worthy to become *one* such resting place to the philosophic mind, than the structure and action of the valves of the heart. An anatomist, who understood the structure of the heart, might say before he saw it in action, that it would play. But, from the complexity of its mechanism, and the delicacy of some of its parts, he would be apprehensive that it would be liable to constant derangement; and that it would soon wear itself out. And yet does this wonderful machine go on night and day for eighty years together, at the rate of a hundred thousand strokes every twenty-four hours; having at every stroke a great resistance to overcome; and it continues this action for this length of time, without ceasing and without weariness. That it should continue this action for this length of time without disorder is wonderful; that it should be capable of continuing it without weariness is still more amazing. Never for a single moment, night or day, does it intermit its labour, neither through our waking nor our sleeping hours. On it goes without intermission, yet it never feels fatigue, it never needs rest, it is never conscious of exhaustion.

'What is it that renders it capable of this incessant and untiring

action, while the muscles of the arm and the muscles of the leg become tired after an hour's vigorous exertion, are completely exhausted after a day's labour, and can by no effort be made to work beyond a given period? There is no apparent difference in the muscle itself. In both cases the substance is similar, and the organization, as far as we are able to appreciate it, is the same; yet, what an amazing difference in their action! Physiologists have laboured with great earnestness to assign the cause of this, but we are able to go back only a single step, and then recurs the same difficulty.'—'Muscles contract on the application of stimuli. The voluntary muscles contract on the application of the stimulus of volition. Volition acts only occasionally. The stimulus is not always present, and the muscle acts only when the stimulus is present. But the proper stimulus of the heart is the blood. The heart always contracts whenever a certain portion of blood is brought into contact with the inner surface of its different chambers. That portion of blood is duly brought to it in a regular manner, and in successive order. It, therefore, never ceases to act, because it is never without the presence of its appropriate stimulus. It maintains through life a nearly uniform succession of movements, because its appropriate stimulus in due quantity is regularly supplied to it at successive intervals.

'We can thus see how its action is without intermission; but why it should never feel exhaustion or fatigue, why, unlike the voluntary muscle, it requires neither rest nor repose, we do not know. Had it required rest or repose, the first hour in which it indulged in either would have been the last of life. What the necessities of the economy are that render it desirable that it should be placed beyond the dominion of the will, we see. Did the beating of our heart depend on our own care and thought, we could give care and thought to but little else. It was necessary to the continuance of our life that it should be made capable of working unceasingly, without a moment's pause, and without the capacity of fatigue. It is so made; and the power of the Creator, in constructing it, can in nothing be exceeded but his wisdom!'

With this extract we close our present account of the lectures, hoping at a future time to give, as completely as an un-illustrated abridgement can give, some idea of those that yet remain to be noticed. The interest of the subject, heightened as it is by the comprehensive view in which it is grasped by the lecturer, cannot fail to insure, to his benevolent intention to improve the moral and physical condition of his fellow-beings, the best success. That success is to be found in the feelings with which many will rise from the study of this branch of the human economy; admiration at the wonderful and beautiful contrivance displayed in the structure of our bodies, and gratitude to the almighty and beneficent Creator, who has made all things to minister to the ultimate happiness of his creatures.

CHANNING'S SERMONS. NEW SERIES.*

THE warmest of Dr. Channing's admirers will not be disappointed in this volume, which if it do not raise, may yet perhaps extend, and is at any rate well calculated to sustain, his reputation. It bears the beautiful impress of his peculiar genius; and if those who are familiar with his other writings do not find in it the developement of new views, or traits of mental character not heretofore displayed by the author, we may yet hope that the selection of topics and the spirit in which they are discussed, may win the attention and sympathy of some whose prejudices have prevented their being benefitted by a writer whose vocation seems to be to benefit mankind. His strong individuality of thought; his originality of conception and illustration; his simple, yet glowing style; his uncompromising truthfulness; his fervent devotion, his pure and high-toned feeling, and his affectionate reverence for humanity, all are here,—and what can we wish for more? We observe with regret, that the publication is less perfect in his own estimation than it might have been, from the absence of amplification and revision, which ill health did not allow him to bestow. Whatever diminishes his ability for mental exertion, is scarcely a less calamity to England than to America.

The subjects of the sermons are, 1. Evidences of Christianity. 2. Character of Christ. 3. Christianity a rational religion. 4. Honour due to all men. 5 and 6. Self-denial. 7. The imitableness of Christ's character. 8. The evil of sin. 9. Immortality. 10 and 11. Love to Christ. The first three sermons are connected, and present a display of the evidences of the gospel, which is admirably adapted to conciliate the feelings, as well as to impress the minds of sceptics or unbelievers. Their separate publication would probably do much good. A misconception of the spirit of Christianity is, we apprehend, by far the most prevalent cause of its rejection by intelligent men. Their objection lies not so much against the evidence, as against the proposition which it is alleged to establish; and the proof which would be allowed to be sufficient to sustain a doctrine of simplicity, freedom, and benevolence, is disregarded and scorned, because employed to enforce a system of mystery, slavery, and bigotry. To show Christianity worthy of their love, is the best way of removing many of their doubts and difficulties as to the conclusiveness of its evidence. Dr. Channing does not begin, nor end either, with a denunciation of guilt and endless punishment against an involuntary mental operation. He distinguishes between the various causes, both of belief and unbelief, under the different circumstances of age and country. He shows how both derive any thing of moral character which may properly be

* Discourses, by William Ellery Channing. London: Kennett, 1833, 8vo. pp. 274.

attributed to them, only from previous conduct and disposition; and therefore how it is possible that each may, in certain supposable cases, become the subject of praise or dispraise; and certain it is, that if some men have rejected Christianity under the influence of degrading passions, others have received it under the influence of passions as degrading. There have been not only infidels, but converts, from the bias of worldly-mindedness, base servility, and the hope of impunity after death, for a life of vicious indulgence.

'According to these views, opinions cannot be laid down as unerring and immutable signs of virtue and vice. The very same opinion may be virtuous in one man and vicious in another, supposing it, as is very possible, to have originated in different states of mind. For example, if through envy and malignity I should rashly seize on the slightest proofs of guilt in my neighbour, my judgment of his criminality would be morally wrong. Let another man arrive at the same conclusion, in consequence of impartial inquiry and love of truth, and his decision would be morally right. Still more, according to these views, it is possible for the belief of Christianity to be as criminal as unbelief. Undoubtedly the reception of a system, so pure in spirit and tendency as the gospel, is to be regarded in general as a favourable sign. But let a man adopt this religion, because it will serve his interest and popularity; let him shut his mind against objections to it, lest they should shake his faith in a gainful system; let him tamper with his intellect, and for base and selfish ends exhaust its strength in defence of the prevalent faith, and he is just as criminal in believing, as another would be in rejecting Christianity under the same bad impulses. Our religion is at this moment adopted and passionately defended by vast multitudes, on the ground of the very same pride, worldliness, love of popularity, and blind devotion to hereditary prejudices, which led the Jews and heathens to reject it in the primitive age; and the faith of the first is as wanting in virtue as was the infidelity of the last.

'To judge of the character of faith and unbelief, we must examine the times and the circumstances in which they exist. At the first preaching of the Gospel, to believe in Christ was a strong proof of an upright mind; to enlist among his followers, was to forsake ease, honour, and worldly success; to confess him was an act of signal loyalty to truth, virtue, and God. To believe in Christ at the present moment has no such significance. To confess him argues no moral courage. It may even betray a servility and worldliness of mind. These remarks apply in their spirit to unbelief. At different periods, and in different conditions of society, unbelief may express very different states of mind. Before we pronounce it a crime, and doom it to perdition, we ought to know the circumstances under which it has sprung up, and to inquire with candour whether they afford no palliation or defence. When Jesus Christ was on earth, when his miracles were wrought before men's eyes, when his voice sounded in their ears, when not a shade of doubt could be thrown over the reality of his supernatural works, and not a human corruption had mingled with his doctrine, there was the strongest presumption

against the uprightness and love of truth of those who rejected him. He knew too the hearts and the lives of those who surrounded him, and saw distinctly in their envy, ambition, worldliness, sensuality, the springs of their unbelief; and accordingly he pronounced it a crime. Since that period what changes have taken place! Jesus Christ has left the world. His miracles are events of a remote age, and the proofs of them, though abundant, are to many imperfectly known; and what is incomparably more important, his religion has undergone corruption, adulteration, disastrous change, and its likeness to its founder is in no small degree effaced. The clear, consistent, quickening truth, which came from the lips of Jesus, has been exchanged for a hoarse jargon and vain babblings. The stream, so pure at the fountain, has been polluted and poisoned through its whole course. Not only has Christianity been overwhelmed by absurdities, but by impious doctrines, which have made the universal Father now a weak and vain despot, to be propitiated by forms and flatteries, and now an Almighty torturer, fore-ordaining multitudes of his creatures to guilt, and then glorifying his justice by their everlasting woe. When I think what Christianity has become in the hands of politicians and priests, how it has crushed the human soul for ages, how it has struck the intellect with palsy and haunted the imagination with superstitious phantoms, how it has broken whole nations to the yoke, and frowned on every free thought; when I think how, under almost every form of this religion, its ministers have taken it into their own keeping, have hewn and compressed it into the shape of rigid creeds, and have then pursued by menaces of everlasting woe whoever would question the divinity of these works of their hands; when I consider, in a word, how, under such influences, Christianity has been and still is exhibited, in forms which shock alike the reason, conscience, and heart, I feel deeply, painfully, what a different system it is from that which Jesus taught, and I dare not apply to unbelief the terms of condemnation which belonged to the infidelity of the primitive age.

'Perhaps I ought to go further. Perhaps I ought to say, that to reject Christianity under some of its corruptions is rather a virtue than a crime. At the present moment, I would ask, whether it is a vice to doubt the truth of Christianity as it is manifested in Spain and Portugal? When a patriot in those benighted countries, who knows Christianity only as a bulwark of despotism, as a rearer of inquisitions, as a stern jailer immuring wretched women in the convent, as an executioner stained and reeking with the blood of the friends of freedom; I say, when the patriot, who sees in our religion the instrument of these crimes and woes, believes and affirms that it is not from God, are we authorized to charge his unbelief on dishonesty and corruption of mind, and to brand him as a culprit? May it not be that the spirit of Christianity in his heart emboldens him to protest with his lips against what bears the name? And if he thus protest, through a deep sympathy with the oppressions and sufferings of his race, is he not nearer the kingdom of God, than the priest and inquisitor who boastingly and exclusively assume the Christian name? Jesus Christ has told us that "this is the condemnation" of the unbelieving, "that they love darkness rather than light;" and who does not see, that this ground of condemnation is removed, just in proportion as the

light is quenched, or Christian truth is buried in darkness and debasing error?

'I know I shall be told that a man in the circumstances now supposed, would still be culpable for his unbelief, because the Scriptures are within his reach, and these are sufficient to guide him to the true doctrines of Christ. But in the countries of which I have spoken, the scriptures are not common; and if they were, I apprehend that we should task human strength too severely, in requiring it, under every possible disadvantage, to gain the truth from this source alone. A man born and brought up in the thickest darkness, and amidst the grossest corruptions of Christianity, accustomed to hear the Scriptures disparaged, accustomed to connect false ideas with their principal terms, and wanting our most common helps of criticism, can hardly be expected to detach from the mass of error which bears the name of the Gospel, the simple principles of the primitive faith. Let us not exact too much of our fellow-creatures. In our zeal for Christianity, let us not forget its spirit of equity and mercy. In these remarks I have taken an extreme case. I have supposed a man subjected to the greatest disadvantages in regard to the knowledge of Christianity. But obstacles less serious may exculpate the unbeliever. In truth, none of us can draw the line which separates between innocence and guilt in this particular. To measure the responsibility of a man, who doubts or denies Christianity, we must know the history of his mind, his capacity of judgment, the early influences and prejudices to which he was exposed, the forms under which the religion and its proofs first fixed his thoughts, and the opportunities since enjoyed of eradicating errors, which struck root before the power of trying them was unfolded. We are not his judges; at another, and an unerring tribunal he must give account.'—p. 6—11.

We are sorry to see (p. 227) that Dr. Channing's mind is undecided between the doctrines of the future restoration and the final destruction of the wicked. As a scriptural question, we should have expected that the spirit in which he expounds texts, would have led him to the deduction of the former doctrine from the language of many passages. His notion of mental liberty must, of course, prevent his recognition of those reasons for it which arise from the combination of the benevolence of the Creator with the doctrine of philosophical necessity. But other and conclusive arguments, might have presented themselves in the views of human nature so nobly developed in the fourth discourse. The following passage on greatness contains a presumptive argument that the capabilities of what has hitherto been the great majority of our race, will not be ultimately sacrificed.

'The true view of great men is, that they are only examples and manifestations of our common nature; showing what belongs to all souls, though unfolded as yet only in a few. The light which shines from them is, after all, but a faint revelation of the power which is treasured up in every human being. They are not prodigies, not miracles, but natural developements of the human soul. They are,

indeed, as men among children; but the children have a principle of growth which leads to manhood.'—p. 154.

And will not this tendency be realized? Will not the feebleness of moral infancy be trained to strength by the discipline ofa future life? It is not unreasonable to expect that the mere transition to a different state of existence, may have results analogous to those of the location of a criminal in new circumstances. Many of our vices are generated by the peculiarities of our mortal condition, and by the corruptions of society, without which it seems that they should wither for want of nourishment and stimulus. The evil is of earth and circumstance: the good is of nature and eternity.

'In heaven ambition cannot dwell,
Nor avarice in the vaults of hell;
Earthly these passions of the earth,
They perish where they had their birth,
But love is indestructible.'

So was it truly and beautifully said by Southey; and we should rather have expected from Dr. Channing an entire sympathy with, and a full developement of the principle contained in these lines, than so strange a speculation as that advanced in the eighth discourse, of the generation hereafter, by the depraved mind, of a bodily frame, whose organs and senses shall only convey impressions of gloom and emotions of pain. On this point, and also on his view of morals, which he seems to resolve into the dictates of an innate principle, or sense, or instinct, we cannot but dissent from the volume before us. But these spots, which may not be to others the defect which they are to our minds, are lost in our sense of the pervading brightness. And if the author stops short of what appear to us the ultimate prospects of universal humanity, he fully satisfies us, by the spirit in which he contemplates the present condition of the world, and the agencies which ought to be relied upon for its improvement. We regret we cannot conclude this brief notice, which is indeed chiefly intended to apprize our readers of the arrival and republication of these discourses, by a quotation expressing the author's views on the great political and social changes now taking place in Europe. We refer to the conclusion of the discourse on the 'Honour due to all men.'

THE DISSENTING MARRIAGE QUESTION.

The various applications which have been made to the legislature for the relief of Unitarians from compulsive conformity with Trinitarian worship in the marriage ceremony, the parliamentary proceedings which took place thereon, and the general merits of the question itself, have so frequently occupied the pages of the *Repository*, as to render most of our readers sufficiently familiar

with them. The question is now, it seems, about to be discussed on a broader principle. The Unitarian grievance will be merged in that felt by Dissenters generally, and a common and strenuous application made for relief. A circular was issued from the office of the Congregational denomination on the eve of the late elections, announcing, 'reason to expect that a vigorous effort will be made by the Dissenters in the metropolis during an early period in the approaching session,' and inviting the support of their brethren in all parts of the country. The Deputies have also entertained the question, and we believe that overtures have been made to the Unitarian Association for its cooperation. Although the case of the Unitarians is a stronger one than that of Trinitarian Dissenters, and they have the advantage of something approaching to a parliamentary pledge for their relief, it is nevertheless desirable, in our apprehension, that they should not continue to urge their separate claims, but aid in bringing the entire subject into discussion. If the assurance of prompt success be not so strong, the good to be realized by that success is proportionally greater. From the peculiar situation of the Unitarians, and the known aversion of Parliament ever to recognise a principle, while it could legislate on details, the question was narrowed as much as possible, until indeed it embraced little more than exemption or non-exemption from the obnoxious doxology. The diversities of opinion amongst Dissenters at large have led them unavoidably to lay a wider basis for their operations. We give, in a note below, the statement which they have put in circulation, and which may be regarded as the view of the subject taken by the leaders of the several bodies, which are expected to act in combination.*

* *Fourteen Reasons why Dissenters should not submit to have their Marriages celebrated at the Altar of a Consecrated Building, before Clergymen belonging to a Church to which they cannot conscientiously conform.*

1. Because the marriage-contract being, at least so far as it properly falls under the cognizance of the legislature, a common, in distinction from a religious engagement, should be regarded by the law merely as a civil transaction.

2. Because no sacred rite having been, by divine appointment, appended to matrimony, any solemn form of celebration which in effect converts this contract into a religious ceremony, savours strongly of superstition, and gives countenance to the erroneous doctrine of the Romish Church, that marriage is a sacrament.

3. Because the imposition of a specific form of religious service, on any class of Nonconformists, on this or any other occasion, is a flagrant violation of the most sacred right of every human being, to worship God according to the dictates of his own conscience.

4. Because the outward observance of any religious service, in virtue of a command emanating merely from human authority,* involves a person in the guilt of treating the only Object of all true worship with mockery; and must, even though performed in extenuating circumstances, be displeasing in the sight of Him who 'searcheth the heart,'† and who, being a Spirit, can be worshipped only 'in spirit and in truth.'‡

5. Because such compliance, on the part of Dissenters, tends to neutralize and nullify that open testimony which they consider it their duty to bear in the face of obloquy and reproach against the errors and corruptions of the endowed Church, by declining to join in its communion, and habitually absenting themselves from its ordinary services.

6. Because the present state of the English marriage law casts an unjust reflection,

* John v. 41, † 1 Chron. xxviii. 9. ‡ John iv. 24.

We are not disposed severely to criticise this paper. The confession of an 'egregious lack of proper feeling and becoming energy,' and its very modest and humble contrast with the activity of the 'limited class of Dissenters called Unitarians,' may atone for the assumption of the 'more numerous and influential denominations;' and if we may venture to interpret this confession as a pledge of amendment, as an indication that the power of the dissenting body will make itself more felt than heretofore on great questions of public good, we may be thereby indisposed to comment on the selection of a merely dissenting grievance for the first exertion of this power, while so many more and fixes an unmerited stigma, on the Protestant Dissenting Ministers of England, who are thereby treated as unfit to be trusted with the celebration of marriage; while their brethren in Scotland, Ireland, and the British Colonies, and Christian ministers of all varieties of sect and denomination in the United States of North America, universally possess that privilege.

7. Because it imposes an *unjust* and *oppressive* tax on Protestant Dissenters, by compelling them to remunerate the clergy of the endowed Church, for services which might be more advantageously performed by ministers or magistrates of their own selection, who would cheerfully give them, on so interesting an occasion, their *unbought* blessing, or gratuitous services.

8. Because the marriage service prescribed by the Book of Common Prayer, was notoriously borrowed from the ritual of the Romish Church, and is founded on the assumption of a tenet peculiar to that Church, *viz.* that matrimony, having been consecrated by Divine authority, to be a sacred sign, or mystical emblem, is an affair of ecclesiastical cognisance, belonging exclusively to the province of a priesthood connected with an episcopal hierarchy.

9. Because many persons feel conscientious objections to a form of words which one of the parties is invariably required to repeat:—*With this ring I thee wed, with my body I thee worship, and with all my worldly goods I thee endow;* IN THE NAME OF THE FATHER, AND OF THE SON, AND OF THE HOLY GHOST: the former, or declaratory part of these words, containing expressions, the meaning of which, in the judgment of persons learned in the law, is highly equivocal; while their combination with the solemn formula introduced at the conclusion, renders the lawfulness of the whole extremely doubtful.

10. Because the repeal of this intolerant law will wipe off one reproach, which has long attachedt o the great body of Dissenters, who are justly chargeable with having made a pusillanimous compromise of the rights of conscience, as well as a lamentable defection from that zealous regard to the purity of Divine worship, and the honour of the Divine name, for which their puritan forefathers were eminently distinguished.

11. Because the society of Friends, so long since as the year 1752, in consequence of their previous uniformly consistent refusal of compliance, procured a recognition of the validity of their marriages, in the very act which compelled all other Dissenters to conform to the ceremony of the endowed Church.

12. Because the spirit and character of the present times imperatively demand that the more numerous and influential denominations of Protestant Dissenters should no longer exhibit to their fellow-countrymen that egregious lack of proper feeling and becoming energy, which their past conduct has betrayed.

13. Because the limited class of Dissenters called Unitarians, upon whom this law certainly presses with aggravated weight, having, during several successive Parliaments, brought the subject before the legislature, it has already undergone full discussion in both Houses, where the principle has been universally conceded, on which an efficient measure of general relief may be founded.

14. Because the way having been thus prepared by others, and the only obstacle which impeded the successful prosecution of the object being removed by the recent accomplishment of parliamentary reform, the orthodox Dissenters will be utterly inexcusable, if, when a new House of Commons is to be freely elected, they longer hesitate to take such steps as may be necessary to secure the speedy passing of a decisive and effectual measure of redress for a grievance which, having long been oppressive and vexatious, has now become utterly intolerable.

general and heavy grievances press upon the community, and demand the attention of the first reformed Parliament. Indeed, such censure will not apply, if it be intended that the principle laid down in the first reason, and corroborated in the second, should be fairly carried out into its legitimate consequences. On this supposition it is not merely a dissenting grievance, but one of the great evils of the social state; one of the worst miseries which priestcraft and aristocracy have combined to inflict upon mankind, that the Dissenters are pledging themselves to endeavour to remedy. If they can induce the legislature to adopt the theory that the marriage contract is 'a common, in distinction from a religious engagement, should be regarded by the law merely as a civil transaction,' is superstitiously converted into 'a religious ceremony,' and is not 'an affair of ecclesiastical cognizance,' they will do enough towards social reformation and the diffusion of social enjoyment, amply to merit oblivion for all the past inertness which they deplore.

To carry this principle consistently into effect, there must be no transfer of 'the celebration of marriage' from the episcopalian minister to the dissenting minister. We are sorry to see, by the sixth reason in the paper referred to, that any such transfer should be contemplated. Its inconsistency with an honest adherence to the principle is manifest. That principle can never be established in the minds of the people generally, so long as the interposition of priest or *quasi* priest, of a person in 'holy orders,' or 'pretended holy orders,' is inseparably connected with entering into the marriage contract. Let episcopalian or dissenter invite the presence and the prayers of priest or minister on that, as on other important occasions, if he so please, but let it be plain to all parties that this is a proceeding perfectly voluntary; that the contract is distinct from it, and complete without it. Unless this be carefully done, the Romish superstition, which the congregationalists so properly denounce, can never be eradicated. The dissenting ministry already tends quite enough towards a priesthood. The pretensions set up by some, and the supervision and influence exercised by many, bear all the marks, and produce some of the worst effects of priestcraft. The public and the legislature may be rightfully jealous of an addition to the privileges or functions of a distinct class or order of men, who bear a peculiar character, possess peculiar interests, and already exercise a powerful and extensive influence. Or as we would rather put it, dissenting ministers themselves should be anxious to disclaim investiture with any privilege, or the discharge of any function, which obliterates the distinction between the minister and the priest, and fosters in the people a deceptive notion of the authority, dignity, and relative position of those who are nothing more than brothers amongst brethren. They will do well, also, in distinctly disclaiming the fee-system. Let them anticipate, and so for ever

silence, the calumny that this application to Parliament is darkened by even the faintest shadow of a desire for the pelf; that it has in the slightest degree the character of a struggle with the hireling shepherds of the establishment for the fleece of the flock. We all know how the Catholic priests of Ireland; and priests more zealous, laborious, enduring, or attentive to the poor, have never walked the earth; how they have been blamed on the suspicion that the fee-system, trifling as their fees are on such occasions, has made them accessories to those early and improvident marriages amongst the peasantry, which have helped to identify in Ireland the increase of population, and the increase of suffering. The enlightened ministers of all denominations, would, no doubt, act on philanthropic principles, and so, no doubt, do many enlightened members of the Irish priesthood; but in the one case, as in the other, a taint may attach to the order, from the conduct of individuals, ignorant, mercenary, or mistaking with the best possible intentions. On every account it is desirable to aim at the total disunion (except as a subsequent, unnecessary, and perfectly voluntary appendage) of the religious service from the civil contract; only by so doing can the Dissenters establish their principle, that marriage *is* a civil contract. It were desirable, therefore, in their seventh reason, to strike out 'the ministers,' and leave the 'magistrates,' who will ratify and register the agreement of the parties as satisfactorily as they did in the days of the commonwealth.

By the magistrate being the only person known to the law in the formation of the marriage contract, the registration will be better provided for than it can be, if dissenting ministers be the agents. Chapel registries have never yet been admitted to the rank of legal evidence. They are peculiarly liable to the evils of being irregularly kept, and occasionally lost. A known servant of the state must be the best registrar of a transaction which the interests of society require should have an authentic record carefully preserved, and always accessible. Unitarian ministers, notwithstanding their heresies, are as good clerks as their orthodox brethren, and yet their marriage bill suffered shipwreck on this very question of registration: a failure never to be regretted, if it shall have, in any degree, prepared for and facilitated the adoption of a more liberal and comprehensive measure, and one based on a principle, which, however true and important, could not have been put forward by them without ensuring the defeat of their application.

Should the Dissenters obtain the legislative sanction of that principle, the beneficial results will soon extend to the members of the establishment. They will not be priest-ridden along the road where nonconformist millions are walking unburdened and unfettered. They will not continue to have imposed upon them a semi-sacrament, where Dissenters are only contracting a social

engagement. The quakers indeed have long borne their testimony, but the world goes not to quaker meetings to see the simplicity of their arrangements. Few people know, perhaps, that quaker marriages always may, and often do take place, without any religious service, any prayer or admonition whatever, or the interposition of any person except the two parties concerned. They rise, and in the simplest form of words pledge themselves to each other; and those present who are disposed, sign the record as witnesses, and there is an end of the matter, unless any brother or sister feels that impulse to speak, which they obey on this as they do on all other occasions, when it is felt. But though the Friends shrink not from publicity, and in truth they have as little occasion to do so as most people, still as to the mass of the community these things are done in a corner. It will be very different when the multifarious hosts of dissent, the three denominations which are known at court, and the three hundred denominations which are not known at court, with all their young men and maidens, shall be marrying themselves all the country over. They will make themselves seen and heard, and the church men and church women will take turn to feel that theirs is an aggrieved denomination; and they will petition Parliament for equal rights, and the dissenting principle will become the established principle, and in its developements and its applications it may be that alleviations or a cure may be found for evils by which society is now both harassed and contaminated.

For certain it is that our present system does not work well. In many cases parties are inexorably bound together for life by the law, and by those anomalous relics of popery the ecclesiastical courts, who are neither one flesh nor one spirit, but, morally speaking, divorced, and without affection, if they live together, living together viciously. In many other cases, the institution fails of realizing any approach towards that sympathy, solace, stimulus to honourable action, and moral training of the rising race, which are its proper and professed objects. Moreover, the streets of all large cities swarm with unhappy women, miserable agents of the temptation of which at first they were the victims, alike suffering and corrupting, and visiting on the other sex an involuntary but fearful retaliation for their own ruin. Now if the principle that marriage is a common contract, a simple agreement, were consistently followed out, one result would be that law and fact would cease to be at variance, and parties to be condemned to wretched lives of unwilling falsehood. A civil contract, not dissoluble when its dissolution is required by the interests of the contracting parties and of the community, would be a strange anomaly. Some of the American States have got rid of that anomaly, and we can scarcely throw stones at them on account either of their immorality or unhappiness. There never would have been any doubt on this matter, but for priests alike ignorant and meddling,

who have strangely misapplied to legal and judicial divorce, that is, to release from a contract, publicly and solemnly obtained from the constituted authorities, on sufficient cause shown, that which our Lord said [Matt. xix. 8.] of the private and irresponsible right of divorce which the Jew possessed under the law of Moses. That admonition was a generous interposition on behalf of the defenceless and oppressed. It enjoined as a moral precept, not as a national law, the restriction of the individual privilege of divorce, which the law sanctioned without limitation, to that single case in which the law did not decree divorce but denounce death. It was the recommendation of an act of mercy. The spirit was, reserve the exercise of this despotic privilege, and a most despotic privilege it was, for the occasion on which it enables you to save a human life from legal extinction.* By a far-fetched abuse not unworthy of them, Papal priests and Protestant bishops have transformed a charitable precept for private conduct, into a public restrictive law. And it is remarkable that we allow divorce *de facto* to an unlimited extent, in the only case in which the Jew forfeited his privilege, in that of seduction. For though not recognised as such by the partial and pharisaical morality of the laws, yet, in a moral view, seduction is marriage. The poor, abandoned outcasts in our streets are, in fact, the repudiated wives of the men whom our laws allow to cast them off with a caprice and a barbarity worse than ever stained the soil of Judea with all its divorces and polygamy. It would be seen that a simple contract essentially independent in its nature of priest, or ceremony, could be testified in various ways; in Scotland, it may be established simply by a verbal declaration, and conduct in this case should be final evidence. What the legal rights of wifehood should be, we will not attempt to define, but however the law might describe them, it ought to recognise and sustain them, in every woman so circumstanced. Even a temporary toleration of polygamy would be better, infinitely better, than this eternal flood of prostitution. It is an evil which cries to heaven for redress, and that redress, by saving woman, would purify society.

Should juster notions of marriage lead to the deliverance of society from these and other evils, it would again become the ministry of happiness on which the Creator pronounced his primeval benediction. May the Dissenters therefore persevere; establish the principles which they affirm, as well as obtain the rights which they claim; and no 'longer hesitate to take such steps as may be necessary to secure the speedy passing of a decisive and effectual measure of redress for a grievance, which having long been oppressive and vexatious, has now become utterly intolerable.'

* See this matter most ably elucidated in Michaelis's Commentaries on the Laws of Moses, book 3. chap. 8.

NEW PUBLICATIONS.

The Charmed Sea. By H. Martineau. (Illustrations of Political Economy, No. 13.)

John Milton: his Life and Times, Religious and Political Opinions. By Joseph Ivimey. Effingham Wilson. (1.)

A Biographical History of the Wesley Family. By John Dove. Simpkin and Marshall. (2.)

Three Years in America. By James Stuart, Esq. 2 vols. Cadell, Edinburgh.

Vegetable Cookery; with an Introduction, recommending Abstinence from Animal Food and Intoxicating Liquors. By a Lady. The Fourth Edition. (3.)

Arthur Coningsby. 3 vols. Wilson.

Whychcotte of St. Johns, or the Court, the Camp, the Quarter Deck, and the Cloister. 2 vols.

A Compendium of Civil Architecture, arranged in Questions and Answers, with Notes. By Robert Brindley. Longman and Co. and Simpkin and Marshall. (4.)

(1.) Milton seems to have attracted the admiration of the Rev. Joseph Ivimey, a Baptist Minister, who seceded from the General Body of Dissenting Ministers, on account of their petitioning in favour of Catholic Emancipation, by his having written *for* Baptism, and *against* Popery. "Would you desire better sympathy?" About seven-eighths of the book are extracts, chiefly from Milton's prose works. They are not arranged, which they easily might have been, so as to form the outline of an autobiography. The remaining portion is abundant in ignorance, confusion, violence, and bad grammar. The writer gets into ludicrous difficulties, by his desire to claim Milton as an illustrious fellow sectarian, combined with his intolerance of the Poet's heresies.

(2.) A neat little volume, designed as introductory to Watson's Life of the celebrated Founder of Methodism. It contains some interesting sketches of character. To one or two of these we shall probably call the attention of our readers in a future number.

(3.) The positive part of this book is excellent; the negative we cannot subscribe to. For soups and omelets, pies and puddings, creams, and even flummery, we have great respect; but as to "abstinence from animal food," *c'est tout autre chose*. The eclectic is the true philosophy. Thanks to the lady for her receipts, though we cannot swallow her dissertations.

(4.) A very comprehensive and useful compendium. But why should it have been in question and answer, the effect of which is only to occupy more paper, and give more trouble in reading?

The Elements of Hebrew Grammar; to which are added, The Principles of Hebrew Poetry, and an Outline of Chaldee Grammar. By William Probert. London. (5.)

Notes of Proceedings in Courts of Revision, held in October and November, 1832, before James Manning, Esq. Revising Barrister. And the Reform Act, with Explanatory Remarks. By William M. Manning, of Lincoln's Inn, Esq., Barrister-at-Law. London: S. Sweet. (6.)

A Few Plain Remarks on the Rev. T. Scott's Letter to T. L. Hodges, Esq. M.P. on Tithes. By George Colgate. Second Edition. Bromley.

Lectures on Protestant Nonconformity. By W. Turner, Jun. M.A. Halifax. E. Walker and Son, and R. Hunter, London. (7.)

The Existing Monopoly an Inadequate Protection of the Authorized Version of Scripture. By Thomas Curtis. London. (8.)

The Wanderings of Christendom from Gospel Truth, and the Prospects of its return to primitive Evangelism. A Discourse. By B. T. Stannus, Edinburgh. (9.)

(5.) The plan is what it professes to be, new and improved. A simple, rational Hebrew Grammar is, of itself, novelty and improvement. The student will not here be annoyed by the confusion and needless complication which have disgusted so many with the Hebrew language itself.

(6.) Very curious and amusing. The proportions in which a hair is split seem often to have made all the difference between Freeman and Vassal at the late election. Future generations should see, by such a record as this, how the great boundary line was drawn. They will never believe else.

(7.) These Lectures are short, clear, temperate, decided, and conclusive. We heartily recommend them. Dissent has seldom had a more able, enlightened, or judicious advocate.

(8.) Mr. Curtis has shown that, instead of faithfully and carefully representing King James's Version, the University presses have issued Bibles full of intentional changes, (supposed amendments of the translation,) as well as typographical errors. Of the former he has pointed out "in about a fourth part of the Bible, 2931." This includes, however, headings of chapters, and the use of Italics for supplementary words. The alleged deterioration of the modern editions is much exaggerated by the writer; but the usual effect of monopolies is certainly apparent. This matter should be looked into.

(9.) Mr. Stannus's "first published Discourse." It is a promise of good things. The exuberant foliage hides no lack of fruit.

CORRESPONDENCE.

We cannot grant E. his wager of battle. The subject has been discussed in our pages, and is one on which our Correspondents have expressed very opposite opinions.

T. N. is postponed. He will perhaps see why.

The Factory System, and the American Colonization Society, if possible, in our next.